

South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge
CB23 6EA

t: 08450 450 500
f: 01954 713149
dx: DX 729500 Cambridge 15
minicom: 01480 376743
www.scambs.gov.uk



21 December 2007

To: Chairman – Councillor Mrs PS Corney
Vice-Chairman – Councillor CR Nightingale
All Members of the Planning Committee

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 9 JANUARY 2008** at **2.00 p.m.**

Yours faithfully
GJ HARLOCK
Chief Executive

Requests for a large print agenda must be received at least 48 hours before the meeting.

Members of the public wishing to speak at this meeting are requested to contact the Support Officer by no later than noon on Monday before the meeting. A public speaking protocol applies.

AGENDA

	PAGES
PROCEDURAL ITEMS	
1. Apologies To receive apologies for absence from committee members.	
2. General Declarations of Interest	1 - 2
3. minutes of Previous Meeting To authorise the Chairman to sign the Minutes of the meeting held on 5 December 2007 as a correct record.	
PLANNING APPLICATIONS AND OTHER DECISION ITEMS	
4. S/1749/06/O and S/1703/06/HSC – Duxford (Land off Ickleton Road)	3 - 68
5. S/1643/07/F – Fulbourn (Land at Thomas Road, Fulbourn)	69 - 82
6. S/2046/07/F – Gamlingay (Land off Station Road)	83 - 96
7. S/2062/07/F – Hardwick (25 St Neots Road)	97 - 106

- | | | |
|-----|--|------------------|
| 8. | S/1969/07/A – Histon (Anglia House, Kendal Court, Cambridge Road) | 107 - 112 |
| 9. | S/0276/07/F – Waterbeach (Land R/O 12 Pieces Lane) | 113 - 122 |
| 10. | S/1678/05/F – Weston Colville (Land Adj. 33 Mill Hill) | 123 - 132 |
| 11. | S/2102/07/F – Comberton (at 64 Barton Road) | 133 - 142 |
| 12. | Fen Drayton - former land settlement association agreement | 143 - 146 |

INFORMATION ITEMS

The following items are included on the agenda for information and are available in electronic format only (at www.scambs.gov.uk/meetings and in the Weekly Bulletin dated 2 January 2008). Should Members have any comments or questions regarding issues raised by the report, they should contact the appropriate officers prior to the meeting.

- | | | |
|-----|---|------------------|
| 13. | Appeals against Planning Decisions and Enforcement Action
Summaries of Decisions of interest attached.
Contact officers:
Gareth Jones, Corporate Manager (Planning and Sustainable Communities) – Tel: 01954 713155
John Koch, Appeals Manager (Special Projects) – Tel: 01954 713268 | 147 - 150 |
| 14. | Enforcement Action | 151 - 154 |

GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL

Whilst the District Council endeavours to ensure that you come to no harm when visiting South Cambridgeshire Hall you also have a responsibility to ensure that you do not risk your own or others' safety.

Security

Visitors should report to the main reception desk where they will be asked to sign a register. Visitors will be given a visitor's pass that must be worn at all times whilst in the building. Please remember to sign out and return your pass before you leave. The visitors' book is used as a register in cases of emergency and building evacuation.

Emergency and Evacuation

In the event of a fire you will hear a continuous alarm. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

Do not use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.

Do not re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

First Aid

If someone feels unwell or needs first aid, please alert a member of staff.

Access for People with Disabilities

All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

Toilets

Public toilets are available on each floor of the building next to the lift.

Recording of Business

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the executive (Cabinet), or any committee or sub-committee of the Council or the executive.

Banners / Placards / Etc.

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

Disturbance by Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

Smoking

The Council operates a NO SMOKING policy.

Food and Drink

Vending machines and a water dispenser are available on the ground floor near the lifts. There shall be no food and drink in the Council Chamber.

Mobile Phones

Please ensure that your phone is set on silent / vibrate mode during meetings.

EXCLUSION OF PRESS AND PUBLIC

The following statement must be proposed, seconded and voted upon. The officer presenting to report will provide the paragraph number(s).

“I propose that the Press and public be excluded from the meeting during the consideration of the following item number in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph of Part 1 of Schedule 12A (as amended) of the Act.”

Notes

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

South Cambridgeshire District Council

Planning Committee – 7 November 2007 – Declaration of Interests

Councillor

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: App. No. Villiage:

Reason:

Please return the completed form to ian.senior@scambs.gov.uk prior to the meeting, or leave it with the Democratic Services Officer in the Chamber, or leave it with the Democratic Services Section.

Personal / Personal and Prejudicial [delete as appropriate]

Item no: **App. No.** **Village:**

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: **App. No.** **Village:**

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: **App. No.** **Village:**

Reason:

Personal / Personal and Prejudicial [delete as appropriate]

Item no: **App. No.** **Village:**

Reason:

Please return the completed form to ian.senior@scambs.gov.uk prior to the meeting, or leave it with the Democratic Services Officer in the Chamber, or leave it with the Democratic Services Section.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee9th January 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

**1. S/1749/06/O - DUXFORD
Construction of a Carbon Fibre Precursor Plant****2. S/1703/06/HSC
Storage of Acrylonitrile****Land off Ickleton Road for Hexcel Composites Ltd****Recommendation: Minded to Approve (Major Development)****Date for Determination: 14th September 2007****Notes:**

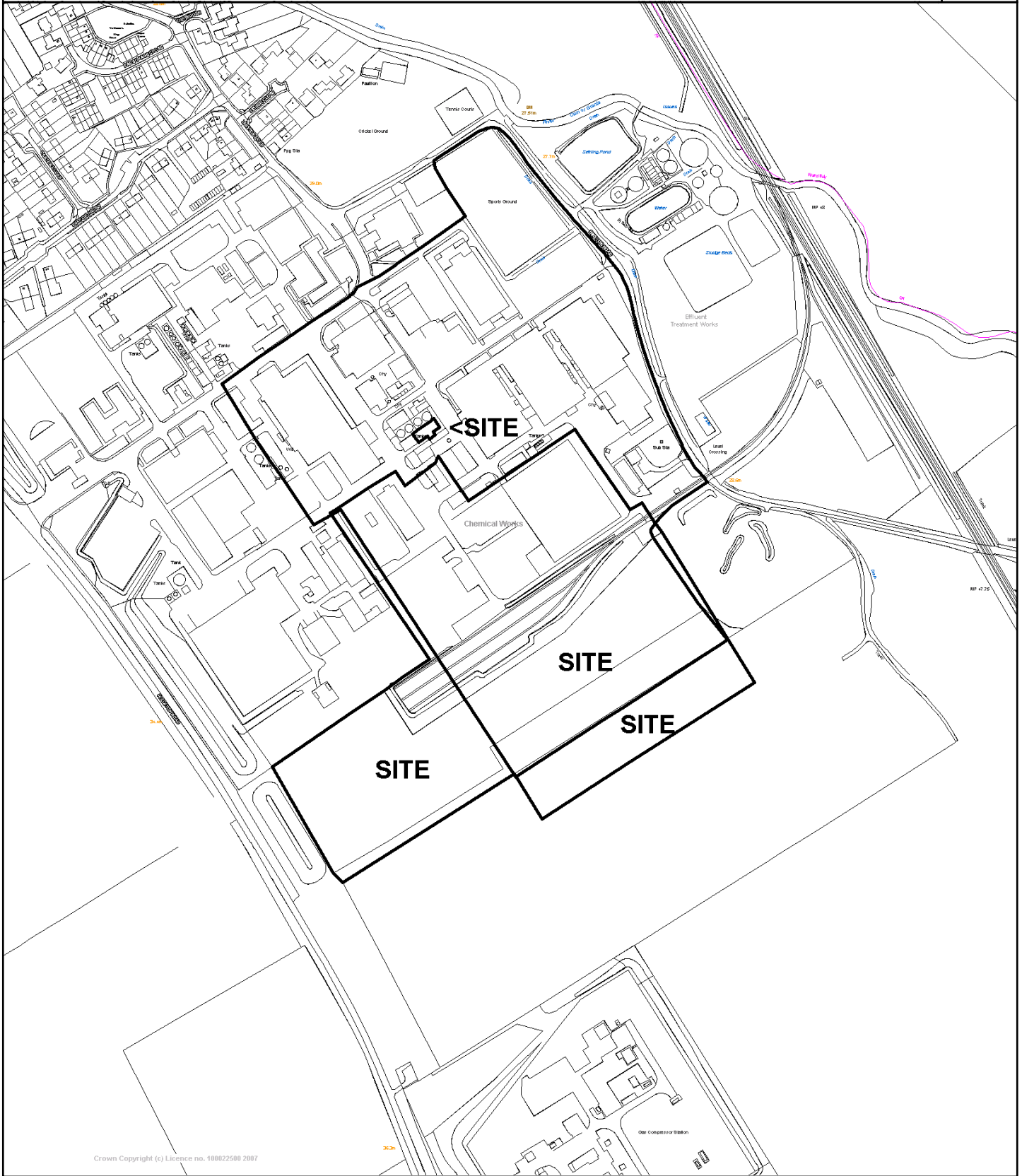
This Application has been reported to the Planning Committee for determination because the recommendation is to approve a Departure from the Development Plan and objections have been received from Parish Councils and Local Residents.

Members will visit this site on 9th January 2008

Departure Application**Site and Proposal**

1. The former Ciba Geigy industrial site adjoins the south-eastern edge of Duxford, and is currently occupied by two companies, Hexcel Composites Ltd and Huntsman Advanced Materials UK Ltd.
2. Hinxton and Ickleton lie 0.75km and 1.5km to the south-east and south respectively. The M11 runs approximately 1km to the west, and the Cambridge-Liverpool St railway line 0.25km to the east, with disused sidings once serving the site. The River Cam flows to the east of the site in the vicinity of the main railway line. A Transco above ground gas installation is located about 0.3km to the south, and closer to the site a public footpath links Ickleton and Hinxton Roads.
3. The outline application, received on 5th September 2006 and amended on 21st June 2007, proposes the construction of a carbon fibre precursor plant comprising 63,000m² of plant and buildings on a 10.54ha site which is partly within the existing complex but includes agricultural land to the south-east and south-west of the existing railway sidings.
4. The application is accompanied by an Environmental Statement, a Sustainability Statement and a Design and Access Statement.

S/1749/07/F Duxford



Reproduced from the 2007 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 1/5000 Date 20/12/2007

Centre = 548473 E 245335 N

January Planning Committee

5. The application site includes a number of existing buildings/plant which are to be modified/demolished/extended, and includes a small, separate area in the centre of the existing complex where two specific items of plant are proposed to be located.

Part of the application site has previously been used as a contractor's compound housing portable cabins, and the rail sidings for chemical offloading, which ceased about 10 years ago. Around the sidings are areas of concrete and tarmac hardstandings, whilst other areas are overgrown with grass and weeds. South and west of this area is agricultural land. The western boundary to Ickleton Road is screened by a planted bund and there is a younger belt of trees running parallel and about 35m inside the southern boundary. To the east is a former dumping area which has been reclaimed and planted with trees.

6. Although the application is an outline with all matters reserved apart from the access, indication of the siting and scale of the buildings and plant is given. A number of buildings, storage tanks, reactor vessels, pipework and effluent treatment facilities are proposed. Of the buildings, the Spin Line Building, which is an extension to an existing building on the site, would have the biggest footprint with an overall length of 200m and a height of 12m. A 20m high despatch building (65m x 35m) is proposed close to the centre of the existing complex and would be the second largest building. A 9m high boiler house and another grouping of plant 6m high is proposed in this central location. Just south of the sidings is the Polymerisation Building (700m²) which at 29m high is one of the two highest structures proposed, the other being the Dope Dissolving Tower attached to the Spin Line Building which is the same height. Concentrated south of the sidings are primarily storage tanks and effluent treatment tanks and plant, in the range 2.5-11m in height, surrounded by a repositioned security fence.
7. A planted bund is proposed along the southern boundary to supplement the existing tree belt.
8. About a quarter of the application site is taken up by a temporary construction compound to the west of the railway sidings, incorporating car parking, storage, portable cabins etc and a temporary vehicular access from Ickleton Road.
9. Generally, the two highest buildings at 29m will be approximately 7m higher than the tallest existing building on site but below the level of the two existing boiler house stacks.
10. It is anticipated the development will generate an additional 100 jobs at the site.
11. Summarising the additional information in the documents accompanying the application:
 - a) *Design and Access Statement*
12. Hexcel currently employ 460 on site and also operates from the USA, Spain, France, Austria and Germany. The Company's decision to expand their existing operations at Duxford is largely in response to demand from customers, primarily Airbus, for a European supply of a precursor carbon fibre, i.e. carbon fibre in ribbon form before it is formed into components. There is currently no precursor manufacturers in Europe which are qualified to supply aerospace manufacturers. Production is concentrated in the U.S.A. and Japan. Of all the European sites, Duxford was chosen because it was a proven chemical processing plant with land available for expansion primarily in the Company's ownership. It represents an efficient and sustainable activity utilising the

current expertise of employees e.g. it is the current base for Hexcel's European Research and Development Department.

13. A minimum 5ha is required for the process. The new plant will require a range of bulk chemicals when fully operational. To lessen the environmental and safety impact, the applicants would wish to have the option of either road or rail supply of chemicals or a combination of the two. All safety and environmental aspects of the development, including the storage and transportation of chemicals, will be considered and managed in complete adherence to or exceeding current legal and local requirements. The plant would operate on a continuous basis, as does the existing operation currently on site.
14. Once constructed, access to the site will be via the existing access road to the entire site off Ickleton Road. Internal roads will be constructed around the plant for maintenance purposes and to a tanker offloading area. Access to the site from the south is restricted by a level crossing and the village of Ickleton. Therefore HGVs are unlikely to access the site from that direction, but via the M11/A505 to the north. A Traffic Management Plan will be prepared at the reserved matter stage. It is anticipated that the railway sidings will be brought back into use for the import of materials and the export of products. The number of pedestrian or cycle journeys to and from the site is likely to be relatively low, but the site can be accessed safely on foot or by cycle. Disabled access to the site and buildings will be in accordance with the appropriate regulations.

b) Sustainability Statement

15. The proposed design seeks to:
 - (a) Minimise the loss of agricultural land. The layout of the plant has been designed to make best use of the land owned by Hexcel. The area of 6.3ha is significantly less than the existing Company facility in the USA which covers 11ha.
 - (b) Reduce the use of non-renewable resources. A large saving in the use of heating can be achieved by the installation of heat recovery equipment or utilising waste heat in other areas of the Duxford site. In addition the co-location of the facility with existing Company operations will reduce the amount of car journeys by staff and reduce emissions. Energy efficient machines will be installed to conserve electricity, and Hexcel will contribute financially to support the electricity suppliers in achieving their Renewables Obligation.
 - (c) Conserve Water Resources. The proposed plant is designed to greatly reduce the water requirement compared with the USA facility. 75% of the main process water flow will be reprocessed.
 - (d) Maintain and enhance habitats and species. Once construction of the plant is complete the landscaping of the southern boundary of the site will take place. The net result of the landscaping will be an increase in the number of trees on the Hexcel site, creating a larger area of native woodland. Once the woodland has matured this will enhance the local habitat for wildlife.
 - (e) Respond appropriately to the existing landscape. The proposed plant has been designed to blend in with the existing Duxford site, matching building styles and finishes with existing buildings on the site. The landscaping along the southern boundary of the site will reduce the visual impact of the plant from Hinxtton and

Ickleton. The plant layout also minimises the building facades presented to the local residents in Duxford, Hinxton and Ickleton.

- (f) Reduce emissions and development impacts. The predicted emissions from the plant have been modelled and outlined in the Environment Statement. The principal sources of emissions to the atmosphere will be four natural gas fuelled boilers with light fuel backup and two Acrylonitrile stacks. No impact on human health or the surrounding vegetation or ecosystem are predicted.
 - (g) Waste reduction and improved recycling. The USA facility has a commercial outlet for waste carbon fibres. Duxford will also seek to send similar waste to the same outlet. Other waste reduction and recycling opportunities will be examined as part of an overall waste minimisation strategy.
 - (h) Appropriate Infrastructure Development. The Precursor process is the first step in generating Carbon Fibre. In recent years the use of Carbon Fibre has been increasingly seen as an alternative to more traditional materials in the Aerospace industry. The use of Carbon fibre in aircraft reduces the weight and therefore fuel consumption, reducing emissions to the environment. Hexcel are committed to investing in the manufacture of CFP and see Duxford as the best location to site the new plant.
 - (i) Improve the local economy. The Duxford site has been in composite manufacturing for over 50 years and is a significant employer in the local area. The proposed CFP plant would bring a large investment to Duxford, securing the future of the site for many years and helping to sustain the local and regional economy. The benefits of this development will be to secure a number of jobs at various skill levels and also a large knock on effect to service companies. This development also fits with government targets to support the aerospace industry.
16. A biodiversity statement is included within the Sustainability Report, based on the County Council's criteria:
- (a) Survey - an Environmental Impact Assessment has been undertaken for the proposed development, including comprehensive landscape and ecological survey work.
 - (b) Protect - temporary disturbance will be caused to wildlife, including some Red List and Priority species. However, the Environment Statement concludes that given the relatively small area that will be affected and the availability of similar habitat in the surrounding area, the impact of the development proposals on these species will be insignificant.
 - (c) Mitigate - the following measures are proposed:
 - 1. Bunding and woodland planting will be undertaken, notably on the southern boundary.
 - 2. Areas of disturbed earth will be covered with shingle, returned to grass or planted with replacement trees.
 - 3. Construction activity will be confined to the minimum areas required. Temporary work areas, including site access, will be situated on areas of hardstanding or areas of low nature conservation value.

4. Best site management practices will be adopted to minimise the risk of impacts to habitat and species.
 5. Trees to be retained will be protected to the requirements of BS5837.
 6. Topsoil and subsoil will be stripped and stored separately during construction, and reinstated as soon as possible to maintain soil structure.
 7. Wherever possible, tree removal will take place outside the bird breeding season. When this is not possible, all habitats will be checked for nesting birds before removal. If any are found, mitigation measures will be implemented as agreed with English Nature.
- (d) Enhance - existing habitats of nature conservation interest will be retained and new habitats of value created such as a grassland buffer and introducing scrub species. A detailed landscape scheme will be submitted.
- (e) Compensate - where trees are to be lost, replacement planting is proposed to ensure no net loss of trees. There will be an overall increase in the area of woodland.
- (f) Monitoring and Management - Both the landscaped bund and the field to be used during the construction period will be left to regenerate and colonise naturally post completion. Specific monitoring and management of these areas will not be required.

17. *Environmental Statement*

The statement reports the findings of the Environmental Impact Assessment undertaken for the proposed development. It describes in detail the environmental impacts arising from the construction and operation of the scheme and measures that are intended to mitigate any potential impacts. A Flood Risk Assessment is included.

18. The following extracts are particularly relevant:

- (a) Carbon Fibre Precursor is manufactured by the polymerisation of Acrylonitrile to form polyacrylonitrile (PAN). The PAN is then spun into a fibrous form with up to 12,000 fibres in one bundle.
- (b) The PAN process utilises water at all stages and this will be extracted from the existing on-site boreholes, keeping within the maximum capacity allowed. Initially contaminated waste water will feed directly into the site effluent treatment plant operated by Huntsman Ltd. Subsequently, a separate PAN plant biological effluent treatment facility will be constructed by Hexcel.
- (c) Lighting to the development will be designed to avoid glare and light spillage, to the sky and adjacent areas, particularly residential.
- (d) It is proposed the construction of the plant will last 33 months. At some stages of the project it may be necessary to work outside normal working hours e.g. Sundays. Construction operations will be structured, where practicable, to ensure any noise generating activities are avoided.
- (e) The Flood Risk Assessment concludes that providing the operating procedures for the existing attenuation pond at the effluent treatment works are amended,

to enable the additional run-off to be temporarily stored, there will be no increase in the peak rates of discharge to the River Cam.

(f) The full range of likely environment impacts has been examined and mitigation measures suggested. This includes both the construction and operational phases. The following residual impacts were considered significant.

1. Visual amenity - Moderate/substantial residual adverse impacts will occur to receptors (residents) in Hinxton. Mitigation includes the tall buildings being placed as far from the village as the site permits, the orientation of taller buildings/structures will be designed so that the extent of the façade presented to the village is minimised, and landscape bunding on the southern and south eastern edges of the site will help in screening views of lower components of the proposed plant.
2. Traffic and Transport - significant short term adverse residual impacts are predicted to the road network from the peak construction labour vehicle movements for some 5 months during 0700-0800 hours. However, as the baseline traffic flows on Ickleton Road are low, any incremental increase might then be termed as significant. 204 daily return trips by construction workers are predicted, concentrated at the beginning and end of the working day.

NB: Historically, when the entire Duxford site was in full production it has generated significantly more traffic movements than currently experienced without creating adverse impacts. The predicted traffic generation for this development will increase traffic movements by 8% above the current baseline within the 1400hr shift changeover period.

It is also estimated that during the 5 month peak construction period there will be a maximum of 27 HGV return trips per day (approx. 7 HGVs per hour). Once operating this would drop to approximately 6 return HGV trips a day, excluding the possibility of the reuse of the rail sidings. Although about 100 new jobs would be created, only 45 or so would be on at any one time as a shift system would operate. About 30 traffic movements are predicted (15 cars in, 15 out), all shift changes occurring outside peak traffic flows. 2 visitors a day on average are anticipated and 1 maintenance vehicle.

3. Archaeological evaluation has taken place on site and the results have proved negative.

19. The hazardous substances consent application, received on 25th August 2006 and amended on 21st June 2007 proposes the storage of 400 tonnes of the chemical Acrylonitrile, used in the production of Carbon Fibre Precursor material, in 5 bunded tanks to the south of the existing railway sidings, and identifies the adjacent Polymerisation Building where the chemical will be processed.

Planning History

20. The site adjoins and forms part of the former Ciba-Geigy Industrial Site which has been the subject of numerous planning applications over the years for buildings/plant and the storage of hazardous chemicals.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

The following policies are relevant:

21. **Policy P1/3** - Sustainable Design in Built Development - states a high standard of design and sustainability for all new development will be required, making efficient use of energy and resources.
22. **Policy P2/5** - Distribution, Warehousing and Manufacturing - states that manufacturing activities which generate large volumes of freight movement will only be located on sites with good access to rail freight facilities and motorways, trunk or other primary routes.

South Cambridgeshire Local Development Framework 2007: Development Control Policies

The following policies are relevant:

23. **Policy DP/1** - Sustainable Development - states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development. It should, inter alia:
 - a) Minimise the need to travel and reduce car dependency;
 - b) Make efficient and effective use of land by giving priority to the use of brownfield sites;
 - c) Where practicable, use sustainable building methods, locally sourced materials, including recycled materials, and include a Travel Plan to address the travel needs of labour during construction;
 - d) Where practicable, minimise use of energy and resources;
 - e) Where practicable, maximise the use of renewable energy sources;
 - f) Incorporate water conservation measures;
 - g) Minimise flood risk;
 - h) Mitigate against the impacts of climate change on development through the location, form and design of buildings;
 - i) Ensure no unacceptable adverse impact on land, air and water;
 - j) Conserve, and wherever possible, enhance biodiversity of both wildlife and the natural environment;
 - k) Conserve, and wherever possible, enhance local landscape character.
24. **Policy DP/2** - Design of New Development - states all new development must be of high quality design and, as appropriate to the scale and nature of the development, should, inter alia:
 - a) Preserve or enhance the character of the local area;

- b) Conserve or enhance important environmental assets of the site;
- c) Be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area;
- d) Include high quality landscaping compatible with the scale and character of the development and its surrounding.

25. **Policy DP/3** - Development Criteria - states:

- a) All development should provide, as appropriate to the nature, scale and economic viability, inter alia:
 - 1) Appropriate access from the highway network that does not compromise safety, enhanced public and community transport and cycling and pedestrian infrastructure;
 - 2) Car parking, with provision kept to a minimum;
 - 3) Safe and secure cycle parking.
- b) Planning permission will not be granted where the proposed development would have an unacceptable adverse impact, inter alia:
 - 1) On residential amenity;
 - 2) From traffic generated;
 - 3) On village character;
 - 4) On the countryside and landscape character;
 - 5) From undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust;
 - 6) On ecological, wildlife and archaeological interests;
 - 7) On flooding and flood risk;
 - 8) On the best and most versatile agricultural land;
 - 9) On the quality of ground or surface water.

26. **Policy DP/6** - Construction Methods - states:

- a) When practicable, development which by its nature or extent is likely to have some adverse impact upon the local environment and amenity during construction and/or is likely to generate construction waste should, inter alia:
 - 1) Recycle construction waste;
 - 2) Prepare a 'Resource Re-use and Recycling Scheme to cover all waste arising during construction;

- 3) Be bound by a “Considerate Contractors Scheme”, including restrictions on hours of noisy operations.
 - 4) Where appropriate accommodation construction spoil within the development, taking account of the landscape character and avoiding the creation of features alien to the topography;
 - 5) Maximise the re-use and recycling of any suitable raw materials currently available on sites during construction.
- b) Storage compounds, plant or machinery must be located, designed and used to avoid noise, smell, dust, visual or other adverse impact on existing residents.
27. **Policy ET/3** - Development in Established Employment Areas in the Countryside - state, inter alia:
- a) In defined Established Employment Areas in the Countryside redevelopment of existing buildings, and appropriate development for employment use may be permitted.
 - b) “Land at Hinxton Road, South of Duxford” is identified as an Established Employment Area, defined on the Proposals Map.
 - c) Permission will be refused where there would be a negative impact on surrounding countryside, or landscape character area.
28. **Policy ET/5** - Development for the Expansion of Firms states, inter alia:
- a) Development for the expansion of firms will be permitted that involves existing firms for their own occupation and use.
 - b) Expansion will be permitted of previously developed sites next to, or very close to, village frameworks.
 - c) Within Established Employment Areas in the Countryside listed in Policy ET/3.
 - d) Expansion will not be permitted where it consolidates a non-conforming use (i.e. a use which does not conform to the general provisions of the development plan for the area in which it is located, and may have an adverse impact on an area’s principal use) or causes problems with traffic, noise, pollution, or other damage to the environment. It would not be permitted if it would conflict with other policies of the Plan.
29. **Policy SF/6** - Public Art and New Development - states in determining planning applications the District Council will encourage the provision or commissioning of publicly accessible art, craft and design works. The Policy applies to manufacturing development of 1,000m² or more. Contributions and commuted maintenance sums for up to 10 years will be required, to include the cost of decommissioning where appropriate.
30. **Policy NE/1** - Energy Efficiency - states development will be required to demonstrate that it would achieve a high degree of measures to increase energy efficiency of new buildings through, for example, location, layout, orientation, aspect and external design. A 10% reduction in CO₂ emissions is encouraged compared to the minimum Building Regulation requirement.

31. **Policy NE/3** - Renewable Energy Technologies in New Development - states all development proposals greater than 1000m² will include technology for renewable energy to provide at least 10% of their predicted energy requirements.
32. **Policy NE/4** - Landscape Character Areas - states development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which it is located.
33. **Policy NE/6** - Biodiversity - states, inter alia, new development should aim to maintain, enhance, restore or add to biodiversity. Where appropriate, measures may include creating, enhancing and managing wildlife habitats. Previously developed land will not be considered to be devoid of biodiversity. The re-use of such sites must be undertaken carefully with regard to existing features of biodiversity interest.
34. **Policy NE/7** - Sites of Biodiversity or Geological Importance - states planning permission will not be given for proposals that may have an unacceptable adverse impact, either directly or indirectly, on such sites.
35. **Policy NE/12** - Water Conservation - states development must incorporate all practicable water conservation measures. All development proposals greater than 1000m² will be required to submit a Water Conservation Strategy prior to development commencing.
36. **Policy NE/13** - Hazardous Installations - states in considering proposals for hazardous substances consent account will be taken of the amount, type and location of hazardous substances present, and the need for special precautions to protect future users of the site.
37. **Policy NE/14** - Lighting Proposals - states development proposals which include external lighting should ensure that the proposed lighting scheme is the minimum required for safety and security and there is no light spillage above the horizontal to avoid adverse impact on the countryside.

Consultation (applications/amended plans)

1. S/1749/06/O - CARBON FIBRE PRECURSOR PLANT

38. **Duxford Parish Council** recommends refusal, commenting that although the basic proposal to expand the site was supported and the strategic importance of the site was recognised, both in terms of the long-term development of the Company and the U.K. economy, the Council have grave concerns about the traffic impact during the 3 year construction phase of the project. The addition of an estimated 204 cars during the morning and evening peak hours will considerably increase the risk of an accident on either Hunts Road or Ickleton Road. Furthermore, the village primary school is at the junction of Hunts Road and St John's Street where there is always congestion at drop off and pick up times.

In addition, work has just started on the affordable housing development on Hunts Road, which will add extra traffic and another junction onto Hunts Road.

The Parish Council recognises the importance of this project and therefore expects that some external funding should be available to support changes to traffic infrastructure, the East of England Development Agency, the Office of the Deputy Prime Minister and even the European Union.

A meeting was requested with the District Council and the Applicants to discuss the matter further and this took place on the 13th December 2007. A verbal report will be made.

39. **Hinxton Parish Council** objects: The following comments relate to the original application:

“After careful consideration and open consultation with Hinxton village, the Parish Council recommends that this proposal is rejected.

The substantial and negative impact of the development on the village and its residents is unacceptable in this rural environment and Conservation Area. The potential hazard from use and storage of extremely toxic chemicals adds another dimension to our concerns.

We are particularly concerned that:

- (a) The proposal contravenes the Local Development Plan 2004, and also the proposed Local Development Framework.
- (b) This is an inappropriate location of a major expansion and departure from current chemical operation which will reclassify the plant as “high risk” - too close to many homes (300 metres in Duxford, remainder of Duxford village, Hinxton and Ickleton as nearest neighbours).
- (c) Major escalation of HS&E risk from toxic chemicals not currently used on site.
- (d) Major impact on Hinxton in visual amenity.
- (e) Potentially unrealistic estimate of traffic impact during construction and subsequent operation of the site.
- (f) Construction noise.
- (g) Threat to wildlife and rural ambience.
- (h) No benefit fed back into communities - workforce expanded but minimal employment opportunities for local residents.
- (i) No attempt to engage our community (Hinxton) in consultation prior to submission of the planning application.
- (j) Ongoing light pollution.

Request for full consultation with all relevant experts

The potential impact of this proposal is such that the Parish Council specifically ask that all the relevant departments are consulted (included HS&E, planning local and regional), highways, water supply and water table/flood risk, sewerage and effluent treatment, conservation (wildlife and archaeology, trees - reorder) and that before the application should go before the Planning Committee a site visit is made by them and all other relevant parties which should include visits to Hinxton (including aspect from A1307) that will be substantially impacted by the development.

Concern

The Parish Council would like to record its concern regarding lack of consultation and information on this issue which was only formally notified to the village with the arrival of the plans at the end of September ('06).

The planning documentation indicates that Duxford village (PC) was amongst the parties consulted. Given that the application specifically identifies Hinxtton as suffering a major visual impact it is of particular concern that no formal consultation was undertaken with Hinxtton.

Hinxtton Parish Council Village Consultation

Being aware of the potential impact of this proposal on the village and the concerns of many villagers, the Parish Council held an Extraordinary Parish Council Meeting on Monday 6th November 2006 specifically to consult with the residents of Hinxtton whom they represent. The response was resounding: approximately 40 residents (village has ~ 130 households) were present along with Patrick Winterterlich and Phil Laker representing the applicant, Hexcel Composites Ltd; all 7 PC members plus the Parish Clerk; the District and County Councillors and Carolyn Goehler representing the Cambridge Preservation Society. CPRE sent their apologies but will make a separate submission. The Woodland Trust were unaware of the application and will inspect the site in the next few days, making a separate response to the proposal to remove their planting of 700+ established trees on the then Ciba-Geigy site.

Hexcel management outlined the history and rationale for the planning application, answering questions from those present. The meeting was advertised in the Hinxtton Newsletter which is delivered to all households in the village and on the village notice boards.

The overwhelming input from the attendees was that this proposed development is inappropriate in terms of its major and unacceptable impact on Hinxtton, the location of the site, size and height of the development, contravention of many of the planning policies of SCAMBS District Council, lack of sympathy with the surrounding rural setting and the escalation of risk from chemical pollution.

No adequate evidence of benefit to the village **in any form** has been provided to justify approval of this development. It is only detrimental.

Reasons for rejection of the proposal:

1. Local Planning Policy

We have identified the following major areas where we consider that the plans do not conform with Local Planning Policy:

(b) Change of land use

The proposed development is sited on land currently designated for "non-employment" use in both the Local Development Plan 2004 and the proposed Local Development Framework. If this proposed new development is allowed, it will set a precedent for further industrial applications in this rural area.

(c) Local environment

We consider that this application does not conform to Policy P7/4 which states that a development should be sympathetic to the local environment and alludes to the sense of place, identity and diversity of the distinct landscape character areas.

The proposed plant will include 2 buildings of 29 metres height, one of 20 metres, 4 chimneys emitting steam plus 7 large chemical storage tanks.

(d) Impact on the river valley

SCAMBS Local Plan Policy EN2: the council will not permit development which has an adverse effect upon the wildlife, landscape and countryside character of the river valleys.

The visual impact, prolonged period of construction and increased risk of pollution would each adversely affect this part of the River Cam.

(e) Landscape character area

Policy EN3 states that new developments should be appropriate to the "landscape character area".

Given its scale, this proposed development will not blend into the landscape and will totally dominate it.

(f) Protected species

Policy EN13 states that the Council will not grant planning permission for development that could adversely affect, **either directly or indirectly**, the habitats of plant and animal species that are protected by law.

Several Red Data Book species will be affected by this development including otter, brown hare and skylark .

2. Risks of toxic chemicals

Whilst we appreciate that Hexcel will make every effort to conform to all necessary safety procedures and containment, the Parish Council has a very serious concern (reinforced by many residents at the open meeting) about the toxic nature of the chemicals to be introduced onto the site and the substantial increase in the quantity of such materials stored on site.

All of the following pose risks of leakage and spillage with potentially devastating consequence for the local population and environment:

1. Storage
2. Handling
3. Transport
4. Transfer
5. Human error

We should particularly like to draw the attention of the Planning Department and Committee to the following points:

- (a) Hexcel indicated that the amount of toxic chemicals stored on site will increase by 8-fold from 50 tonnes to 400 tonnes. This will increase the classification to “high risk” that will entail implementation of additional safety and warning systems.
- (b) The new process depends on the use of Acrylonitrile, otherwise known as vinyl cyanide, which is extremely toxic, carcinogenic and mutagenic (see www.inchem.org/documents/hsg/hsg001.htm). Our understanding is that approximately 8 tonnes of the material will be present on site at any one time. It is volatile and requires the presence of a stabiliser. Our research so far indicates that over the last 4 years there have been at least 4 explosions involving vinyl cyanide.

Scoping checklist Q7.1 of the environmental statement acknowledges that there is a potentially significant effect resulting from handling, storage, use or spillage of hazardous or toxic materials.

It is our opinion it is totally inappropriate to locate a facility using this chemical in close proximity to residential rural communities.

3. Transportation

(a) Road Tankerage

Speaking to the HS & E manager of Hexcel he volunteered the information that the company providing the chemical prefers road tankers rather than rail - since rail goes through towns and cities rather than bypassing them by motorway. It should be noted that in the USA this is classified as a “cargo of particular hazard” - all bulk movements require a special permit.

(b) Planning Policy Guidance number 13/transport is to reduce the need to travel especially by car.

Hexcel state that they anticipate the majority of employees will commute to site in their own vehicles, thus further increasing the congestion and pollution.

4. Additional points

(a) Potentially significant effects caused by run-off water (storms etc.) as all areas of this site where there is process equipment will be paved.

(b) Sewage sludge and other sludges from effluent treatment will be classed as hazardous land fill (scoping 4.6).

(c) 7.3 Air emissions - by deposition of pollutants emitted to air, onto the land, or into water.

Yes - potentially significant effect.

(d) Q8: Risk of accidents during construction or operation of the project which could affect human health or the environment? 8.1 From explosions spillages fires etc, from storage, handling or use of production of hazardous or toxic substances?

Yes - potentially significant effect.

- (e) 8.4 effect of natural disasters causing environmental damage (e.g. floods, earthquakes, landslip etc.)
Yes part of this site lies within the designated flood plain - potentially significant effect.

5. Final comments

In their environmental statement Hexcel admit that moderate to substantial residual adverse impact will occur to “receptors” (residents) in Hinxton (Table 10.1). Residents and visitors alike should be allowed to enjoy the quiet amenities of the pathways and footpaths around their village. This development, should it be permitted, will severely curtail the ambience and character by its sheer size and dominance over the countryside.

Residents should also have a right to enjoy the fresh open air without fear of pollution and fear from suffering long-term effects of exposure to carcinogenic and teratogenic toxic chemicals.”

The following comments relate to the amended application. The Parish Council remains unanimously opposed:

“We would like to point out that the CFP plant is a completely new application for Hexcel in Duxford, and is proposed to be built on land designated for “non employment use”, and adjacent to a rural landscape.

In particular:

- a) Policy P1/2 of the Cambridgeshire and Peterborough Structure Plan states that development will be restricted in the countryside unless proposals can be demonstrated to be essential in a particular rural location.

Other policies set out to protect the countryside are:

- a) Policy EN2 which states that the Council will not permit development which will adversely affect the wildlife, landscape and countryside character of the river valleys.
- b) Policy P7/4 which states that a development should be sympathetic to the local environment.
- c) Policy EN3 states that new developments should be appropriate to the landscape character area.

THE PROPOSAL TO CONSTRUCT A CFP PLANT ON THIS SITE DEFIES ALL THESE POLICIES.

The Government and other bodies are spending a huge amount of time, effort and money to cut carbon emissions. Firstly, the construction of such a large plant (should it go ahead) over several years will create an enormous amount of CO₂ with the use of tens of thousand tons of concrete, heavy plant machinery and vehicles etc. Once constructed, the transportation of Acrylonitrile by tanker from the NE of the country to Duxford (along the A14 which in itself is a hazard) will add greatly to Hexcel’s “carbon footprint”, not to mention all the ancillary vehicle movements, plus the transportation

of the finished product, (presumably to France for the Airbus construction), and the actual day to day running of such an 'energy-consuming' plant.

The construction of such a huge application, including two buildings of 29m (95ft) and a quantity of large storage tanks in this area will totally dominate the surrounding countryside, and no amount of bunding or landscaping will disguise this fact.

We already suffer greatly from light pollution from Hexcel, who have made absolutely no effort to incorporate light diffusers on their present site - including using enormous 'football field' lights on their waste water storage site which is approximately 550 metres from Hinxton, and the proposed new site will be even more visible from this village. We are also concerned with noise pollution, as this application will be running 24 hours a day, seven days a week, with initial construction noise lasting for approximately 4 to 5 years.

There are but few manufacturing sites in this part of South Cambridgeshire, and NONE reach these enormous proportions. The effect on surrounding rural communities and Hinxton in particular, will be totally unacceptable".

40. **Ickleton Parish Council** approves, subject to:

- (a) *Access by Road.* The Environmental Statement (7.2.2) states "access to the site from the south will be restricted by a level crossing and Ickleton Village. As such, HGVs and abnormal loads will not normally access the site from the south.....smaller goods vehicles will, however, still be able to access the site from the south.....it has been assumed that all (construction and operational personnel) vehicles, both during construction and operation will access the site from the north". We are concerned that this statement is insufficiently robust in order to ensure that HGVs in particular do not approach the site through Ickleton.
- (b) *Access by Rail.* We strongly support the proposal that the operation of the branch line will resume and where possible be used for the import of materials and the export of products. We feel their statement should be more robust.
- (c) *Trees.* It is proposed to construct a bund along the southern boundary of the proposed development and to plant a strip of woodland to the south of the site. We would point out that the land is very poor, and therefore the trees planted will require intensive maintenance if they are to avoid the effects of the drought. Furthermore, it is not clear from the application how much planting there will be. It is important that a large number of trees are planted.
- (d) *Lighting.* We would emphasize the need to ensure that new lighting is reduced to the minimum required for safe operation of the works, and to keep light pollution to a minimum.
- (e) *Imperial War Museum.* We are concerned to ensure that as aircraft from Duxford cannot overfly the site, there will be no impact on the fighter circuit. Little or no reference is made in the application to the proximity of IWM to the site.

The amended plans were approved, although concerns were expressed about increased traffic through the village, the impact of traffic on Duxford Primary School and it was also queried whether the health and Safety Executive had assessed the proximity of the gas station to the application site. The concerns raised by Hinxton Parish Council regarding the chemical Acrylonitrile were noted.

41. **Sawston Parish Council** objects:

- a) The dangerous nature of the processes involved.
- b) The closeness of housing and a primary school.
- c) The problems of transporting this chemical by road on the notorious A14 and much smaller village roads.
- d) The risk of explosion and the consequent 'fallout' over many surrounding villages.

42. **Great Chesterford Parish Council** expresses concern:

"Great Chesterford is about 3 miles from the site of the proposed plant.

The Parish Council discussed the available information at a recent meeting and considers that it has a direct interest in the environmental impact of this proposal. We are concerned for the impact of the storage on this site of large quantities of a toxic chemical with lethal properties and for the impact of transporting this substance through this community.

It is unclear whether any consideration has been given to:

1. The siting and isolation of individual storage containers, so that the risk of any repetition of the Buncefield accident is virtually eliminated;
2. The likely behaviour and dispersal of the cloud of toxic gases released by accidental spillage or by a catastrophic explosion. We note that the half-life of these gases in air is about 10 hours.

We seek your reassurance that final decisions regarding this planning application will not be taken until full account has been taken of:

1. Public comment on Hexcel's proposals since it is subject to the Public Participation Directive and
2. Comments from neighbouring parishes once they have had an opportunity to read and comment upon the report on this application which we understand will be provided by the Health and Safety Executive towards the end of 2007. We assume that the HSE Safety Assessment Guide or something similar will have been followed.

An independent expert opinion on the transport and storage of Acrylonitrile should be sought"

43. **Little Chesterford Parish Council** objects:

"I am writing on behalf of Little Chesterford Parish Council, which although in Uttlesford, is part of the Cambridge Sub-Region in the revised version of the

'Regional Spatial Strategy for the East of England', and is a village in local proximity to the proposed development quoted above.

Since we are in a different district and county we have only just been made aware of this planning application, which we believe will have a potential impact on our village.

The reason for our objections is that the proposed developments are contrary to regional, county and district planning policy.

Regional Policy - 'Regional Spatial Strategy for the East of England'

In this emerging 'East of England Plan' the development site in Duxford is within the Cambridge sub-region for which the following policies apply:

Policy CSR4 *"Employment land in and close to Cambridge will be reserved for development that can demonstrate a clear need to be located in the area to serve local requirement".*

The development proposed is not wholly contained within the present boundaries of the existing site. The land on which part of the development is to take place on is not designated as employment land, but even if it is, this policy, and the basis of policy for the Cambridge sub-region, is clear in that only essential development should occur outside specified locations, of which this is not one. There is no local requirement for a carbon-fibre precursor factory in the Cambridge area, it would be better sited nearer to the source of the Acrylonitrile production to reduce transport of this dangerous material.

This policy strand is also included in the Peterborough and Cambridgeshire Country Structure Plan 2003.

Policy P9/7 *"Employment land in and close to Cambridge will be reserved for development which can demonstrate a clear need to be located in the area to the continuing success of the sub-region as a centre of high-technology and research. Development proposals must demonstrate that they fall into one or more of the following categories:*

- a) high-technology*
- b) small scale industrial*
- c) office or essential service for the Cambridge regions*

Clearly the proposed development is a large scale industrial manufacturing operation that has no requirement to be located in the Cambridge sub-region.

Policy P7/4 *"Development must relate sensitively to the local environment and contribute to the sense of place, identity and diversity of the distinct landscape character".*

The size of the development proposed, especially its height, would be visible for many miles around and would appear to contravene this policy.

Policy P/2 *'No new development will be permitted within, or which is likely to adversely affect...functional floodplains or other areas where adequate flood protection cannot be given and/or there is a significant risk of increasing flood risk elsewhere'.*

All of the proposed development is in a river valley and part of the site is classified by the Environment Agency as of risk of flooding. Any further building on the site would increase the surface runoff and increase the risk of flooding elsewhere, particularly through the village.

The policy also states *'Development will be restricted:*

- *in the countryside, unless the proposals can be demonstrated to be essential in a particular rural location,*
- *where there is an unacceptable risk to the quality of ground or surface water.*

The proposed development is partially sited on undeveloped rural land and in no way can it be argued that it is essential in a rural location such as Duxford. There is also a very real risk of pollution from the site, especially from the Acrylonitrile which is highly toxic. The aquifer in the underlying chalk bedrock could be polluted.

Policy P7/8 *'New developments will be located and designed to minimize and where possible avoid air, land and water pollution'.*

Since the planning application is substantially for a new development on land which has previously been undeveloped, it would seem that the choice of site is extremely poor for such a manufacturing facility. In order to minimize water pollution it would need to be located away from a floodplain, similarly air pollution is worse in valleys where dispersal of plumes from chimneys can be hampered by poor windspeeds and temperature inversion.

Policy P1/3 is also important since development should *'minimize need for travel'* and have *'good access by public transport'*. The proposed development is in a rural location where the limited public transport system is grossly insufficient for a factory working a shift pattern. Therefore employees are likely to travel to work by car which will cause more traffic and pollution especially in the local villages. This is contrary to efforts to make new developments sustainable.

South Cambridgeshire District Council Adopted Local Plan 2004

The proposed development sits partly on an area outside the Special Policy Area for the Duxford Chemical plant site. As such, it is in an 'Area of Restraint' in South Cambridgeshire. Policies in the Local Plan mirror those in the County and Regional Plans with *'any proposals for development will need to accord with the policies of employment restraint within the Cambridge area'* (para. 24.18), and Policy 26 citing management of development *"...discriminating in favour of uses that have an essential need for a Cambridge location'*.

Paragraph 5.39 states that *"Whilst the expansion of existing firms will be generally acceptable in principle, it will also be important to consider the local impact of development. Development will not be permitted where it would consolidate a non-conforming use or cause problems with traffic, noise, pollution or other damage to the environment'*. Thus expansion by Hexcel, even on the pre-existing site at Duxford, should not be permitted due to the extra noise, pollution and traffic as well as it not being a conforming use.

In paragraph 5.40 where an 'existing' firm is located within the village framework and proposed extension would require development beyond this boundary, the District Council will consider the merits of each proposal having regard to all other policies in the Local Plan, including the scale of the proposal, the impact on the landscape,

together with policy constraints affecting the land (e.g. Green Belt/Landscape Character Areas), and more detailed matters such as access, siting and materials.

Paragraph 24.18 of the Local Plan says that *‘Ciba Polymers/Hexcel Corporation represents a major employment site south of Duxford village. The existing scale is beyond the employment provision that would normally be anticipated in a Group Settlement. However, any proposals for development will need to accord with the policies of employment restraint within the Cambridge Area’*.

This proposed development is not in accord with the policies of employment restraint.

Thus Regional, County and Local Plans all contain policies restricting development around Cambridge, none of which would allow the building of a carbon fibre precursor plant in this locality, especially on land that has not been designated for industrial use.

Emerging Local Development Framework

The merging Local Development Framework also details restraints on development in the Cambridge area which should continue to restrict industrial development, and would certainly not allow manufacturing plants such as in the application to be built. Even though the applicants are already an established employer on a site detailed in Policy ET/4 it is interesting to note the objections to this policy by Hexcel during the consultation stage of this plan, in that they requested more land to be included within their Established Employment Area (Representation 13535). The Council’s initial response to this representation would seem to indicate that the present application is contrary to this Planning Policy.

In summary, the proposed applications are contrary to Regional, County and Local planning policies and we urge you to refuse them”.

44. **The Environment Agency** has no objection in principle to the development.

“Pollution Prevention and Control Regulations:

Hexcel Composites are regulated under the Pollution Prevention and Control Regulations. The company will need to submit an application for a substantial variation to their PPC permit. This will incorporate the process into their PPC permit.

Pre-application discussions will take place regarding requirements for this application. In addition to this the site will fall under the COMAH regulations as a top tier site due to the quantities of Acrylonitrile on site. A safety report will have to be produced once Hexcel has notified as top tier encompassing all aspects of the COMAH regulations. As above discussions will take place with the EA and HSE prior to the process equipment being installed to ensure all requirements under COMAH are met.

Development Control (floodrisk and surface water drainage):

The flood risk assessment Ref. ‘Project Hook’ dated May 2006 is acceptable, in principle.

The FRA satisfactorily demonstrates that the site is within flood zone 1 (Little to no risk) as designated within PPG25 and is therefore outside of the floodplain. The applicant should be aware however, that the proposed finish floor level is below the minimum requirement of 600mm above flood level. We note that the site will be

additionally banded for potential spillage, but the buildings may, in extreme circumstances be at risk of flooding.

Given the scale of the proposal, the FRA satisfactorily demonstrates the method of surface water disposal. We therefore do not recommend any conditions, providing the works are undertaken in line with the FRA. The applicant should be reminded that they should comply with their consent to discharge and any rate limitations within it.

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Agency is required for any proposed works or structures either affecting or within 9 metres of the River Cam. Any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting, and its Consent for such works will not normally be granted except as a means of access. Please note that formal Consent is required irrespective of any Town and Country Planning Act approvals/permissions. Consent is not implied by these comments.

Fisheries, Recreation and Biology:

7.3

The Environmental Statement report on the survey carried out in February 2006 states that no habitats or species of interest were noted in the gravel or railway areas. These areas should be surveyed in the summer when flowering plants and insects are likely to be present. The survey should include protected species listed under the Wildlife & Countryside Act 1981 (as amended). The same applies to the surrounding arable land, hedges and the woodland, which should also be surveyed again in the summer. The woodland strips should be surveyed for bat foraging and roosting areas and for bird nesting sites.

8.3.1

Loss of arable land and woodland plantation is a part of the proposals. The woodland strip should be retained where possible; no reasons for its removal are given.

Mitigation

Government has recently given the planning system a 'significant role' in its strategy to maintain, enhance, restore and add to natural habitats in PPS9, PPS1, and the UK Biodiversity Action Plan. Further biodiversity enhancements for a site of this size would be expected.

More detail on the landscape planting is needed before it can be assessed if it will mitigate for the loss of the land and associated habitats. The provision of nest boxes suitable for a variety of bird species should be included on the site. Provision of habitat and improvement of existing habitat should contribute to local Biodiversity. Action Plans for species and habitats and provide habitat for a range of species. The applicant should refer to the 'Biodiversity checklist for Land Use Planners in Cambridgeshire & Peterborough' for guidance regarding habitat creation and enhancement.

9.2.4

Low landscape bunds are mentioned but no detail is given on what material these will be made from or where it will be sourced.

Tree and shrub planting on the bunds may not be successful due to lack of water on raised bunds. Careful selection of suitable plants will be required”.

45. **Anglian Water** has no comment to make as the waste water will go to a private treatment plant and then discharge into the river.
46. **The Health and Safety Executive** comments:
“The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance (CD) of major hazard installations, complexes and pipelines. This consultation, which is for such a development and also within at least one CD, has been considered using the details provided by you and HSE’s assessment methodology. Only the installations/complexes and pipelines you advised us of with the consultation have been considered. Consequently, **HSE does not advise, on safety grounds, against the granting of planning permission in this case.**”
47. **The Campaign to Protect Rural England (Cambridgeshire)** objects:
- a) Buildings of up to 29 metres high will have a serious impact on the rural landscape of the Cam river valley by detracting from its rural character and increasing urbanisation. This would be contrary to Local Plan Policy EN2.
 - b) The development will impinge on the wildlife habitat - a habitat important for listed rare species such as otters, hares and skylarks. This would be contrary to Local Plan Policy EN13.
 - c) We are concerned about using rural roads and village streets to transport large quantities of industrial chemicals. The increased number of vehicle movements will impact on the quality of life for local residents. If the development is to be permitted, we would like to see that it be conditional on greater use being made of the railway sidings.
 - d) We query the photomontage of the proposed landscape. We are concerned that Hexcel has used landscaping of trees that would need up to 30 years to mature. If that is the case, local residents would have to endure the view for some decades before the indicated landscaping scheme came to full maturity.
 - e) Could your Council assure us that Hexcel has followed the accepted guidelines laid down by the Landscape Institute for demonstrating landscape impact?”
48. **Natural England** has no objection subject to a condition requiring an Ecological Management Plan, which will include a watching brief for protected species and nesting birds.
49. **National Grid** states that although it has an installation and pipelines in the vicinity, their safety and integrity should not be affected by the proposal.
50. **The Department of Trade and Industry** comments:
“1. I am aware from this Department’s business relationship with Hexcel Composites Ltd, a key contributor to the UK economy, that you are in the process of considering a planning application from Hexcel to build a carbon fibre precursor plant at their existing site at Duxford. I am writing on behalf of the Secretary of State for Trade and Industry to made representations

concerning economic considerations that we consider should be taken into account by your Council when deciding this application.

2. As part of your Council's consideration of this application you will no doubt be taking into account the value to the local economy of the additional jobs that will be created as a result of the proposed development. You may also find it helpful to be aware of the national perspective on the investment programme currently being planned by Hexcel in the UK and its importance to the future of the composites industry.
3. As part of its national Manufacturing Strategy, the Government is committed to encouraging the creation and retention of high value-added manufacturing jobs, such as those in question at Hexcel. A challenge for us is that many overseas countries are keen to attract such skilled work and offer very attractive investment packages and business operating environments to our leading companies.
4. Hexcel has told us that should the development not go ahead it would severely limit their strategic ability to compete in Europe and will affect the long-term life of the existing business in Duxford. Whilst we believe that such an impact would be detrimental to the economy in South Cambridgeshire and the Eastern Region, we are also concerned that the medium to long-term impact on the UK economy as a whole could be far reaching. As a significant US investor and a recognised leader in their field Hexcel has manufacturing plants located in other European markets and could well look to increase this further should their planned expansion at Duxford not proceed.
5. I do, of course, appreciate that in relation to planning applications, such as this one, there will be other issues which need to be considered. In addition to these, and the potential impact on the local economy, I hope that you will take into account the broader national and industrial context I have described."

51. **East of England International (UK Trade and Investment)** comments:

"Further to Hexcel Composites' recent planning application, you will be aware that Hexcel has production facilities in the UK, Spain, France, Belgium and Austria, and is now building a local production facility in Germany. Of these facilities, the UK location is their preferred choice for both pre-cursor production and fibre research and development. The UK facility in Duxford currently employs 450 people and manufactures resins, prepregs, adhesives and honeycomb core. Alongside the production plant, Duxford is home to the European research and development centre, employing 65 people.

We appreciate that in relation to a planning application, such as this one; there will be other issues which need to be considered along with the potential impact on the local economy of the potential 100 additional jobs that will be created as a result of the proposed development.

East of England International has no reservation about supporting the application made by Hexcel Composites Limited for permission to develop the site as, without this investment, the UK will lose out on leading edge carbon fibre development which would ultimately provide benefits to many market sectors along with establishing a strategic pre-cursor production facility as part of the composite supply chain. Investment in the UK would ensure composite production and development in Duxford for at least the next two decades".

52. **The East of England Development Agency** comments:

“Hexcel Composites are already a key contributor to the regional and national economy, and we would anticipate that you will be taking into account the value to the local economy that this development would add in terms of job creation.

We also hope that the Council would take into consideration the loss to the local and national economy if the development is not approved.

Hexcel has informed us that if the development does not go ahead it will severely limit their strategic ability to compete in Europe and will in the long-run affect the life span of the existing facility in Duxford. In the short term this would obviously have a negative effect on the economy in the East of England and South Cambridgeshire in particular.

It is also likely that this will also have a potentially far-reaching medium to long-term impact on the UK economy as a whole. Hexcel is a significant US investor and recognised leader in their field, with manufacturing plants located in a number of European markets, and a refusal to allow the planned expansion to go ahead could well lead them to look to increase and/or improve their European facilities instead. Once gone, this investment would be unlikely to return to our region. As part of its national Manufacturing Strategy, the government is committed to encouraging the creation and retention of high value-added manufacturing jobs, such as those at Hexcel, and the challenge today is to ensure this happens in the face of many overseas countries offering attractive investment packages and business environments to companies currently located in the UK.

We realised that when considering such applications, there are a number of other aspects that must be considered. We hope that along with these factors, and the impact on the local economy, you will take into account the wider scope of the national and manufacturing context that I outline above.”

53. **The Local Highway Authority** raises no objections subject to conditions/obligations:

“Existing Traffic

The Study completed by Hexcel’s consultants couples existing vehicular trips from Hexcel with that of Huntsman; a neighbouring company using the same site access. Using these figures, currently during the AM and PM peaks there are approximately 294 personnel vehicle movements per peak. Both companies employ shift workers who arrive and depart outside the peaks and these come to a daily total of 254 (taken from Hexcel’s personnel data). There are also currently commercial deliveries totalling 19 on average throughout the day.

Comparing Hexcel’s Travel to Work Survey with the total surveyed vehicle movements allows total 24-hour person trips to be calculated. The existing situation of vehicular movements to and from the Hexcel site entrance has been amalgamated with those movements from the Huntsman site, which utilises the same entrance. This is shown in Figure 1 overpage.

Type	Mode	Modal Split(%)	24 Hour trips
Employees	Car (Single Occupancy)	85%	456
	Car Share	10%	54
	Public Transport	0%	0
	Bicycle	3%	16
	Walk	2%	11
	Total	100%	537
Commercial Vehicles	LGVs/HGVs	100%	19
Huntsman	All	100%	320
Hexcel + Commercial+ Huntsman	All	N/A	849

Note: Huntsman figures are vehicular only

Figure 1: Existing 24-hour person trips, split by mode.

Existing Network

The iterative process of examining the impacts of any increases in Hexcel's traffic generation and attraction due to its proposed development led to concerns over local junction capacity.

Subsequent junction capacity analyses carried out identified the roundabout junction of the A505 and Hunts Road as being at capacity on two of the three arms in the morning peak at current traffic levels. Two other junctions analysed include the Hexcel site entrance onto Ickleton Road, and the junction of Hunts Road, Ickleton Road and St Peter's Street in the centre of Duxford, all of which demonstrate remaining capacity.

Proposed Traffic

The proposed extension of the Hexcel site is predicted to increase peak vehicular movements to 324 per peak. Shift worker total daily vehicular movements are predicted to rise to 320 movements (derived from Hexcel's personnel survey figures). Commercial HGV movements to and from the site are predicted to increase from 19 to 28 per day, and will continue to avoid the peaks and night-time operation. The increase in 24-hour person trips by mode is detailed in Figure 2 below.

Type	Mode	Modal Split(%)	24 Hour trips increase
Employees	Car (Single Occupancy)	85%	170
	Car Share	10%	20
	Public Transport	0%	0
	Bicycle	3%	6
	Walk	2%	4
	Total	100%	200
Commercial Vehicles	LGVs/HGVs	100%	9
Huntsman	All	100%	0
Hexcel + Commercial + Huntsman	All	N/A	209

Note: Huntsman figures are vehicular only

Figure 2: Proposed increase in 24-hour person trips, split by mode.

Junction analysis at the Hunts Road/A505 roundabout demonstrate that this increase pushes the junction further over capacity, which is unacceptable to the County Council. A nil-detriment approach is taken at the roundabout, whereby current vehicular traffic to and from the site is held at its current level and therefore must be a modal shift towards more sustainable forms of transport.

Condition 1: There should be no occupation of the extended site until a suitably strong Travel Plan has been submitted to and approved by the Cambridgeshire County Council with details of targets, monitoring, and enforcement.

Reason: The network is at capacity, any further traffic would be unacceptable at the roundabout junction of the A505 and Hunts Road, therefore new development must be accommodated within the existing traffic demand of the existing site.

Should these Travel Plan targets not be met, Hexcel would fund an upgrade of the A505/Hunts Road junction to accommodate the extra trips it causes.

Condition 2: There should be no occupation of the extended site until an upgrade for the A505/Hunts Road roundabout is agreed with the Local Authority in consultation with the Highway Authority up to a Stage 1 Safety Audit including capacity analysis.

Reason: To ensure that a solution can be found at the A505/Hunts Road junction should the Travel Plan fail and this condition be called upon.

During the construction period of Hexcel's extension, it is predicted that there will be 204 vehicle movements to the site in the AM and 204 movements away from the site in the PM. To ensure no detrimental impacts on the local network or safety in Duxford, we recommend a condition that all construction traffic should arrive at or leave the Hexcel site outside the network peaks identified in the TA as 0745-0900 and 1630-1745.

Condition 3: During construction, no construction vehicles should arrive or depart from the Hexcel site during the network peaks 0745-0900 and 1630-1745.

Reason: Highway capacity and safety concerns.

During and after the construction period, to avoid conflict with local schools and the network peaks, HGV movements leaving and entering the site should occur outside the hours of 0800-0900, 1500-1600, and 1630-1745. Hexcel practices this at present and this consideration would be expected to continue.

Condition 4: During and after consultation, HGV movements leaving and entering the site should occur outside the hours of 0800-0900, 1500-1600, and 1630-1745.

Reason: Concerns over highway capacity and conflicts with local school traffic."

54. **The Definitive Map Officer (County Council)** states "the Countryside Access Team has no objection to the development in principle, however, we are concerned to note that the access to the site during construction will cross Public Footpath No. 7, Ickleton, which runs adjacent to the site.

At the present time this footpath is soft in nature; with a grass surface, which we assume will have to be altered to accommodate the construction traffic. The developers should note that it is an offence to damage the surface of a right of way and they should contact the Countryside Access Team to discuss any changes. In

addition, we are concerned about the safety of the public using the right of way if it is to be crossed by construction vehicles. The developers should contact the area rights of way officer to discuss the change in surface and the mitigation measures that can be taken to protect the public during construction. This contact should take place BEFORE any work is begun on site. The developers should contact Dominic Doble on 01223 718403 to discuss this further. Following construction of the plant we would require reinstatement of the soft surface of the footpath to the satisfaction of the area rights of way officer”.

55. **Cambridgeshire Archaeology** states:

“An archaeological evaluation was undertaken for this site ahead of the submission of the planning application for the above new development at the Hexcel site in Duxford.

The proximity of scheduled ancient monuments and numerous extensive, multi-period archaeological landscapes known from the Cam terraces in the vicinity of this site demonstrated the intensity of past human occupation locally and the need to establish the presence, character and extent of such occupation. The results of the trench-based evaluation, however, indicted the presence of mixed chalk and till substrates that appear to have been unfavourable for habitation in this location, in contrast to the heavy use of the gravel terraces in adjacent locations.

No further work will be required a part of this development and no archaeological condition will be required on any planning consent that may be awarded for the development.”

56. **Duxford Primary School (Governing Body)** states:

“I write on behalf of the Governing Body of Duxford CE Community Primary School as we are concerned for the safety and well being of our pupils.

We object to the current proposals for the construction of a carbon fibre plant on the grounds of increased traffic levels and HGV movements past the school on Hunts Road. Extrapolating from the documents it appears that peak time 8.00-9.00 traffic would be increased 45% in Hunts Road and 59% in Ickleton Road. Once in operation the HGVs will be transporting hazardous chemicals. The plant is situated close to residential estates from which children walk to school up Ickleton Road and Hunts Road and concerns have been raised in the community about the present levels of traffic. Both these roads carry traffic from Saffron Walden and the south needing to access the M11 north bound.

The site is alongside the railway track and a link was previously installed for the transport of chemicals to and from this site. Any consent should be conditional on the transport of all heavy goods and chemicals being by rail.

We are told emissions levels from the plant would be within statutory limits and controls. However, we are not convinced that there is sufficient research into the impact of the collective emissions in this area taking into account the planned expansion of other industrial/R & D facilities in the surrounding area. In the future increases in traffic on the local roads and the nearby M11 will further reduce air quality.”

57. **The Ickleton Society** comments that the Council must ensure that all vehicles going to and from the site, both during construction and operation, access the site from the

north. The reason for this is that the roads from the south through it are narrow and winding and unsuitable for any heavy traffic at any time.

58. **The Cambridge Preservation Society** comments:

“Our main concern relates to the setting of the village of Hinxton (including the Cam corridor) and our Listed Building - the Hinxton Mill (a water mill). We consider that the proposed buildings are much higher and much closer situated and will have a tremendous adverse impact on the setting of the village edge, Listed Building and the Cam corridor as a landscape feature. The proposed extensions create a chemical plant area of less than 600m (approx 1/3 mile) away from the village edge and our listed building. The water mill is open to the public and the rural setting of the mill within a pastoral land use along the River is important - the retention of the traditional landscape setting is valued by many mill visitors and Public Right of Way/recreational users.

We object to the proposals in the current form as we consider that not sufficient design solutions have been afforded to respect the special setting and location.

However, if planning consent should be given, we suggest strongly that:

- a) A full visual landscape assessment is undertaken along the River Cam corridor and including both village edges.
- b) That façade finishes and colouring of buildings are more considerate to its setting than current buildings (n.b. buildings particularly can be seen during cooler seasons, but even in summer have an impact as buildings can be seen well above the tree line).
- c) Off site screen planting needs to be undertaken following a detailed landscape and ecological (habitat) assessment to determine location of such mitigation plantings (with reference to Hinxton village and local Public Right of Way network). It is considered that the on-site screen planting would be completely insufficient to screen the proposed tall structures.
- d) Details of potential effluents etc. are considered ensuring no damage/pollution (aerial and riverine) to buildings (including listed) and wildlife habitats and retaining livability for all.

With reference to section 106 contributions we recommend that sums are negotiated to implement and maintain off-site mitigation plantings and local ProWay routes as well as ecological habitat improvements along the River Cam”.

59. **Cambridge Trout Club** comments:

“We are concerned about the health and safety issues that could arise if the suggested development by Hexcel to build a carbon fibre precursor plant and chemical store goes ahead. We are particularly concerned to note that the chemical Acrylonitrile may be brought to and stored at the development, to be used in the manufacture of carbon fibre. This chemical is highly toxic, and it is interesting to note that other countries, including Germany and the United States, have already taken steps to protect their communities and environment from its effects.

The upper reaches of the River Cam has a population of breeding Brown Trout. This population is distributed from Audley End through Hinxton, Duxford, Whittlesford and

Hauxton and almost certainly towards the Byron's Pool area at Granchester. In addition the otter is present in the Hinxtton-Duxford region of the river, and holts have been installed by the villagers of Hinxtton and the Wellcome trust at the Sanger Genome complex. Kingfishers nest in the area and other species of birds and animals of a sensitive nature are also present.

Our particular concern is the possibility of leakage from the site into the floodplain of the Cam, which would have a disastrous effect on the river and its animal and plant life. Some years ago a leak occurred from the site into the Cam and the then national Rivers Authority put in place certain restrictions on CIBA Geigy to ensure that the river would be restored to its condition as an AB classified F1 Salmonid river. Needless to say the leakage which occurred at that time killed a large number of fish and other animal life of the river.

A similar leakage of Acrylonitrile into the Cam would have disastrous consequences. Hexcel's suggestion that such a leakage is 'a once in 100 years possibility' does not seem to provide an answer to the question 'What if the leakage happened in the near future rather than at the other end of their time scale?'

We are concerned also that if this development were permitted, the possible increase in the amount of water drawn from the aquifer could have a damaging effect on the Thriplow Peat Holes SSSI, and the Sawston Hall Meadows SSSI, as well as further stress on the River Cam.

I understand that other concerns have been raised about transportation of chemicals of this nature. The US Government appears to classify Acrylonitrile as 'cargo of particular hazard'.

Since the building of the M11 the Cam has experience pollution from the motorway on at least two occasions and, indeed, the Cambridge Trout Club was compensated for a spillage of oil from the motorway soon after it opened. A spillage of Acrylonitrile would surely have a greater disastrous effect than an oil spillage which resulted in a financial settlement for the Club for damage to the fishery'.

60. **The Corporate Manager (Health and Environmental Services)** comments:

"Air Quality

The proposed process will be regulated under the Pollution Prevention and Control regime and thereby require a permit to operate in a manner which will not impact upon local air quality.

The Environmental Statement submitted alongside the application includes an air quality assessment involving modelling of the proposed emissions. This concludes that emissions are not likely to contribute significantly to the background concentrations around the site and concentrations at relevant receptors (those sensitive to air pollution e.g. residential properties) are likely to meet the applicable air quality standard.

During the construction phase emissions to air may be minimised by the following actions;

- Provision of wheel washing facilities on site
- Minimising drop heights when loading spoil

- Damping down of stockpiles in dry conditions or using sheeting
- Damping down haul roads in dry weather

The applicant should adopt the principles of the considerate contractor/constructors scheme to minimise inconvenience and impacts of the development phase by implementing good construction site practices.

Land Contamination

Potentially contaminative uses have been carried out on the propose development site and there is a long history of use as a chemical works. There are also records relating to a landfill and railway siding which coincide with the site. Whilst consideration is given to land contamination in the Environmental statement there appears not to have been any intrusive investigation including soil sampling. Qualitative assessment “highlights the need for mitigation measures to limit exposure of the construction workforce to contaminants and to ensure that any contaminated material is handled correctly to prevent mobilisation of contamination into groundwater/surface water”.

If permission is granted for the development it would be prudent to include a condition requiring the developer to undertake an intrusive investigation and risk assessment prior to development commencing to ensure that the site is suitable for the proposed use. It may not be appropriate to assume that mitigation measures in the form of chemically resistant construction materials will suffice and other forms of remediation may need to be evaluated therefore the nature of any contamination needs to be assessed appropriately. If unforeseen contamination is encountered during construction then the developer ought to notify the Environmental Health Department as soon as possible.

The following condition would be appropriate:

“Prior to the development commencing an investigation of the site shall be undertaken to establish the nature and extent of any contamination of the site and any remedial works to deal with contamination. This shall initially consist of a desktop study, which will include details of the site history, development of a site conceptual model, and a preliminary qualitative risk assessment. If any likelihood of contamination is indicated by the initial study then a further detailed site assessment shall be carried out which shall include intrusive investigations and which shall fully characterise the nature, extent and severity of contamination. Recommendations for a remediation strategy and post-remediation validation testing should be included. Remedial work should be carried out before development commences. The work shall be carried out in accordance with the approved details. Any variation to the above shall be agreed in writing with the Environmental Health Department before work being undertaken. Copies of all reports should be submitted to and approved by the Environmental Health Department and the Development Services Department of the Local Planning Authority”.

Note: A guidance document on the procedures for dealing with potential land contamination will be available from the Environmental Health Department.

Traffic and Transport

The ES highlights the significant increase in vehicle movements during construction works and therefore it would be prudent to require the developer to submit and agree

a traffic management plan to ensure that transport impacts are mitigated. Once into the operational phase a travel plan should be adopted to reduce the number of single occupancy car journeys”.

61. **The Landscape Design Officer** has no objection to the revised scheme of landscaping.

“As discussed the scheme will now need detailing with regard to contouring and selection of plant species.

Existing Planted Areas

All areas of existing trees are to be retained and protected as necessary during construction. Where possible, trees with the best potential for growth should be encouraged by thinning of adjacent plants.

New Bund Planting

Bunding should offer a variety of slope and aspect, avoiding over-steep slopes and a uniform engineered appearance. Most trees will fare better in the open ground rather than planted into the bund, so at least some space should be left for open ground planting.

Size of Planting

Most trees and shrubs should be planted as fairly small bare-root plants - 450-600mm for shrubs, 900-1800mm for tree species. If planted correctly these smaller plants will soon overtake the larger ‘standard’ trees. Your landscape consultants should prepare a high quality specification for planting, including a pre-planting root dip, water retention granules, and an aftercare programme.

The above planting will take a few years to establish so this should be combined with a smaller number of very large trees planted in specific positions, which will make an immediate impact. Again the key to success will be the quality of the tree pit design, planting specification and aftercare.

Plant Species

Large trees 25-30cm girth, *Tilia cordata*, 350ltr pot grown- placed at strategic points - say 10-20 No.

Bare root trees planted at 900-1800mm, planted at approx 3m centres. Approx 550No plants.

Fagus sylvatica - (Beech)

Fraxinum Excelsior - (Ash)

Tilia Cordata - (Small leaved lime)

Carpinus Betulus - (Hornbeam)

Bare root shrubs/small trees planted at 400-600mm, planted at approx 1.5m centres. Approx 1500No. plants.

Coryus avellana - (Hazel)

Acer campestre - (Field Maple)

Crateaegus monogyna - (Hawthorn)

Ligustrum vulgare - (Wild privet)

Viburnum lantana - (Wayfaring Tree)

Taxus baccata - (Yew)

Buxus sempervirens (Box)

Rosa canina (Dog rose)

Car Park and Compound Area

After construction is complete, I would suggest additional hedge and tree planting along the southwest boundary of the site, adjacent to the cooling towers. If the car park/compound area is not to be returned immediately to productive farming, I would suggest that this area is seeded with a suitable native grass and wildflower mixture, ideally of local provenance. This will increase the biodiversity of the area, connect planted areas of the site, and will not affect possible future development.

Off Site Planting

Although not directly within your control, some off site tree planting could be achieved by negotiation with the local landowners. I would suggest some limited tree planting at specific points along the footpaths and bridleways between the new development and Ickleton/Hinxton. A small number of trees could really help in reducing the impact of the new development viewed from these pathways”.

62. **The Council’s Ecologist** is satisfied that the development site is unlikely to contain any protected species and that the area of grassland affected is relatively small and can be compensated through habitat re-creation and management.

“Having inspected the site I am reassured that the majority of the railway line is to remain unaffected (I was surprised that it contained so few plants but suspect a persistent herbicide to be present) and that the opportunities for lizards were few given the relatively tidy upkeep of the area. The most interesting plant found in the railway was dropwort - dry chalk soil species.

Should outline permission be granted then I would recommend that a condition be attached requiring an Ecological Management Plan to be submitted for approval. Within such a plan we could agree (with an independent ecologist being used) the extent of wildflower meadow creation, the areas of existing grassland to be maintained, a watching brief for protected species such as breeding birds, badgers and common lizard. Methods of reducing the impact on ground nesting and hedgerow birds could also be agreed. The arable area could also be surveyed prior to its use as a car park and its future use discussed with Huntsman. This would deliver a medium term gain whilst the land’s use was further considered).

Enhancement opportunities should be explored in order to demonstrate how the application could provide a biodiversity gain:

1. Management of the railway cutting slope at an agreed point (would ensure the botanical interest is sustained).

2. Wildflower planting amongst the tree and shrub belt (would provide some grassland habitat for brown hare and partridge).
3. Provision of various nest boxes.
4. Wildflower meadow creation on unused land within the site.

The use of green (vegetated) roofs would strengthen the application in terms of landscape impact.

Putting aside the planning issues, I would be very keen to advise further on the erection of swift boxes given the fact that a nearby colony nest site is about to be taken down.

63. **Andrew Lansley CBE, MP** has met the applicants and attended a public meeting in Hinxton. Under the Freedom of Information Act he has requested the assessment papers from the Health and Safety Executive, but this has been declined. He has lodged an appeal.
64. **The Rt. Hon. Sir Alan Haselhurst, MP (Saffron Walden)** comments:

“I appreciate that the matter to which it refers lies entirely within your responsibility, but I would be failing in my duty if I did not emphasise to you the concerns felt in Great Chesterford which geographically is so close to you. I hope that these worries will be borne in mind”.
65. **The Imperial War Museum, Duxford** has not commented.

2. S/1703/06/H.S.C. - STORAGE OF ACRYLONITRILE

66. **Duxford Parish Council** recommends approval but would point out that they do not have the necessary expertise to make a fully informed judgement and would therefore rely on the final decision of the Health and Safety Officer.
67. **Hinxton Parish Council** objects (see previous comments).
68. **Ickleton Parish Council** approves (see previous comments).

The concerns raised by Hinxton Parish Council regarding the chemical Acrylonitrile were noted.
69. **Sawston Parish Council** objects (see previous comments).
70. **Great Chesterford Parish Council** objects and “would like to see independent expert opinion on the transport and storage of Acrylonitrile.”
71. **The Environment Agency** comments:

“Hexcel Composites are currently regulated under the Pollution Prevention and Control Regulations. Their proposal for hazardous substances consent for the process, polymerisation of Acrylonitrile, will involve the company submitting an application, to the Environment Agency (EA), for a substantial variation to their PPC permit. This will incorporate the process into their PPC permit. Pre-application discussions will take place regarding requirements for this application.

In addition, the site will fall under the COMAH (Control of Major Accident Hazards) regulations as a top tier site due to the quantities of Acrylonitrile on site. A safety report will have to be produced once Hexcel has notified as top tier encompassing all aspects of the COMAH regulations. As above discussions will take place with the EA and HSE prior to the process equipment being installed to ensure all requirements under COMAH are met.

INFORMATIVE: The proposed Acrylonitrile storage site is 100m from the LS96 and LS 922 closed special waste landfill sites. The storage of these chemicals is considered risk neutral from a landfill gas context.”

72. **The Health and Safety Executive** comments:

“The Health and Safety Executive (HSE) has assessed the risks to the surrounding area from the likely activities resulting from the granting of the proposed Hazardous Substances Consent.

Only the risks from hazardous substances for which consent is being sought have been assessed, together with the risks from substances in vehicles that are being loaded or unloaded. Risks which may arise from the presence of other substances have not been taken into account in this assessment.

HSE has not been able to take account of any proposed developments in the surrounding areas that have been granted planning permission but are not yet built. This may also apply to existing developments that did not appear on the maps accompanying the consent application. Since this may affect our advice please consult HSE again if there are any such developments within the Consultation Zone proposed on the map referred to below. The exception to this is the population on the adjacent major hazard site at Huntsman Advanced Materials Ltd for which we have the required information.

In considering this application for Consent HSE has made the assumption that the requirements of the Health and Safety at Work etc. Act 1974, and all relevant statutory provisions, will be met at the establishment should Consent be granted. Accordingly HSE advises that you should direct the applicant’s attention to section 29 of the Planning (Hazardous Substances) Act 1990. This makes it clear that nothing in any Consent granted can require or allow the building or operation of an establishment which does not comply with the relevant statutory provisions and to the extent that any consent purports to require or allow any such thing it is void.

On the basis of this assessment, HSE has concluded that the risks to the surrounding population arising from the proposed operation(s) are such that there are no significant reasons, on safety grounds, for refusing Hazardous Substances Consent.

Following Central advice that particulars in the application on Form 1 do not automatically become conditions of consent, it would be beneficial to include a condition such as:

“The Hazardous substances shall not be kept or used other than in accordance with the application particulars provided in the Hazardous Substances Consent Application Form, nor outside the areas marked for storage of the substances on the plan which formed part of the application.”

The following additional condition is suggested:

“The maximum number of deliveries of Acrylonitrile will be limited to 654 per year.”

In reaching this conclusion the following assumptions have been made.

1. The hazardous substance for which consent is being requested is Acrylonitrile.
2. This is substance number 33 in part A of Schedule 1 to The Planning (Control Of Major-Accident Hazards) Regulations 1999. The application form has been wrongly completed with substance number 3, which is the entry for Acrylonitrile from Part A of Schedule 1 of The Planning (Hazardous Substances) Regulations 1992.
3. The road tanker offloading area will be adjacent to the 200 cubic metre storage vessels.

A consultation zone has been established should the application be approved.”

Cambridge Preservation Society objects (see previous comments).

The Corporate Manager (Health and Environmental Services) states the application has no significant impact from the Environmental Health standpoint.

Representations (Both applications)

1. Pre-Amendment

73. 84 objections were received, and 2 letters of support.
30 letters were received from Duxford, 46 from Hinxton, 9 from Ickleton and 1 from Cambridge.

The main points were:

1. The application site is not designated for employment use and therefore the proposed development is contrary to the Development Plan. Further industrial development would be detrimental to the rural area and set an unfortunate precedent for other sites.
2. Acrylonitrile is a highly toxic chemical. It is a carcinogen, a teratogen (birth defects), causes kidney/liver damage and in powder form is a skin irritant and toxic by inhalation. It is extremely volatile (low boiling point and flash point of 0°C). The Carbon Fibre process involves high temperature processing of polyacrylonitrile from highly flammable Acrylonitrile and other chemicals. This poses an unacceptable fire and safety risk to the surrounding villages. Any lapse in safety procedures would result in the release of toxic chemicals into the air - affecting the human population and also wildlife since it is highly soluble in water. There have been 4 explosions worldwide involving Acrylonitrile - in Finland (2202), Japan (1991), USA (Alabama) and Australia.

The polymerisation of Acrylonitrile can lead to a runaway reaction, generating high temperatures and pressures, sufficient to breach the containment vessels. The deadly gas, hydrogen cyanide, would be released.

Study of infants and mothers living within 25km radius of an Acrylonitrile factory in Hungary detected significant clusters of congenital abnormalities, which decreased with increasing distance from the factory.

Toxic chemicals will be stored on site and will increase 8 fold from 50 tonnes to 400 tonnes. This will increase the classification to 'high risk' and necessitate implementation of additional safety and warning systems.

The predominance of accidents occur in the transfer of the chemical from tanker to storage due to static build-up. It carries a World Health Organisation warning regarding spillage and explosion.

A spillage or explosion may affect the health of children playing nearby and at the primary school. Children are more vulnerable to chemicals than adults. There are over 200 pupils on roll at the primary school.

Processing plants for the chemical in other parts of the world are situated far from residential areas. The area is too populated - a disaster would affect a large number of people. If there was a disaster, a cloud of gas could even reach other villages e.g. Sawston.

3. Acrylonitrile is a highly explosive and toxic chemical and it should not be transported by road tanker from the north-east of England via some of England's busiest roads (A1, A14, M11).

In the US it is classified as a 'cargo of potential hazard' and a permit is required to transport it. The tankers are escorted front and back. Germany does not allow road transport of the chemical. In the UK the Government advice is not to transport the chemical by rail through built-up areas.

The tankers will have to pass housing in Duxford and the local primary school.

The village roads are unsuitable for large vehicles - children walking, cycling, dog walkers and horses.

4. The site is adjacent the floodplain and there is a serious risk of pollution from spillage. The site is in the catchment of the Granta, which is prone to flooding in winter. Flood risk 1 in a 100 year possibility according to applicants. This is unacceptable. Does not take account of global warming and the curtailment of the floodplain by recent building. Flooding already occurs around Duxford Mill and Audley end. The massive foundations and alterations to the 'lie of the land' required will increase run-off from the site and exacerbate flooding.
5. Aeroplanes from the Imperial War Museum at Duxford have crashed in nearby fields. The site is underneath the downwind leg of the westerly landing at Duxford. It is not possible to control an airplane with any accuracy in an emergency situation. Proposed plant could lead to a curtailment of air displays.
6. The application site is only one field away from the highly flammable gas compressor station on Ickleton Road.
7. On Grange Road, Ickleton there are newly built storage bunkers to hold highly combustible nitrate films which could also be at risk if there was an explosion.

8. The former Ciba Geigy site is already “a blot on the landscape” situated on the edge of a beautiful village and the proposed development will only worsen the situation.
9. The proposed buildings are too high - they should be lower and dug into the ground. With the exception of the chimneys, the current site blends broadly with the scale of surrounding trees and houses. The proposal, by contrast, involves 2 buildings 29m high, one 20m high, 4 chimneys emitting steam plus 7 large chemical tanks. Height is a major problem in a low lying, flat area - the structures will be visible from miles around.
10. There will be a loss of agricultural land, trees and hedgerows, with a consequent impact on wildlife (eg lapwings). The proposed landscaping is inadequate.
11. The proposal will affect the biodiversity of the surrounding area, including farmland and, a recently established wetlands reserve and land Stewardship Conservation acreage. Several ‘Red Book’ species will be affected by the development, including the otter, brown hare and skylark.
12. The removal of boundary trees will reduce enjoyment of the public footpath to the south. Its use may be disrupted during construction.
13. The proposal will put an unbearable strain on the existing borehole water supply, which is already near maximum capacity.
14. No benefit to local community from the development. The workforce will be expanded but minimal employment opportunities for local residents, partly because an area of full employment.
15. At present many workers at the site use Moorfield Road to access the site, passing along the main village street. 100 extra jobs will increase the problem, particularly during the 3 year construction period.
16. The rail link into the site should be used instead of road transport.
17. Not clear whether studies have been carried out to prove that the processes, materials and by-products (including waste and exhaust gases) involved are sustainable. If not, they are in direct contravention of U.N. Environmental Programme - Agenda 21.
18. There will be an increase in light pollution.
19. Manufacture using hazardous chemicals has been scaled down on the site in recent years. This proposal reverses the trend to the detriment of Duxford.
20. The applicant states Carbon Fibre is required for the Airbus project, but demand in aviation is very prone to major upsets (terrorism/economic criteria/ fragility of the dollar). Both Airbus projects (A380 and A350) have major problems and an uncertain future: if the application is approved could be left with a ‘white elephant’.
21. No indication of plans to utilise photovoltaic solar panels. Wind power should be investigated.

22. Hinxton has already seen the large development of the Wellcome Trust at Hinxton Hall. Another development will be highly detrimental to the village.
23. Views from the rear gardens of Hinxton properties will alter for the worse, particularly in winter. The Applicants artist impressions are misleading - they are taken in the summer and show trees at some point in the future, not as they will appear initially. Noise is also experienced from the site and this is likely to get worse.
24. Currently there are noxious smells from the site, particularly on Hinxton Road, behind the factory. Residents in Duxford are disturbed by warning sirens.
25. The former Ciba Geigy site has a history of contamination - sticky deposits had to be scraped off car windscreens.
26. The quality of life in the area has declined. There is a halo of orange light at night which will get worse. The growth of the Wellcome Trust at Hinxton and increasing noise from the M11 and A11 are contributory factors.
27. The Company adjacent the application site (Huntsman) have made an L.D.F. representation to develop the part of their site closest to the village for housing. The proposed expansion of the industrial site is incompatible with this representation.
28. The recent Buncefield explosion at Hemel Hempstead demonstrates that every system is fallible, however well designed.
29. There will be unacceptable noise disturbance to local residents during the construction period.
30. There is a national increase in allergies and asthmas which could be caused by pollution. The development will increase the levels of pollutants. An existing asthma sufferer experiences problems cycling along Hinxton Road past the existing factory because fumes escape from fire exits which are left open.

The main points of support were:

1. The development will bring much needed jobs in the chemical industry following the contraction of the former Ciba site and closure of the plant at Hauxton.
2. There is no dispute about the toxicological and ecotox profiles of the chemicals involved - they are well documented. The key issue is whether the equipment and procedures proposed will result in safe usage. (As a chemist previously employed at the site he is satisfied acceptable safety standards will result given the thoroughness of the application).
3. The Hinxton Action Group Newsletter is alarmist.

2. Post Amendment

11 further objections were received, 9 from Hinxtton, and 1 each from Duxford and Ickleton.

The letters repeat the concerns previously expressed. Several objectors make the point that the additional landscaping now proposed will not screen high buildings, even in the long term, or mitigate the danger the proposal embodies.

A letter of objection from a Hinxtton resident with a high degree of technical content was referred to the Applicants for comment and the detailed objections/responses are itemised below:

Objector's letter received on 2nd July 2007:

"Having worked for 35 years at a senior level in the chemical and pharmaceutical industries, and having consulted Health and Safety and Medical Specialists in this field I have concluded that the information provided by Hexcel is grossly misleading and that the Health and Safety Report has a number of serious errors and omissions".

Hexcel claim that they are unaware of any EU country that bans the use of Acrylonitrile. We have previously provided SCDC with this information. Hexcel's comment is therefore misleading.

There is no basis for this assertion. All EU countries allow the transportation and use of Acrylonitrile ('AN') under normal restrictions for similar chemicals.

Hexcel claim that the proposed site is in an 'Established Employment Area'. This is misleading. The proposed site is NOT zoned for employment and is currently used for agricultural purposes.

The application shows that all but a very small area to be developed falls within the brown field or developed part of Hexcel's site. The temporary construction site on Huntsman land will be returned to its current condition.

Hexcel have claimed that it is essential that their planning application be approved so that they can become the sole source of carbon fibre for use in Airbus products and that currently the only other suppliers are in the USA and Japan. In Hexcel's letter of 6th June they state, correctly, that there are eight other producers of Acrylonitrile in the EU. This is misleading as Hexcel do not intend to manufacture this precursor, rather they will use it in the manufacture of carbon fibre. It is the use rather than the manufacture of Acrylonitrile that is particularly hazardous.

The application clearly explains that it is sought for permission to construct a plant to manufacture polyacrylonitrile ('PAN'). This is the precursor to Hexcel's carbon fibre. The carbon fibre is manufactured in Spain.

Hexcel claim that Acrylonitrile is NOT a carcinogen. The ICSC data file dated March 2001 claims that this chemical IS a carcinogen.

This is grossly misleading. Hexcel has stated at “(AN) is a class 2b carcinogen which carries the risk phrase ‘ may cause cancer’ (letter to Parish Councils dated June 2007) and ‘.....AN is rated as a possible carcinogen’ (Para 3.2.3 Further Information to SCDC 5th June 2007).

The ICSC (International Chemical Safety Card) states ‘This substance (AN) is possibly carcinogenic to humans’. Nowhere does it state that AN is a carcinogen.

Similarly Hexcel quote an unnamed source to claim that there is no long-term health hazard with this chemical. The latest ICSC and WHO reports suggest otherwise.

The study to which we referred was that of the National Cancer Institute of the US which found no evidence of an overall increase risk for cancer death *or any other cause of death* in 25,460 workers between 1950 and 1983.

The ICSC states “Repeated or prolonged contact may cause skin sensitisation. The substance (AN) may have effects on the central nervous system and liver. This substance is possible carcinogenic to humans”.

The WHO reports which Hexcel have seen indicate that exposure may cause dermatitis, headaches, irritation to eyes, nose and throat and in some cases nausea, vomiting, etc. It adds “The symptoms were reversible”. We understand this to mean that all these symptoms disappear.

We understand that all these studies were on workers with regular and direct contact with AN, since when procedures for dealing with AN have improved. There are no reports of any more remote group suffering any long term effects.

Hexcel use a 1999 WHO report to claim that there are no links between cancer, birth defects and Acrylonitrile. The ICSC data sheet dated March 2001 does not support his conclusion.

This is simply not true. As stated, ICSC describes AN as ‘possibly carcinogenic’ and it makes no reference to birth defects. We can see no reference to any AN causing birth defects in humans.

Hexcel claim that there were no deaths in the 8 recorded incidents at Acrylonitrile plants. This claim is correct but misleading. There were no deaths because the manufacturing plants were sited well away from populated areas. The proposed planning application, if granted would put large numbers of people at serious acute and chronic risk.

The incidents with AN have taken place in a variety of different settings (not just on manufacturing sites) without loss of life. There is no evidence that ‘large numbers of people (would be put) at serious acute and chronic risk; beyond the site from any foreseeable major incident. When assessing the impact of a major spillage Hexcel has used standard global modelling methods used in the planning application and accepted by the HSE and EA.

Hexcel claim that there will be NO emissions from the plant. This is not possible as storage is vented and there is ample evidence, including that from plants in the USA that Acrylonitrile does leak into the environment.

Hexcel actually stated that there will be no emissions from the plant 'that will have an adverse affect on humans or wildlife in any way either through air born discharges or aqueous discharges in the River Cam'. (Hexcel letter to Parish Councils 6th July 2007).

Hexcel claim that a 1 in 200 year flood assessment concluded that the proposed site would not be flooded. The site HAS been flooded twice in recent months.

This quite simply is not true. We can categorically state that the site has not been flooded.

Hexcel quote UN agenda 21 to support both technical development and the production of lighter materials to enable aircraft to become more carbon efficient. Although this is accepted, the overall carbon footprint of transporting Acrylonitrile by road tanker to Duxford, and then shipping the finished material to assembly plants in Toulouse negates any reduction in environmental impact.

Hexcel will actually ship PAN to our sister plant in Spain which makes carbon fibre. Hexcel truly believes that the environmental impact of all these steps is far outweighed by the consequent benefit in much lighter aircraft.

Hexcel are misstating the local concerns about the hazards that would occur during tanker transportation. The transportation of Acrylonitrile is highly regulated in most countries including the UK. In the USA a license is required before the material may be moved by road. Given the particularly high accident rate on the A14, the real risk of a major incident during transportation within the country should be fully considered by the appropriate authorities.

The transportation of AN is no more regulated than petrol or similar. No special license is required in the US.

Hexcel make no reference to the need for enhanced emergency services and medical facilities. In the event of a major spillage, fire services would have insufficient appliances and specialist breathing and resuscitation equipment. Addenbrookes hospital would have insufficient facilities to provide emergency resuscitation and 24 hour intensive care support for large numbers of casualties. The cost of these additional requirements should be met by Hexcel.

Whilst we do not wish to underestimate the potential impact of a major spillage of AN on a road or in our site, we question the basis for the assertion that the emergency services would have insufficient appliances and facilities.

74. **Further Information from the Applicants (5th June 2007)**

1.0 Introduction

- 1.1 As part of the public consultation carried out by the Council in respect of the applications, a sizeable number of representations have been made, covering a number of distinct issues.
- 1.2 It is apparent to Hexcel, from a review of these representations, that there are a number of potential misunderstandings as to the consequential effects of the proposed development, both at the existing Hexcel operational site at Duxford, and in respect of the proposed new development. This document sets out the company's considered response to a number of the issues raised in the representations. In the company's view it is very important to put the substance of such representations in full context.
- 1.3 Key to this is the issue of potential risk. Hexcel's operations - both current and future - can only be undertaken with the full approval of the regulatory agencies - primarily the Health and Safety Executive (HSE) and the Environment Agency (EA).
- 1.4 Every activity - especially industrial processes - has a potential risk, and in any event a residual risk, however insignificant. By definition any risk can only be reduced not eliminated. Within the framework of the regulatory systems, it is the responsibility of Hexcel to ensure that the residual risk associated with the CFP process would first be designed, then maintained and operated below the agreed acceptable limit to the general public.
- 1.5 It is an established tenet of national planning policy that:
"Any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to an impact on health, is capable of being a material planning consideration, in so far as it arises or may arise from any land use". (Planning Policy Statement 23; Planning and Pollution Control paragraph 8 (PPS23).
- 1.6 PPS 23 also notes, at paragraph 10 that:
*...The planning system should focus on whether the development itself is an acceptable use of the land, and the impacts of those uses, rather than the control of processes or emissions themselves. **Planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced.** They should act to complement but not seek to duplicate it."* (emphasis added).
- 1.7 The issue of sustainability is a key facet of Government Policy generally and land use-planning policy specifically, as set out in paragraph 3 of PPS1 'Delivering Sustainable Development'. As part of that, the United Nations Agenda 21 is a comprehensive plan of action to be taken globally, nationally and locally by organisations of the United Nations System, Governments, and Major Groups in every area in which human impacts on the environment. UN Agenda 21 recognises the need to support the progress of technology in order to use the world's energy resources more efficiently. The proposed CFP plant will produce carbon-fibre precursor material (PAN). The carbon fibre will ultimately be used in the production of the next generation of commercial

aircraft, such as the Airbus A350. The use of carbon fibre in aircraft wings, fuselages and tails reduces atmospheric carbon dioxide emissions by making planes lighter and therefore more fuel-efficient. In this context the CFP plant is an industrial process which both supports and enables the key principles of UN Agenda 21.

1.8.1 Against that background, this document seeks to set out, on a factual basis, further information and clarification in respect of the company's proposed development. The information is set out in four main sections, which deal with each of the main topic areas raised in the representations made to the District Council, namely:

- The economic case in support of the company's proposals;
- Issues of health and safety and public risk;
- Other environmental effects, including traffic issues; and
- Community Effects

This document is not intended as a point-by-point rebuttal to the individual representations made to SCDC. It does, however, provide Hexcel's overall response to the issues raised.

2.0 The Economic Case

2.1 Hexcel wish to establish a CFP plant in Europe to support its European customer base. The company has a number of production sites in mainland Europe, but none of these have the necessary space or infrastructure to support a CFP plant. A full explanation of the business case was set out in detail in the EIA. The potential expansion capacity of Decatur, the company's existing CFP site in Alabama, USA is also limited; Decatur is within a tornado risk area that, as Hexcel's only CFP plant, makes single point expansion more vulnerable to disruption. From the company's logistical viewpoint, the Duxford site provides the 'best fit' of all the European production sites for this kind of development. Both the Duxford site - and the personnel employed there - have a long and proven track record with chemical processing and the handling of hazardous chemicals. The Duxford site is also the current base for Hexcel's European Research and Development Department. This unique technical and managerial knowledge base makes the Duxford site the preferred location for a CFP plant. It already has the necessary support infrastructure in terms of process expertise, logistics (road/rail access), planning, Health Safety and Environmental Protection (HSEP) systems, quality systems, utilities, maintenance and engineering to satisfy the operational needs of the proposed plant.

2.3 As set out in the EIA, the development of the CFP plant is a key part of Hexcel's commercial relationship with Airbus. The United Kingdom is one of the four main Airbus partner countries; the UK, Spain, France and Germany. Maximum strategic benefit would be obtained by the location of the plant in one of these four countries. Hexcel does not have any suitable sites for a CFP plant in Spain, France or Germany.

2.4 The proposed CFP plant will employ up to an additional 100 personnel in total; about 70 of these will be manufacturing jobs with the remainder employed in administration and scientific support roles, helping to bring more manufacturing jobs into the local area.

3.0 Issues of Health and Safety and Public Risk

3.1 A substantial number of the representations made in respect of Hexcel's proposals relate to the key aspect of health and safety and public risk. Many of the representations seek to draw attention to specific concerns in respect of the processes proposed to be used in the development, and the materials to be employed. Of particular concern to a number of the respondents is the nature of a key process chemical, Acrylonitrile.

3.2 Acrylonitrile

3.2.1 Acrylonitrile (AN) is a liquid chemical. AN has a flash point of 0°C and is therefore classified as highly flammable. It has a high auto-ignition temperature of 481°C, some 400°C above any proposed processing temperatures in the CFP process. Under normal operating conditions therefore there would be no explosion risk arising from the use of AN on site. AN is classified as being toxic by inhalation, contact with skin or if swallowed. It is irritating to the respiratory system and skin, and there is also risk of serious damage to the eyes in case of eye contact. Skin sensitisation is possible by skin contact.

3.2.2 In excess of 5 million tonnes of AN is produced worldwide, and this figure is growing by approximately 3% per year. Nearly half of the world's AN production (2.4 million tonnes per annum (tpa)) is subsequently used to manufacture acrylic fibres in processes similar to the CFP process. A further quarter of the world AN production is used in the manufacture of everyday plastics such as ABS (Acrylonitrile butadiene styrene). Hexcel is not aware of any EU countries that do not allow the use of AN. There are 8 AN producers and about 22 AN industrial users within the EU.

3.2.3 To help put the AN risk into perspective, Benzene is a *known* human carcinogen; whereas AN is rated as a *possible* human carcinogen. People are regularly exposed to benzene whilst filling up their cars as benzene is one of the chemicals found in petrol. This voluntary exposure to a *known* carcinogen is much higher than would occur from any AN emissions from the proposed CFP plant.

3.2.4 Studies carried out in the United States on AN workers over a forty-year time span have shown no long term health effects. BASF the UK have found AN workers are typically exposed to around 0.3 ppm (parts per million) of AN on average, whereas the 8-hour workplace exposure limit in the UK is 2 ppm. At the plant site boundary the predicted AN concentration is 0.001 mg/m³ (or 0.45 parts per billion) thus equivalent to 1/4,400th of the workplace exposure limit or 1/600th of the average AN worker exposure.

3.2.5 The substantial epidemiological data that exists for AN including the most recent studies indicate there is no evidence to support a casual relationship between AN exposure and human cancer. It is known from animal studies that AN is an animal carcinogen at high dosages; current policy for carcinogen rating is that known animal carcinogens receive what is termed a category 2b rating and the risk phrase R45, "may cause cancer" even if there is no evidence of an actual cancer risk to humans.

3.2.6 In the light of four major AN health studies in the UK, Netherlands and U.S., a conference was held in Oxford in 1997 to consider overall health data for AN

workers, at which it was agreed that there was insufficient evidence to conclude that exposure to AN is associated with an increase in human cancer. As part of the papers presented at the conference, Drs David Coggin Environmental Epidemiology, Southampton General Hospital, and Philip Cole of the University of Alabama, concluded: ***“Thus despite its carcinogenicity in animals, there is little evidence to suggest that (Acrylonitrile) causes cancer in humans.”***

3.2.7 AN is not classified as a mutagen.

3.2.8 Existing animal data does not show any clear indication of fertility, reproductive or teratogenic effects of AN; as such toxic to reproduction is not considered appropriate.

3.2.9 The Dangerous Toxic load of AN is given as 9600 ppm (minimum) by the Health and Safety Executive document *“Toxicology of substances in relation to major hazards”*. The Specified level of Toxicity (SLOT) for humans is given as 40 ppm for 4 hours; this value is used in the generation of land use planning zones. The calculated risk of harming a person offsite is less than 0.3 in a million years and thus the risk of fatality could only occur through a prolonged exposure to a high AN concentration.

3.3 The Process

3.3.1 At start-up the CFP plant would use approximately 4000 tonnes per annum of AN.

3.3.2 The CFP plant will store a maximum of 400 tonnes of AN on the site at any one time in two separate tanks. The CFP plant would receive AN in road tankers of around 24 tonnes capacity, filling into a storage tank. Each storage tank will have a level sensor and a high level alarm system, warning when the tank level reaches 90% of the capacity of the tank. A delivery of AN will only be accepted if there is sufficient storage capacity available in the AN storage tanks.

3.3.3 As a second level of protection, the high level alarm will be interlocked to the tanker offloading pump, automatically stopping the transfer of AN into a tank if a high level is detected. **Comparisons made, by a number of representations between the proposed development and the incident at Buncefield, in Hertfordshire in December 2005 are fundamentally incorrect. The Buncefield incident occurred because a pump did not stop once the tank was full. The risk of this type of incident happening at the plant site would not arise, as the AN would not be pumped into site via a pipeline and there would be only a finite tanker volume that would be transferred at any one time.**

3.3.4 The CFP plant will only produce Polyacrylonitrile fibre, the precursor used to make carbon fibre, not the final carbon fibre itself. The CFP process does not use flammable liquids at high temperatures. The production of CFP takes place at temperatures below 100°C as the process is aqueous, not at elevated temperatures such as those used in converting the CFP into the finished carbon-fibre product. These latter operations do not take place at the Duxford site.

3.4 What are the hazards associated with the materials to be used?

3.4.1 As part of the EIA, ‘dispersion modelling’ (as accepted by the HSE and Environment Agency) was carried out to look at the effect of a ‘catastrophic’ tank failure, meaning the complete rupture of a storage tank and subsequent loss of

containment; this is a highly unlikely event but was considered as a 'worse-case' scenario. The results of this modelling showed that there would be no significant consequences of this event at any residential property. Assuming that a 30m diameter pool of AN was formed adjacent to the storage tanks, there would be less than a 0.3 in 1 million chance per year of harming a person within an area of some 300m radius from the proposed plant or beyond. That area would encompass the existing Hexcel site, a small part of the adjacent Huntsman site, and agricultural land, but would not include any residential properties or extend as far south west as the Transco gas installation (see also below). Risk would rapidly reduce with increasing distance. This 300m radius is broadly coincident with the edge of the HSE consultation zone in terms of land use planning restrictions relating to the storage of AN. The dispersion modelling did not take into account any on-site mitigation systems such as the foam deluge system, or the specific design of drainage systems to minimise the surface area of a spillage etc. **The results of the modelling shows there would be no off-site consequences even in the worst case scenario of an AN tank failure.** The probability of a catastrophic tank failure can be considered negligible, as the storage tanks will be designed to British Standard SB2654 or above and inspected on a regular scheduled basis. Plant operators will also conduct area patrols to inspect equipment. AN is not corrosive to steel from which the storage tanks will be constructed.

- 3.4.2 In addition to these safety features, the following systems would act to minimise any potential risk should an accidental spill of AN occur:
- a) A fully sealed bund around the AN storage tanks would be provided with a minimum of 110% of the capacity of the storage tank. This bund would be designed to retain the contents of the storage tank in the highly unlikely event of a catastrophic tank failure. This is standard practice for chemical storage tanks.
 - b) A gas detection system in proximity to all areas where AN would be used to detect even very small amounts of AN in the air, alerting plant operators to the possibility a spillage of some type has occurred.
 - c) A foam deluge system covering the AN storage tanks would be installed. The foam system would serve two roles, either to extinguish an AN fire or to minimise the vaporisation of AN if it has spilled into the bunded area. Ground level and aerial firewater points would also be installed.
 - d) A self-contained drainage system with catch pits surrounding the tanker offloading area would serve to collect any minor spillage of AN or other chemicals. The catch pits could then be pumped out into the effluent storage tanks where the waste would be held for biological treatment or offsite disposal.
 - e) Any residual AN spillage that gets through the tank bunding and drainage catch pit system would have the potential to enter the site surface water drainage system, used to discharge surface water from the site. As the site handles chemicals at present, a Total Organic Content (TOC) monitor continuously monitors the surface water drains for signs of organic chemical contamination. In the event contamination is detected, surface water would be diverted to a holding area in the effluent treatment plant and would not enter the River Cam.

- 3.4.3 The accident containment measures thus give several layers of protection in case of an AN spillage; and in the context of the degree of risk, this is considered wholly appropriate to minimise the risk to both people and the environment in the event of an accident on-site.
- 3.5 **What is Hexcel's Safety Record?**
- 3.5.1 The Hexcel Duxford site has an excellent safety record. **The site has in the past stored and handled materials of similar hazard to AN in significantly greater quantities without incident.**
- 3.5.2 All industrial sites are subject to stringent emission limits either from the Environment Agency, or in the case of smaller installations the local authority. The EA imposes limits on emissions to air and water. The Hexcel site already has a Pollution Prevention and Control (PPC) permit as noted above. Hexcel reports its environmental performance to the EA in quarterly and annual reports.
- 3.5.3 Hexcel has operated a CFP plant in Decatur, Alabama, USA for over 15 years without incident.
- 3.5.4 **Hexcel has carried out research into the accidents involving AN that have occurred throughout the world in the last 15 years, from 1991 to 2006. On average there has been one accident every two years, none of them involving the loss of life and only nine persons requiring any type of hospital treatment. A more detailed analysis of relevant incidents is set out at section 3.8 below.**
- 3.6 **What could be the health effects of the use of Acrylonitrile?**
- 3.6.1 It is Hexcel's view that there will be no likely public health effects arising from the use of Acrylonitrile at Hexcel. Hexcel's primary responsibilities in the use of AN are in respect of workers on site and the local population. Self evidently, the former group is at a greater potential risk. As noted above the AN concentration at the site boundary will be less than 1/600th of the average AN worker exposure. Long-term studies of both AN workers and populations surrounding facilities using AN have not established any link between AN exposure and cancer or birth defects.
- 3.6.2 In 1997-98, four major health studies involving 34,686 AN workers throughout the world came to the conclusion that exposure to AN does not increase cancer risk. One major study by the National Cancer Institute (NCI) followed 25,640 workers employed at U.S. plants that produced AN or used it to make other products from the 1950s to 1983. The study tracked workers' health records through until 1989, and found no evidence of significant increase in risk from cancer death or any other cause of death due to exposure to AN. Regular medical checks are standard practice in the chemical industry where employees have the potential to be exposed to chemicals. It is these regular medical checks that have found no link to an increased risk of cancer or other cause of death in AN workers.
- 3.6.3 In 1998 the published findings of long-term longitudinal studies of AN workers found no significant effects in that population. The World Health Organisation (WHO) report published in 1999 claimed to have established a link between AN, cancer and birth defects. The study looked at congenital abnormalities

within 25km of a Hungarian factory using AN between 1980 and 1996. However, in January 2000 the same team published a corrigendum to the main report stating that there is no link to cancer or birth effects in the workers at the plant or their families, essentially withdrawing the findings from the first report. The corrigendum states:

“The findings of the study seem to confirm the null-hypothesis, i.e. no effect of Acrylonitrile contamination for people living near to the factory”.

3.6.4 The likely emission levels from the plant have been set out in the EIA submitted with the planning application. The emission data from a current CFP plant in Decatur was used to predict the local concentrations of AN, oxides of Nitrogen (NO_x) and Oxides of Sulphur (SO_x). The latter two compounds are formed during the combustion of natural gas or light fuel oil. Hexcel commissioned consultants to carry out predictive dispersion modelling of the predicted plant emissions for AN, NO_x AND SO_x.

3.6.5 The results of this modelling indicate that the plant emissions are significantly better than the assessment criteria for local air quality. The workplace exposure limit (WEL) for AN is 4.4 mg/m³ (2 ppm) for 40 hours per week. At the site boundary the predicted AN concentration is 0.001 mg/m³ equivalent to 1/4,400th of the workplace limit, or 0.02% of the Time Weighted Average. The generally accepted rule of thumb is that the maximum boundary concentration should not exceed 5% of the TWA, this would be 250 times higher than the predicted concentration on the site.

3.7 The Stance of the regulatory agencies

3.7.1 The Health and Safety Executive and the Environment Agency have confirmed to the SCDC that they have not found any grounds to object to Hexcel's applications. Hexcel are still in discussions with the Highways Authority which has only recently responded to the applications with a request for more information.

3.8 Other Issues in respect of Health and Safety and potential public risk

3.8.1 In view of proximity to Duxford airfield, airfield, a number of representations have contended that there would be risk of an aircraft crash. The risk of an aircraft crashing onto the AN storage tanks on site is statistically the same as the background aircraft crash rate for the UK. A report produced by the HSE on the subject of aircraft crash states that there is no increased risk due to local flying areas and that the background UK crash rate should be used. Using the background UK crash rate and the area of the AN storage tanks gives a probability of less than a 1 in 1.5 million year chance of this occurring. There have been no incidents of aircraft colliding with domestic or industrial buildings in the area around Duxford and planes from Duxford are specifically routed not to fly over the Hexcel site. Hexcel actively enforces this routing around the site and has in the past lodged complaints with the Imperial War Museum on the rare occasions that overflying of the Hexcel site has taken place.

3.8.2 A number of representations draw attention to incidents, or alleged incidents elsewhere in the world where AN was involved. Particular references are made to incidents at Kaipiainen, Finland in 2002, Alabama USA in 1994, Amersfoort, Holland, in 2002, and a lighting strike in Brazil in 1992. These are

considered further below. A list of AN incidents over the last 15 years has been collated and is given at the end of this section.

- 3.8.3 The incident at Kaipiainen, Finland, in 2002 arose from the rupture of a storage tank by the ignition of AN vapours inside the tank during filling. This ruptured the tank and resulted in a fire that was extinguished within one hour. No injuries were reported. The storage tank at Kaipiainen was an atmospheric pressure tank, the headspace above the liquid in the tank was full of air, containing the oxygen required to ignite the AN in the tank. Current best practise for the storage of flammable liquids is to eliminate the air (and therefore the oxygen) from the headspace of storage tanks by the use of a nitrogen purge. The headspace to the AN storage tanks on the CFP plant will be nitrogen purged, eliminating the possibility of this type of accident occurring at Duxford by removing the oxygen.
- 3.8.4 The AN incidents in Alabama, US in 1994, the incident in Amersfoort, Holland, in 2002, and the lightning strike in Brazil in 1992 are considered by Hexcel to be the only incidents potentially relevant to the proposed CFP plant. All other incidents have involved either AN transportation or processing methods not relevant to the CFP process at Duxford such as sea transportation, and/or the use of AN in a different process. In Alabama, the tanker driver fell asleep at the wheel, losing control and overturning the AN tanker he was driving. 3 kilogrammes of AN were released out of a total cargo of 18.6 tonnes. The only injuries in this incident were the crash injuries to the driver. The Amersfoort Incident was caused by a scaffolding pole puncturing a rail tanker of AN, leading to the spillage of an unknown quantity of AN. People living/present within the close proximity of the train were evacuated as a precaution, and although seven people (all of them emergency responders to the incident) were treated for eye/nose irritation, no members of the public were affected. The lightning strike on an AN tank in Brazil resulted in a fire that destroyed one of two storage tanks. A lightning strike would be highly unlikely at Duxford due to the low height of the AN storage tanks and the proximity to taller structures; lightning strike protection will be considered as part of the overall detailed AN tank engineering design.
- 3.8.5 **Importantly, none of the incidents mentioned above has led to the death of a person or any significant environmental incident.**

Summary of Acrylonitrile Incidents 1991-2006

Ref	Incident Date	Location	Type of Incident	Casualties	Incident Summary	Primary
(1)	13 September, 2002	Kaipiainen, Finland Chemical Plant Storage facility	Explosion, Fire	None	On a plant site, Acrylonitrile was being transferred from a tank wagon through a fixed piping to a 100m ³ storage tank. The work had been going on for almost two hours (24 tonnes transferred) when suddenly a very loud bang was heard and the upper end of the storage tank was blown about 70 metres, beyond the plant site fence. In the explosion, the 11 metre high tank with a diameter of 3.34 metres remained in its upright position.	Ignition of a flammable atmosphere within the Acrylonitrile tank headspace during tank filling.

Ref	Incident Date	Location	Type of Incident	Casualties	Incident Summary	Primary
(2)	20 August, 2002	Amersfoort, Holland Train Transporting Acrylonitrile	Chemical Leak	7 persons (Emergency responders) treated for eye/nose irritation	Police and fire department officials evacuated parts of the town after a train carrying 70,000 litres of Acrylonitrile started leaking. The leak was found during a routine check. It was unclear how much Acrylonitrile had leaked or how many people were evacuated. The Amersfoort Fire Commissioner told a news conference the chemicals had been improperly manufactured and did not contain an important stabilizer.	Loss of containment caused by scaffolding pole puncturing rail tanker.
(3)	17 October, 1996	Off Matsuyama, Japan	Transport Incident	None	The Formosa Eight Chemical tanker grounded carrying 32,000 tonnes of Acrylonitrile. Extensive damage to port side of ship but no pollution. Tanker refloated.	Navigation error.
(4)	7 February, 1994	Birmingham, Alabama	Tanker leak (1 gallon)	Crash injuries only to driver	On 7 February on Interstate 65, 20 miles North of Birmingham, Alabama a tanker driver fell asleep at the wheel, crashing and overturning his Acrylonitrile tanker. The tanker was carrying 6,000 gallons of Acrylonitrile, however, only 1 gallon leaked out.	Driver error.
(5)	1992	Santos, Brazil	Fire	Unknown	Lightning Strike on Acrylonitrile storage tanks (2 tanks, 1 tank destroyed).	Lightning strike
(6)	21 August, 1991	Coode Island, Melbourn Australia	Chemical Leak, Fire and Explosion	No serious injuries	At 2.15pm on 21 st August, 1991, a tank exploded at Coode island, followed shortly afterwards by another two tanks. A large fire erupted, after a 600,000 litre chemical storage tank full of Acrylonitrile exploded. The fire was brought under control about 5pm that day.	Arson.
(7)	March 17, 1991	Yokkaichi, Mie, Japan Chemical Production facility	Explosion, Fire	2 persons serious injuries	At a cyanonorborene manufacturing plant, a dicyclopentadiene and Acrylonitrile mixture was reacted by heating with agitation in a reactor. However, agitation became insufficient due to the excessive quantity charged. Due to the accumulation of reaction heat, there was a runaway reaction, reactor pressure rose, the weakest part of the reactor at the shoulder cracked within a few minutes, vapour generated a vapour explosion, and the dispersed liquid ignited.	Addition, runaway reaction due to excessive charging quantity of Acrylonitrile.
(8)	1 February, 1991	Molfetta, Italy	Leak (contained)	None	The chemical tanker the Alessandro Primo sank in the Adriatic Sea, some 30km from Molfetta (Italy) with her cargo of 3,013 tonnes of 1,2 dichloroethane and 549 tonnes of Acrylonitrile. A rupture in an Acrylonitrile pipeline was sealed using epoxy resin.	Damage to ship's hull.

4.0 Environmental Issues

4.1 Traffic

- 4.1.1 The Environmental Statement sets out a comprehensive assessment for the likely traffic effects arising from both the construction and the operation of the CFP plant. Construction traffic will approach the site from the M11/A505

using Hunts Road/Ickleton Road through Duxford. There is no suitable or viable route passing through Hinxton. The routing of heavy construction traffic will be enforced rigorously by the managing construction contractor.

- 4.1.2 The route through Duxford is within a 30mph speed limit, enforced by a chicane and speed humps through the village. Two AN tankers per day will be required to supply the CFP plant. Two tankers per day passing through with the use of specialised tankers/driver, and the avoidance of peak times, especially in respect of the school day, would ensure that risk was minimised. AN tankers will be required to pass the school but at that point will be travelling at around 10-15mph due to the speed reduction chicane approaching Duxford on Hunts Road.
- 4.1.3 The AN suppliers preferred method of transportation is by specialised road tanker. **AN transportation is not banned from cities or built up areas.** The tankers used to transport AN are specially designed for the transport of such liquids. The tankers are of approved design and are top filling/unloading; there are no valves or openings below the liquid level. The tanker drivers used to transport AN are full trained HazChem drivers. The tankers are built to the industry standard T14. A number of representations have contended that AN is a 'Cargo of Particular Hazard'. This statement is a reference to the transport classification of AN, or more specifically the bulk transportation of Acrylonitrile by sea. 'Cargoes of particular Hazard' are defined in section 126.10 of Title 33 of the Code of Federal Regulations (United States Federal Law) and relate to navigable waterways and harbour facilities. The phrase has no relevance to the road transportation of AN to the CFP plant site.
- 4.1.4 As stated, the Highways Authority has yet to express a view on the application.

4.2 **Water Disposal**

4.2.1 Surface Water Disposal

All surface water run-off from the existing Hexcel and Huntsman sites is attenuated through a system of large buffer tanks and a surface water lagoon. This system allows the controlled release of surface water into the River Cam, reducing the risk of flooding. As a consequence of the proposed CFP plant development, the effective volume of the surface water storage on-site will require to be increased by ca 150m³ (in accordance with the recommendation in the flood risk report by Mott MacDonald) to allow for the increased area of hard surfacing on the site. There will therefore be no additional surface water disposal into the River Cam than occurs at present, thus meeting the requirements of the EA. The EA will define levels of water quality for surface water disposal. The leakage prevention measures built into the production systems will ensure that there are multiple layers of protection all of which would have to fail. In any event, all new storage tanks will be fully bunded and the contaminated drainage system already present on the site would be used to collect liquid effluent from the site for treatment before being released into the River Cam.

4.2.2 Foul water treatment

Foul water from the existing Hexcel and Huntsman sites is treated at an existing treatment plan owned and operated by Huntsman, but to which

Hexcel has rights of use. This plant has dealt successfully with all liquid effluents from the Duxford site operations for over 50 years, although the plant has been progressively maintained and improved throughout its life. No problems are anticipated with the effluent streams from the CFP process, and water quality for water disposal.

4.3 **Flood Risk**

4.3.1 Published EA 1 in 200-year flood risk maps for the Duxford area (and as contained in the SCDC Local Plan and emerging Local Development Framework) show part of the site within an area of flood risk. These maps are inevitably general in nature. As part of the EIA, a flood risk assessment was undertaken, which concluded that a 1 in 200 year flood event would not lead to any significant flooding of the site. All of the CFP plant storage tanks and buildings will be above the required flood level to ensure that in the event of a flood event no floodwater will enter any part of the process area. The EA has been consulted as part of the planning process in respect of flood issues but has raised no objection in respect of flooding issues. As a further precaution measures will be employed so that in the unlikely event of pollution being detected in the surface water drain the flow will be diverted to the contaminated water storage tanks. The landscape bunding around the site will have no impact on the flood risk as it is a permeable structure and thus does not increase the rainwater catchment area of the River Cam.

4.4 **Gas Pumping Station**

4.4.1 An AN fire scenario has been considered and the thermal flux from a fire calculated. The thermal flux threshold below which damage is unlikely to occur is a maximum of 20 metres from the storage tanks. The CFP plant layout has been designed to take this into account. The gas pumping station is some 300 metres from the Hexcel site and so would not be affected in any way. In any event, Transco, the operator, has raised no representation in respect of this issue.

4.5 **Landscape and Visual effects**

4.5.1 The EIA contained a detailed assessment of local landscape character, site visibility and of the nature and effects of change that would be brought about by the proposed development. As a general statement, the EIA concluded that the CFP plant buildings would be seen in the context of the existing industrial site, and thus constitute limited change and hence impact in visual terms. The application is at this stage an outline application, and by appropriate conditions, SCDC would require the detailed form, materials and colour of the building exteriors to be carried out in an acceptable manner to ensure that the visual impact of the CFP plant is minimised. The only available views are from the south west, south, south east and east, and in the majority of these, the proposed development would be seen against the backdrop of the existing Hexcel site. In addition, new landscaping including earth mounding and the planting of additional trees around the site boundary would reduce/minimise the views available from local viewpoints. Hexcel has noted the objections made to the intended removal of the trees to the south of the site and has now brought forward changes to the proposals so that none of these trees will be removed. Opportunities to plant additional trees will be taken, increasing screening towards Hinxton village and benefiting local

wildlife. Detail design of the landscape works will be carried out in full consultation with SCDC.

4.6 **Effect on wildlife**

4.6.1 Wildlife interests in waterways adjacent to the site would be protected by the surface water discharge restrictions set by the EA. The additional landscaping will also afford some new wildlife protection.

4.6.2 Thriplow Peat Holes, a Site of Special Scientific Interest (SSSI), are located approximately 3 miles North West of the Hexcel site. Hexcel do not believe that there will be any impact on this SSSI as a result of local water abstraction at Duxford. The water abstraction volume required for the CFP plant is below the current permitted water abstraction licence limit, and there are no plans to increase the water abstraction licence for the site.

4.7 **Effects on air quality**

4.7.1 The local air quality in Duxford, Hinxton and Ickleton is closely linked to the proximity of the settlements to the M11 and the large population centre of Cambridge. The existing operations carried out on the Hexcel site do not have a significant effect on the local air quality. The background Nitrogen oxides (No_x) concentration in the local area is around $40\mu\text{g}/\text{m}^3$, the total Hexcel site (including the CFP plant) will contribute only $1\mu\text{g}/\text{m}^3$ to this at the site boundary. This is fully explained within the EIA. Dispersion modelling of the CFP process emissions carried out shows the relationship between the M11, Cambridge and the No_x air concentration. The proposed development would not have any tangible effect on air quality.

4.8 **Local Planning Policy**

4.8.1 As acknowledged fully in the EIA, whilst a significant part of the allocation site lies within the existing Hexcel operational site, and thus within an area identified as an existing employment area in the adopted South Cambridgeshire Local Plan, part of the site lies outwith this area, within a designation of 'countryside'. As part of the emerging Local Development Framework (LDF) for South Cambridgeshire, Hexcel have made representations that the area of the existing employment sites should be enlarged to (a) recognise the full extent of their operational site and (b) include all of the land required for the operation of the CFP plant. Hexcel have pursued these representations throughout the LDF process and the Inspectors' report in response to their representations is awaited. It is common ground between Hexcel and SCDC, in the event that the Inspectors do not accept Hexcel's argument, that such a conclusion would not automatically render the application proposals unacceptable, for whilst the LDF would thus suggest that planning permission should not be granted, the District Council would require to take into account 'other material considerations' in respect of the of the proposals before reaching a conclusion. Such considerations might, for example, include the employment that the development would provide, in its own right, and the extent to which the development would maintain the existing employment levels at the Hexcel operation."

75. This additional information has led to a further letter from the Hinxton resident, and the letter together with a response from the Applicants is included in Appendix 1.

76. The Applicants have also submitted further information on site car parking implications, a Travel to Work Plan, and a Traffic Information Pack, following discussions with the County Transportation Department.

Planning Comments - Key Issues

1. *Planning Policy and the Proposed Site Area*

77. The existing Hexcel/Huntsman site (formerly Ciba-Geigy) is defined as an Established Employment Area in the Countryside in Policy ET4 of the Local Development Framework (Development Control Policies). The application sites fall partly outside the southern boundary of the area defined on the Proposals Map, agreed by the L.D.F. Inspector after considering representations from the Applicant. Appendix 2 shows the L.D.F. boundary of the Established Employment Area and the amended applications site boundary.
78. The application is therefore a Departure from the Development Plan and will have to be referred to the Secretary of State if Members are minded to approve it. There are several factors which lead me to the view that the application should not be rejected on this ground.
79. First, I consider a strong case has been made for the construction of a carbon fibre precursor plant at Duxford, an established chemical works with the necessary technical expertise. The Applicants have looked at all their European plants and concluded this is the only appropriate location to establish a European base for the process, particularly vital for the development of the Airbus project. Support has been forthcoming from the Department of Trade and Industry, East of England International (UK Trade and Investment) and the East of England Development Agency, stressing the importance of the proposal to the national and local economy and the future of the composites industry.

Secondly, the development would create about 100 permanent jobs, and ensure the future of the Hexcel plant, already a major employer in the region.

Thirdly, the land in question outside the defined boundary of the site does include some hardstanding associated with the existing railway sidings, which are to be retained. Also part of the area is needed as a construction compound and will be returned to agriculture once the development is completed in approximately 3 years from commencement.

Fourthly, there is a 10 year old belt of trees along the southern boundary of the proposed developed part of the site which forms a natural break with the surrounding countryside. If the development proceeds this will be supplemented on its south side by a substantial planted mound, reinforcing the separation.

2. *Health and Safety Issues*

80. Members will see from the Consultations and Representations received that this has been the primary concern of the local community, and the Applicants have endeavoured to allay fears on the detailed points raised. (See "Further Information from the Applicants [5th June 2007]"). Every industrial process has a potential and residual risk, and the toxicological profiles of the chemicals involved in this case are well documented. The key issue is whether the equipment and procedures proposed will result in safe usage. The Applicant's operations, both current and proposed, can only be undertaken with the full approval of the regulatory agencies - primarily the

Health and Safety Executive and the Environment Agency. With these applications, no objections have been raised by either agency, subject to conditions being attached to any permission granted.

81. Planning Policy Statement 23 "Planning and Pollution Control" advises local authorities that "any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to an impact on health, is capable of being a material planning consideration, in so far as it arises or may arise from any land use". It also notes that "the planning system should focus on whether the development itself is an acceptable use of land, and the impacts of those uses, rather than the control of processes or emissions themselves. Planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced. They should act to complement but not seek to duplicate it." Having consulted the relevant regulatory agencies and received a positive response there are no grounds to refuse the application on health and safety grounds.

3. Impact of the Buildings and Plant on Duxford, Hinxton and the Countryside

82. Established in the late 1930s, the industrial site has expanded over the years into a major complex abutting the southern side of Duxford. The buildings and plant now proposed would form a southern extension to the site away from the village and will be largely screened by the existing developed site.
83. Hinxton is about 0.75km to the south east and the proposed development will be visible, albeit at a distance and against the backdrop and as part of the existing works. The two tallest buildings (29m high) have relatively small footprints and have been sited as far from Hinxton as possible, but will be the most prominent structures. Given the current outlook from Hinxton of the site I do not consider the change would be so significant as to warrant refusal.
84. The amended scheme has less impact on the countryside with the retention of the trees on the southern boundary and the extensive supplementary planting on the mounding proposed in the field to the south. Obviously it will never be possible to screen the proposed buildings completely from the surrounding countryside, but the views of the site will be filtered and softened, as has happened with planting on other boundaries of the site.

4. Traffic Impact

85. The impact of construction traffic has been of particular concern to Duxford Parish Council, and the adverse effect upon safety at the morning and evening peaks and school drop off/pick up times. The School Governors share these concerns and also raise the issue of safety with regards to passing chemical tankers once the site is operational. A number of local residents, both in Duxford and Hinxton, question the wisdom of transporting hazardous chemicals from the north-east of England to the site by road.
86. The Local Highway Authority, having requested further information on existing and proposed vehicle movements from the Applicants, require conditions which seek to ensure construction traffic is outside peak travel times and HGV movements avoid school drop off/pick up peaks.
87. The Applicants have stated there will be 2 tankers carrying Acrylonitrile per day and this has been conditioned by the Health and Safety Executive. The route through Duxford is within a 30mph speed limit, enforced by a chicane and speed humps

through the village. It is estimated by the Applicant that the tankers would be travelling at around 10-15mph adjacent the school because of the speed reduction chicane.

88. The use of tankers as opposed to rail transport is because the supplier of the chemical uses this means of transportation. The rail sidings at the Applicant's site are to be retained for possible future use, but it is likely road tankers will be used for the foreseeable future. The tankers are purpose-built for this type of chemical and driven by specialist drivers. The applicants have stated the risk of a catastrophic road transport incident with the chemical is minimal, with one reported accident in 20 years worldwide resulting in no significant spill.

Recommendation

89. Members to indicate that they are minded to approve the outline planning application, amended on 15th June 2007, which will have to be referred to the Secretary of State as a Departure from the Development Plan. In the event that the Secretary of State does not call the application in for her decision, the following matters be included in the conditions of approval:

1. S/1749/06/O - Carbon Fibre Precursor Plant

1. Standard Condition B - Time limited permission (3 years).
2. Standard Condition 1 - Reserved Matters:
 1. Appearance
 2. Landscaping
 3. Layout
 4. Scale
3. Construction traffic outside network peaks only (07.45-09.00 and 16.30-17.45).
4. H.G.V. movements, during and after construction, outside school drop-off and pick-up times and evening network peak (08.00-09.00, 15.00-16.00, and 16.30-17.45).
5. Maximum number of Acrylonitrile deliveries - 654 per year.
6. Travel Plan to control traffic levels generated by the development, including details of targets, monitoring and enforcement.
7. Should the Travel Plan targets referred to in Condition 6 above not be met, no occupation of buildings and site shall occur until an upgrade for the A505/Hunts Road roundabout is agreed up to a Stage 1 Safety Audit including capacity analysis.
8. Ecological Management Plan.
9. No removal of trees during bird nesting season unless otherwise agreed.
10. Reinstatement of contractor's storage yard.
11. External lighting.
12. Water Conservation Strategy.

13. Waste Minimisation Strategy.

14. Renewable Energy Strategy.

15. Public Art

16. Contamination Survey.

+ possible contribution to proposed Duxford-Ickleton cycleway (S106 Agreement)

Informatives

Comments of Environment Agency, County Footpaths, Environmental Health, Landscape Design Officer, Ecologist and Reasons for Approval.

2. S/1703/06/HSC - Storage of Acrylonitrile

This application should not be determined pending the decision of the Secretary of State whether to call in for her decision the outline planning application, reference S/1749/06/O. In the event that it is not called in, the Hazardous Substance Consent application be approved, amended on 15th June 2007, subject to the following conditions:

1. The hazardous substances shall not be kept or used other than in accordance with the application particulars provided in the Hazardous Substances Consent Application Form, nor outside the areas marked for storage of the substances on the amended plan franked 15th June 2007, which formed part of the application.
2. The maximum number of deliveries of Acrylonitrile will be limited to 654 per year.

Informatives

Comments of the Environment Agency and the Health and Safety Executive.

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

- South Cambridgeshire Local Development Framework (Development Control Policies) adopted January 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/1749/06/O, S/1703/06/HSC
- Documents referred to in the report including appendices

Contact Officer: Bob Morgan - Majors Champion
Telephone: (01954) 713395

Extract from Letter from Hinxtton Resident dated 26th October 2007 and Reply from Applicants dated 13th November 2007

Hinxtton Resident

"References follow the numbering in the Hexcel document.

- 1.3 Please note that HSE has refused to disclose safety data on vinyl cyanide on the grounds of national security.
- 1.4. Hexcel confirm that risk cannot be eliminated; only controlled by regulatory systems and management. Please note, most accidents occur when these systems are ignored by operators. Please see 3.8.4 in the Hexcel document which confirms human error as the cause of the Alabama spillage. Please note also the recent \$150 million fine imposed on BP for ignoring US corporate safety guidelines despite written control process, accidents do happen. The only way of removing the risk of an accident would be to site the facility well away from populated areas as recommended by the WHO guidelines.
- 1.5 Hexcel have provided no information on the environmental impact of 100 additional employees driving to the site or of hundreds of additional road tankers travelling between the production site of vinyl cyanide and Duxford.
- 1.7 Notes that carbon fibre is lighter and stronger than metal and this could provide benefits in the aviation industry. Although that fact is not disputed, Hexcel has provided no information on the overall carbon foot print of their proposed process. This needs to include the manufacturing phase, production and transportation of additional quantities of vinyl cyanide, transportation of the finished carbon fibre to the wing assembly site, and the transportation of the wing assembly to the aircraft final assembly site. Only when all this information has been provided can a judgement be made as to whether the entire process is beneficial to the environment. In addition, recent reports suggest that modern fuel-efficient transportation may not be as beneficial to the environment as previously thought when the manufacturing impact is included. For example, the dust to dust carbon footprint of a Land Rover is less than that of a Toyota Prius hybrid car, primarily due to the fact that the Land Rover design has remained largely unchanged since 1948 and therefore the lack of new tooling costs more than negates the lower fuel efficiency.
- 2.1 The economic case Hexcel state is purely the economic benefit to the Company which is US owned. There is no economic case in favour of Duxford, South Cambs or the UK as all profits will go to the US parent company.
- 2.3 Hexcel states that it does not have suitable sites in other countries. From an environmental and EU economic perspective, the ideal site would be within an existing, secure and remote vinyl cyanide production facility or a new plant close to the Airbus final assembly plant in Toulouse, France.
- 2.4 It is not part of the Eastern Region Strategic Plan to generate additional manufacturing jobs as the Region effectively already has full employment. In addition, as Hexcel admit, the necessary skills would not be available locally and the 100 new jobs would add to the regional transport difficulties and increase pollution.

- 3.2 This section concentrates primarily on the manufacture of vinyl cyanide. WHO reports note that the biggest hazards occur in the use of vinyl cyanide in other production processes rather than in the production of the raw ingredient itself. This section is therefore misleading, as the proposed plant at Duxford will not manufacture vinyl cyanide.
- 3.2.3 Is misleading. Latest reports indicate that vinyl cyanide is a known carcinogen. Comparing exposure to benzene when re-fuelling cars is misleading. Accident reports show that the biggest risk of spillage is during road transportation, not during manufacturing processes at the static site. The effects of a significant tanker spillage on a major trunk road such as the A14 would be catastrophic.
- 3.2.4 Again only discusses the low levels of exposure to vinyl cyanide to plant operatives. It does not consider the most likely scenario, spillage during transportation where exposure limits could easily be exceeded. PLEASE NOTE, HSE HAS REFUSED TO PROVIDE THIS INFORMATION ON THE GROUNDS OF NATIONAL SECURITY. Road tankers would contain 25 tonnes of vinyl cyanide whereas the UK 8 hour exposure limit is set at 2 parts per million.
- 3.2.5 Is incorrect. The most recent studies, including the current ICSC data sheet for vinyl cyanide state that the substance is carcinogenic and teratogenic. Of more importance is the fact that cyanide gas could result from an explosion. This is fatal.
- 3.2.6 Please note that the ICSC report on carcinogenicity post-dates the report Hexcel refer to. The latest reports conclude that vinyl cyanide is carcinogenic.
- 3.2.8 Is incorrect. Vinyl cyanide is teratogenic (causes birth defects).
- 3.2.9 This is misleading. Again Hexcel is referring to the low levels of exposure on site and not the potential acute toxicity threat of a spillage during transportation.
- 3.3.2 and 3.3.3
Are misleading. The Buncefield event proves that, despite the best intentions of companies, and despite the best safety devices, human error can and does cause catastrophic failures.
- 3.4.1 and 3.4.2
Are misleading. Hexcel focus entirely on the catastrophic failure of a storage tank. As noted above, HSE has refused to provide data on this, however, the biggest risk of exposure would be during road transportation and in those circumstances, the containment measures proposed for the manufacturing site would not be available.
- 3.6.1 Is misleading. Although the risk from the normal use of vinyl cyanide may be assumed to be low, the risk of a catastrophic release during transportation is high.
- 3.6.2 Again Hexcel is quoting out dated information.
- 3.6.3 Again Hexcel is quoting out dated information.
- 3.7.1 It is vital that the Highways Authority fully reviews the risks during transportation. Hexcel provide no information on the frequency of road tanker accidents in the region, particularly on the A14.
- 3.8.3 Is misleading. The rupture of the storage tank in Finland caused no injuries precisely because it was located away from populated areas.

Conclusions:

- Hexcel have failed to address the adverse environmental consequences of their proposal.
- Hexcel's risk assessment focuses entirely on the production site and staff and ignores the long-term risk to residents and the acute risk during transportation.
- Hexcel use out-of date product safety data.
- Hexcel accept that, despite the best maintained plants, accidents do happen.
- HSE has refused to provide data concerning the effects of a catastrophic spillage.
- No assessment has been made on the impact of additional road transportation.

Until SCDS has full and impartial disclosure on all the factors involved, it would be impossible to make an informed decision.”

Applicant's Response

“Many of the comments you have forwarded to us concentrate on transportation hazards. In the last 20 years there has been only one road incident with Acrylonitrile (AN) worthy of reporting worldwide. In that incident in Alabama, there was no significant spill of AN. This illustrates how safe this mode of transport is, with its specifically trained drivers and specially constructed tanks, more so today than ever.

The second point is to separate acute and chronic hazards. In a single incident like a major spill, the risk is acute, so the industry seeks to prevent major exposures, which could lead to asphyxia and similar. The chronic risk of low level exposure could possibly give rise to cancer, asthma or other illnesses. We believe, from the long term studies, that it is clear that AN will not give rise to such illnesses. The epidemiological studies made over 40 years have not been invalidated and there are no reports of recent studies coming to any other conclusion. The International Chemical Safety Card (ICSC) documents are only related to a data sheet, not a report of any studies, for AN it contains the designation “confirmed animal carcinogen with unknown relevance to humans”.

Specific points below refer to the numbering in our document “Further Information on behalf of the Applicants”:

- 1.3 We can make no comment on the willingness or otherwise of the HSE to release information.
- 1.4 Risk cannot be eliminated, but it can be reduced to insignificance, which is the purpose of HAZOP (Hazard and Operability) studies. These are used to evaluate any new plant that we install. The categorisation of risk by probability and consequence is complex and Hexcel follows international guidelines and standards in identifying and mitigating hazards in each case. Typically several hundred potential causes and consequences are identified in a programme of work lasting for months for a project of this size. Specific comment on the Alabama incident is made above.

- 1.5 The initial input from the Highways Agency has been submitted to you and refers mainly to the congestion and general traffic risks, not the specific risk of AN transportation.
- 1.7 The full environmental impact of a product involves life cycle analysis. The total impact of 1 kilogram of our material on an aircraft, from the moment where it is pumped from an oil well has been calculated as equivalent to above 40 litres of jet fuel (the calculation is from Hexcel proprietary data relating to plant energy uses and efficiencies). Generally 1kg of our material replaces 2kg of metal. During the life of an aircraft, 1kg of weight savings is worth thousands of litres of jet fuel.
- 2.1 Hexcel Composites Ltd is a UK company paying UK taxes, buying materials in the UK and employing people in South Cambs producing material which is regarded as of strategic importance by the aerospace industry and key government bodies. It is self-evident that we contribute considerably to the local and national economy.
- 2.3 Hexcel does not have suitable sites in other EU countries. We specifically need to supply Airbus from the EU. We prefer not to build on a green field site as we would be very unlikely to have the local expertise we have in Duxford and we would lose the economies in repeating infrastructure.
- 2.4 The new jobs created will be direct production workers and skilled workers who are available locally.
- 3.2 This section in our previous letter concentrated on the properties of AN whether manufactured or used in other processes. It illustrates the factors we have taken into account in our preliminary design and which we will elaborate on in our final detailed design. This section addresses long term exposure to low levels of AN (the chronic effects), except in 3.2.9 where we address short term acute (high levels of) exposure.
- 3.2.3 Our comment on benzene is to indicate the levels of exposure to a proven human carcinogen that people readily accept in their daily lives, as opposed to the routine levels of exposure to a possible carcinogen which our workers would be exposed to and the levels any person offsite would be exposed to. This was an attempt to place the risk of our plant in perspective and compare it against a risk nearly all of us choose to ignore or accept. The relevant extract of the ICSC sheet on benzene is appended for comparison with the AN sheet.
- 3.2.4,5,6
We have found no report that identifies AN as a carcinogen in man. The categorisation as a 'possible human carcinogen' is based on animal studies, which have value when there is no direct human data available. However, in the case of AN, there are direct and long term studies of the actual levels of mortality in workers, who must have the greatest exposure and therefore highest risk of developing cancers and NO excess occurrence of cancer was found in the 34,000 people over a period of up to 40 years. While detection and modelling skills have developed dramatically over this time, the data from these very large studies is not invalidated by any later work. In fact we would have expected any problem to have shown up more in these early plants that were not as well built and tightly controlled as today's. In contrast, similar epidemiological studies on other materials in the past 30 years have shown carcinogenic effects in humans within a few years, so the methodology is clearly effective.

Routine exposures outside the plant will be 500 times lower than the current best practice levels for 40 years of 8 hours a day 5 days a week exposure of

operators, and another 10 times lower than the action level for AN under HSE rules for plant operators. The plant operator exposures are again much lower than those that have been shown over many years not to lead to cancer or other long term effects. This is the basis of our statement that there is no long term low-level exposure risk to any of our neighbours.

An extract from the current ICSC data sheet is appended. You will see that it clearly states that AN is not a proven human carcinogen. We again note that epidemiological studies are the surest way to identify carcinogens in man and no effect has been found in the very large studies over many years. Additionally, this ICSC data sheet is just that, not a report of any scientific study. We note that the sheet dates from March 2001 and we have found no significant reports after that date.

3.2.8 Your correspondent makes an apparently unsupported statement. In the published studies and specifically the Hungarian WHO report, referred to in our previous document, there is no evidence of birth defects from AN exposure.

3.2.9 As noted elsewhere, in 20 years of much less regulated operations worldwide there has been no deaths from AN and in the only reported transport incident there was only a minimal spill and no consequences to people from AN.

3.3.2 and 3.3.3

Are not attempts to mislead but precise statements of how we will avoid significant incidents on site.

3.4.1 and 3.4.2

Deal with the potential hazards arising from the storage and use of AN on site. As regards road transport we will always contract with major suppliers whose record has so far been exemplary.

3.6.1 This is not supported. The risk of a catastrophic road transport incident is minimal - 1 reported accident in 20 years worldwide, with no serious effects. The excellent design and operation of tank trucks shows how safe this is.

3.6.2 **At risk of gross repetitiveness the studies we have relied on for our assessment of risk, being epidemiological, are not outdated. The insistence of representing AN as a mutagen/carcinogen in humans, based on animal results, may be understandable if there were no epidemiological data. But there is and it shows no effect. Even the ICRC data sheet recognises the lack of evidence of human carcinogenicity. Our reading of the data would go further than this and recognise that there is evidence of no carcinogenic effect in plant workers, the most heavily exposed group.**

3.6.3 **We have reported the latest data we have found. The correspondence we have seen has offered no references, only unsupported assertions.**

3.7.1 You are aware of the Highways Agency responsibility regarding any appropriate recommendations concerning congestion and traffic safety.

3.8.5 The location of the Kaipainen plant is on the edge of a small town. A very similar location to that of the existing Hexcel plant to Duxford. The key point with regard to the incident is that no employees, who will always be in the "front line", sustained injuries let alone any one else.

Extracts from International Chemical Safety Cards

Acrylonitrile

OCCUPATIONAL EXPOSURE LIMITS:

TLV: 2 ppm as TWA (skin) A3 (confirmed animal carcinogen with unknown relevance to humans); (ACGIH 2004).

MAK: skin absorption (H); sensitization of skin (Sh);

Carcinogen category: 2;
(DFG 2004)

OSHA PEL: 1910.1045 TWA 2 ppm C 10 ppm 15-minute skin

NIOSH REL; Ca TWA 1 ppm C10 ppm 15-minute skin

NIOSH IDLH: Ca 85 ppm See: [107131](#)

EFFECTS OF LONG-TERM OR REPEATED EXPOSURE:

Repeated or prolonged contact may cause skin sensitization. The substance may have effects on the central nervous system liver. This substance is possibly carcinogenic to humans.

Benzene

OCCUPATIONAL EXPOSURE LIMITS:

TLV: 0.5ppm as TWA; 2.5 ppm as STEL; (skin); A1; BEI issued; (ACGIH 2004).

MAK: H; Carcinogen category: 1: Germ cell mutagen group: 3A; (DFG 2004).

EFFECTS OF LONG-TERM OR REPEATED EXPOSURE:

The liquid defats the skin. The substance may have effects on the bone marrow and immune system, resulting in a decrease of blood cells. This substance is carcinogenic to humans".

This page is left blank intentionally.

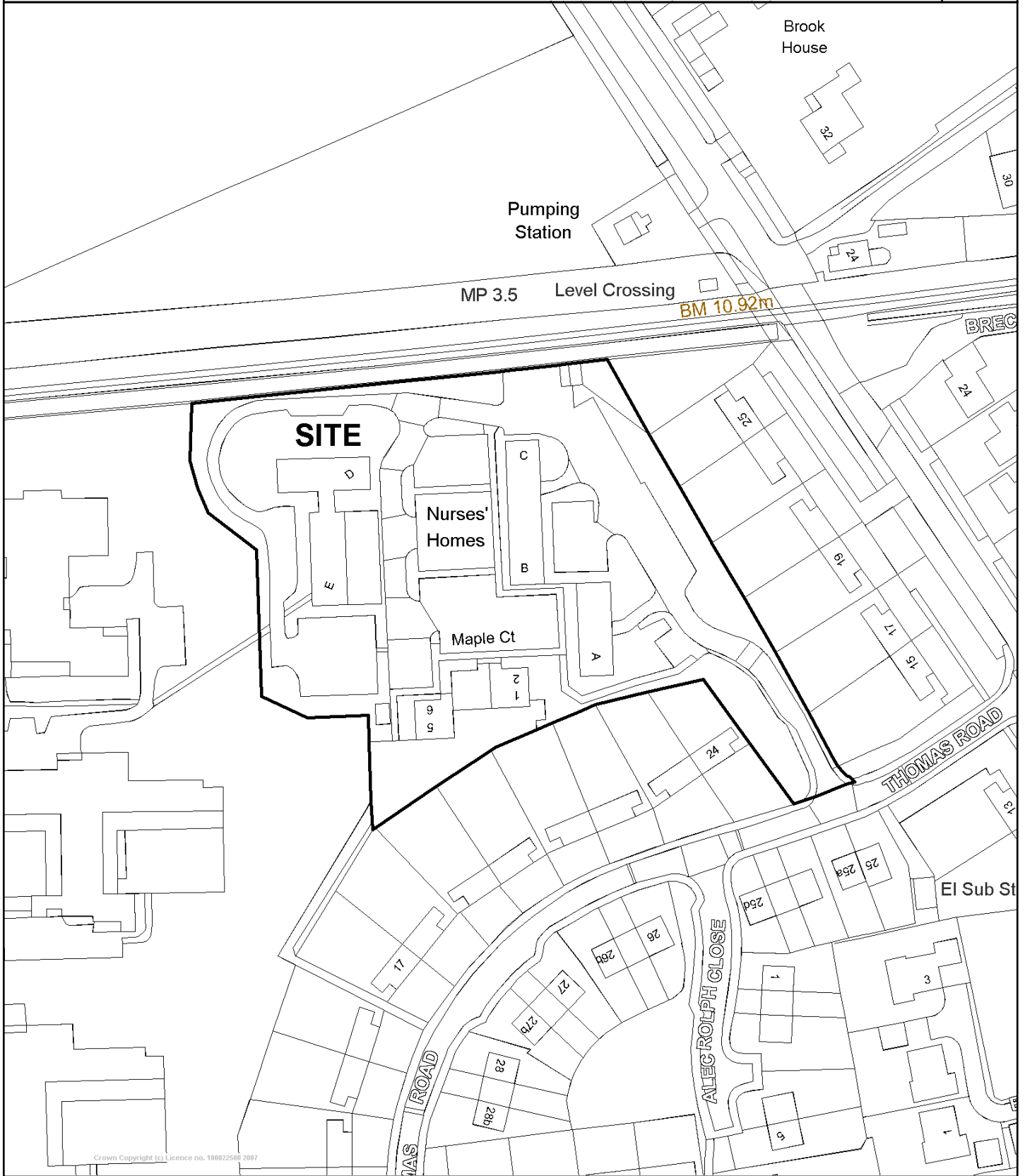
SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee9th January 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1643/07/F - FULBOURN**Erection of 29 Dwellings with Associated Works
Recommendation: Delegated Approval****Date for Determination: 5th March 2008 (Major Application)****Notes:****This Application has been reported to the Planning Committee for determination because it is for affordable housing on an exception site.****Site and Proposal**

1. The site, measuring 0.96 hectares (ha), lies on the edge off Thomas Road. The site is between the Ida Darwin hospital site to the west and residential development at Thomas Road to the south and Teversham Road to the east. The Cambridge to Newmarket railway line is the north of the site.
2. It comprises four blocks of bed-sit flats and six one-bedroom flats at Maple Court, which is sited on the southern boundary of the site, backing onto properties fronting Thomas Road. Within the site there are two access roads that serve car parking courts for the existing development. There are a number of mature trees on the approach into the site, with verges. Other trees have been planted through out the site but are yet to fully mature. The northern boundary to the railway line is delineated by a wire fence and intermittent hedgerow. Within the hospital site there is a group of mature poplar trees adjacent to the western boundary. These lie to the west of the site. The site is generally level.
3. Thomas Road is unadopted and leads from off Teversham Road. Access to Thomas Road is also possible via Hinton Road, although this has a very narrow entrance and is generally only capable of accommodating a single lane of traffic.
4. This application, which was amended on the 5th December 2007, originally proposed 36 dwellings. This has been revised to 29, following a meeting of the Affordable Housing Panel and discussions with officers. The full planning application, as amended, proposes the demolition of four blocks of bed-sit flats and the replacement of these with 11 no. 2-bed units (including 2 flats) and 8 no. 3-bed units as affordable. A further 10 market dwellings comprising: 4 no. 2-bed units , 4 no. 3-bed units and 2 no. 4-bed units are included.

S/1643/07/F - Fulbourn



Crown Copyright (c) Licence no. 100022500 2007



Reproduced from the 2007 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 13/12/2007

Centre = 550916 E 256587 N

January Planning Committee

5. The scheme now also makes provision for public open space with an informal area of open space and an informal area of play space. The application is accompanied by a revised landscaping proposal, Affordable Housing Statement, Design and Access Statement, Health Impact Assessment, Renewable Energy Statement, Water Conservation Strategy, Sustainability Appraisal and Noise and Vibration Assessment.

Planning History

6. **S/1129/04/F** (Land at Thomas Road & 1-5 Alec Rolph Close) Installation of Land Drainage System, Below Ground Pumping Station and Storage Tanks for Existing Residential Development (approved).
7. **S/1621/99/F** (Open Space Adj. Block E Thomas Road) Change of Use From Open Space to Garden Land (approved).
8. **S/1281/99/F** (Maple Court) 6 Flats and Associated Parking Works (approved subject to a section 106 limiting the occupation).
9. **S/2009/89/Circ18/84** (Ida Darwin and Thomas Road) Staff accommodation, footpaths and parking areas (objections).
10. **S/689/74/Circ18/84** (Blocks D & E) Erection of staff residential accommodation (no objections).

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

11. **P1/3 - Sustainable Design in Built Development** requires a high standard of design and sustainability for all new development, providing a sense of place appropriate to the location, efficient use of energy and resources and account to be taken of community requirements.
12. **Policy P6/1 - Development Related Provision** states development will only be permitted where the additional infrastructure and community requirements generated by the proposals can be secured.
13. **Policy P9/2a - Green Belt** defines the extent to which urban growth around Cambridge will be limited in order to preserve the character of Cambridge, maintain and enhance the quality of its setting, and to prevent communities merging into one another and the city. In the Green Belt development is limited to appropriate rural uses such as for agriculture.
14. **Policy P9/8 - Infrastructure Provision** identifies a coordinated approach to securing infrastructure improvements required to support development for the Cambridge sub-region. A programme encompassing for example, transport, affordable housing and education, amongst others is identified.

South Cambridgeshire Local Development Framework 2007

15. **Policy ST/3 - Re-Using Previously Developed Land and Buildings** states that making efficient use of land through the re-use of previously developed land is central to the approach to delivering sustainable development.

16. **Policy ST/4 - Rural Centres** identifies Fulbourn and states development and re-development without any limit on individual scheme size will be permitted within village frameworks, provided adequate services, facilities and infrastructure are available or can be made available as a result of development.
17. **Policy DP/1 - Sustainable Development** states development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form.
18. **DP/2 Design of New Development** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate. It also sets out the requirements for Design and Access Statements.
19. **DP/3 Development Criteria** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
20. **DP/4 Infrastructure and New Developments** requires that development proposals should include suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. It identifies circumstances where contributions may be required e.g. affordable housing and education.
21. **Policy DP/6 - Construction Methods** states where practicable, development which by its nature or extent is likely to have some adverse impact upon the local environment and amenity during construction and/or is likely to generate construction waste should, inter alia:
 - (1) Recycle construction waste.
 - (2) Prepare a "Resource Re-use and Recycling Scheme" to cover all waste arising during the construction.
 - (3) Be bound by a "Considerate Contractors Scheme" or similar arrangement, including restrictions on hours of noisy operations.
22. **Policy DP/7 - Development Frameworks** states redevelopment of unallocated land and buildings within development frameworks will be permitted, provided that:
 - (1) Retention of the site in its present state does not form an essential part of the local character.
 - (2) Development would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours.
 - (3) There is the necessary infrastructure capacity to support the development.
23. **Policy GB/1 - Development in the Green Belt** states that there is a presumption against inappropriate development in the Green Belt, as defined in section 3 of PPG2: Green Belts.
24. **Policy GB/2 - Mitigating the Impact of Development in the Green Belt** requires appropriate development in the Green Belt to be located and

designed so that it does not have an adverse effect on its rural character and openness and subject to appropriate landscaping.

25. **Policy GB/3 - Mitigating the Impact of Development Adjoining the Green Belt** requires development in the vicinity of the Green Belt to not have an adverse impact on it. This can be ensured through careful landscaping and design of development on village edges.
26. **Policy HG/1 - Housing Density** is set at a minimum of 30 dph unless there are exceptional local circumstances that require a different treatment in order to make best use of land. Higher densities of 40 dph will be sought in the most sustainable locations.
27. **Policy HG/2 - Housing Mix** sets a mix of at least 40% of homes with 1 or 2 bedrooms, approximately 25% 3 bedrooms and approximately 25% 4 or more bedrooms for housing developments of less than 10 dwellings. Accommodation should also provide a range of types, sizes and affordability to meet local needs.
28. **Policy HG/3 - Affordable Housing** at a level of 40% of all new dwellings on developments on two or more units is required to meet housing need. The exact proportion, type and mix will be subject to the individual location and the subject of negotiation. Affordable housing should be distributed in small groups or clusters. Financial contributions will be accepted in exceptional circumstances.
29. **Policy HG/5 - Exceptions Sites for Affordable Housing** states that as an exception planning permission for 100% affordable housing may be granted subject to it meeting identified local housing needs on small sites within or adjoining villages. Such housing will relate well to the built-up area and village services, its scale will be appropriate to the size and character of the village, it should not damage the character of the village or rural landscape and it shall be secured in perpetuity. On sites within the Green Belt it must first be demonstrated that no other sites outside of it can be found for the scale and type of development proposed.
30. **Policy SF/6 - Public Art and New Development** states in determining planning applications the District Council will encourage the provision or commissioning of publicly accessible art, craft and design works. The Policy will apply to residential developments comprising 10 or more dwellings.
31. **Policy SF/10 - Outdoor Play Space, Informal Open Space and New Developments** states all residential developments will be required to contribute towards Outdoor Playing Space (including children's play space and formal outdoor sports facilities) and Informal Open Space to meet the additional need generated by the development in accordance with the standards in **Policy SF/11**.
32. **Policy SF/11 - Open Space Standards** states the minimum standard for outdoor play space and informal open space is 2.8ha per 1000 people, comprising:
 - (1) Outdoor sport 1.6ha per 1000 people.
 - (2) Children's Playspace - 0.8ha per 1000 people.
 - (3) Informal Open Space - 0.4ha per 1000 people.

33. **Policy NE/1 - Energy Efficiency** states development will be required to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new buildings, for example through location, layout, orientation, aspect and external design.
34. **Policy NE/3 - Renewable Energy Technologies in New Development** states all development proposals greater than 10 dwellings will include technology for renewable energy to provide at least 10% of their predicted energy requirement.
35. **Policy NE/6 - Biodiversity** requires new developments to aim to maintain, enhance, restore or add to biodiversity. The District Council will refuse development that would have an adverse significant impact on the population or conservation status of protected species, priority species or habitat, unless the impact can be adequately mitigated by measures secured by planning conditions. Previously developed land will not be considered to be devoid of biodiversity. The re-use of such sites must be undertaken carefully with regard to existing features of biodiversity interest. Development proposals will be expected to include measures that maintain and enhance important features whilst incorporating them within any development of the site.
36. **Policy NE/9 - Water and Drainage Infrastructure** indicates that planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems to meet the demands of the development unless there is an agreed phasing agreement between the developer and the relevant service provider to ensure the provision of necessary infrastructure.
37. **Policy NE/12 - Water Conservation** states that development of more than 1000m² or more than 10 houses will be required to submit a Water Conservation Strategy.
38. **Policy NE/15 - Noise Pollution** indicates that planning permission will not be granted for development which would be subject to unacceptable levels of noise from existing noise sources, both ambient levels and having regard to noise impulses whether irregular or tone. Conditions may be placed requiring noise attenuation schemes and the applicant is to demonstrate that new residential development near to a noise source will not be subject to unacceptable noise levels.
39. **Policy TR/1 - Planning for More Sustainable Travel** states planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel modes. The amount of car parking provision in new developments should be minimised, compatible with their location. Developments should be designed from the outset with permeable layouts to facilitate and encourage short distance trips by cycle and walking. Safe and secure cycle parking shall be provided.
40. **Policy TR/2 - Car and Cycle Parking Standards** states car parking should be provided in accordance with the Council's maximum standards, to reduce over reliance on the car and to promote more sustainable forms of transport.
41. **Policy TR/3 - Mitigating Travel Impact** requires applications for major residential development to be accompanied by a Transport Assessment.

42. **Policy TR/4 - Non-motorised Modes** states the District Council will use its planning powers by ensuring that all new developments are designed at the outset to facilitate and encourage short distance trips between home, work, schools and for leisure.

Consultations – responses to proposals submitted 22nd August 2007

43. **Fulbourn Parish Council** – “has no objection in principal to the 36 new dwellings on this site to replace the existing one bedroom flats. However, there are concerns which are detailed below and would ask that these are addressed before any planning permission is granted.

It is noted that part of the application is on green belt land. The Parish Council assumes that this area forms an exception site which will provide affordable housing for FULBOURN parishioners.

The proposed access to the site whilst building is in progress is not satisfactory and does not take into account the amenity presently enjoyed by existing and neighbouring residents. The roads to be used are narrow and heavy traffic will block the access of the existing residents. This was a real problem whilst the recent drainage work was being carried out and the Parish Council would not wish to see a repeat of this problem.

It is noted that the residents in Maple Court would not have proper access to their homes. It may be more appropriate to relocate these residents whilst work is in progress. These properties will be very adversely affected during the redevelopment work.

Concern is raised about the safety of children in the immediate area whilst the building work is in progress. It is noted that there are several young children living in Maple Court.

Concern is also raised about the security of the site prior to the building work and during the work itself. This concern also raises issues about security of property of neighbouring residents during this time.

Once the redevelopment has occurred, there will be impact of traffic flows on the immediate and surrounding neighbourhood. Fulbourn Parish Council would like to be kept fully informed of proposals agreed with the Highways Department.

Fulbourn Parish Council is concerned that the proposed public open space is adjacent to the railway line. As such open spaces are usually used by children, this would seem to be an inappropriate location. The Parish Council would also raise the question as to whether there is sufficient open space provided overall for this site. This is particularly an issue for this estate as the Recreation Ground is at the other end of the village which is to the detriment of the very young children.

The Council wishes to ensure that trees are protected. There is great concern especially as many trees were felled on the adjacent Ida Darwin site with no consultation with the Parish Council.

The Parish Council wishes to ensure that no new dwellings overlook the existing dwellings on the site.

The Parish Council wishes that provision is made for the young people of the estate when the Section 106 is negotiated. The Parish Council also requests that this is in place prior to the granting of any planning permission. There is a need for some play equipment for young children as well as provision, such as a youth shelter for the older children. It should be pointed out that Kelsey were going to provide a youth shelter when the Parish installed one at the Recreation Ground. Unfortunately, Kelsey did not do this nor reallocate the funds to allow the provision elsewhere, e.g. add to the facilities for the older youth at the Recreation Ground.

The Council wishes strict conditions be in place whilst the building work is undertaken to protect the amenity of the residents of the estate and those adjacent. It must be pointed out that the development will also have an impact on Hinton Road and Teversham Road. Such conditions should include:

1. Access points and routes need to be agreed and the Parish Council requests consultation on this issue.
2. There should be strict hours of working for the site and this to include no vehicle movements (contractors and delivery) prior to and after the times stated, i.e.
0730 – 1800 Monday to Friday
0800 – 1300 Saturdays
No working Sundays or bank holidays
3. Consideration needs to be given a designated area on the site for site worker parking. It is unacceptable for such parking to take place in Teversham Road, Hinton Road and other surrounding roads which are narrow, and on verges (causing damage and obstructing footways) as has happened with other developments.
4. Lorries and other contractor vehicles must have wheels washed before leaving the site and contractors need to ensure surrounding roads are kept clean”.

44. **Cambridge Primary Care Trust** – no comment received.

45. **Local Highways Authority (Cambridgeshire County Council)** – requested:

- (a) Confirmation as to whether the road is to be adopted or not.
- (b) Plans detailing widths of footways, which should be a minimum of 2.0m.
- (c) The shared surface should not have a footway, as this gives the wrong message and confirms dominance of the motor vehicle in this area.
- (d) The shared surface should be 6.0m wide with 0.5m wide maintenance strips on each side.
- (e) Drawings should detail: visibility splays at the new entrance measuring 2.4m x 90.0m, 2.0m x 2.0m pedestrian visibility splays to all car parking spaces (within dwelling curtilages where applicable), dimensions of garages and cycle stores, including the distances between cycle hoops.
- (f) A condition requiring a section 106 for the proposed junction improvement works.

46. **Housing Projects Officer** – the affordable provision, including mix and tenure, has been agreed at pre-application stage and meets Housing requirements.

47. **Corporate Manager (Health and Environmental Services)**– confirms that the acoustic report generally satisfies Environmental health standards. Actual glazing and ventilation should be agreed prior to occupation. The acoustic screen to the railway line needs to be increased in height to at least 2.5m in order to provide acoustic and visual screening. Planning conditions relating to noise attenuation scheme, hours of construction, piled foundations, land contamination study, along with informative relating to demolition and bonfires.
48. **Trees and Landscape Officer** – no comment received.
49. **Ecology Officer** – no objection to the scheme but request that the following be explored:
- (a) Retain the grassed area adjacent to the railway and relax mowing regimes from mid-May to mid-August as it has a lot of different herbs within it.
 - (b) Under-planting of the retained woodland area with scrub species (n.b. outside of site).
 - (c) Specialist bird boxes built into the construction of the dwellings e.g. swift boxes on windowless walls to replace lost habitat through re-development of the near-by Windmill estate.
50. **Arts Development Officer** – The scheme falls within the scope of the Council's public art policy yet the application makes no reference to integrating arts interventions at any stage. There are number of opportunities that the developer can consider once they have read and responded to the guidance available on-line. Full plans and proposals are looked forward to.
51. **Strategic Sustainability Officer** – no comment received.
52. **General Operations Manager** – no comment received.
53. **Building Control** – The proposal states that surface water will be disposed of via soakaways and permeable hardstanding. A scheme to alleviate flooding problems in Thomas Road and Alec Rolph Close has recently been undertaken. French drains were installed around some properties and these, together with the down pipes, were piped to storage tanks before discharging to the ditch in Teversham Road. The design statement says that the existing soakaway system appears to work effectively. Percolation tests should be done to determine that soakaways will dispose of the volume of water from the development satisfactorily.
54. **Police Architectural Liaison Officer** – raised concerns that:
- (a) The path between flats (plots 21-29) and plot 30 is narrow, not overlooked by adjoining properties, nor from the side elevation of plot 18 opposite the entrance. The path turns sharply to the left beyond the site and consideration should be given to its removal.
 - (b) The area of public open space beyond plot 11 is poorly overlooked with no dwellings fronting onto it. It therefore has potential to attract youths to loiter, leading to disturbance and nuisance of residents. This area would benefit from active frontages which would also reduce the poorly overlooked and exposed rear garden boundary wall, which may become a target for crime.

- (c) Utility meters should be externally mounted whether on, or as close to as possible, the front elevation where they can be overlooked. If meters to flats can not be externally mounted they should be on the ground floor between access controlled doors (air lock system), so that access can be gained to the meters without being able to reach individual front doors.

- 55. **Archaeology (Cambridgeshire County Council)** – considers it likely that there are important archaeological remains on the site that could be severely damaged or destroyed by the proposed development. A condition requiring a scheme of archaeological investigations in accordance with PPG16 is required.

Consultations – responses to amended proposals submitted 5th December 2007

- 56. **Fulbourn Parish Council** – no objection in principle. It does however raise several concerns:

“Fulbourn Parish Council has no objection in principal to the 29 new dwellings on this site to replace the existing one bedroom flats. The Council is pleased to see there is open space allocated in the middle of the proposed redevelopment and away from the railway line. The Council is also pleased to see 2 bedroom houses replacing one bedroom flats.

However, there are concerns which are detailed below and would ask that these are addressed before any planning permission is granted”. These concerns are detailed above in paragraph 43.

- 57. **Local Highways Authority (Cambridgeshire County Council)** – re-iterates previous comments and adds:

- (a) Garages remain un-dimensioned but scale at approximately 5.0m by 3.0m internally. This would be acceptable to the Highway Authority.
- (b) They have been unable to ascertain the dimensions of cycle parking and provision. Details are still awaited.
- (c) It also confirms that 29 dwellings would be anticipated to generate about 145 movements in a 24 hour period. 10% would be in each of the peaks, or 15 trips. It would be difficult to justify a junction improvement (to Teversham Road) on the back of that level of additional traffic, particularly on a junction with no accident history.

- 58. Comments are awaited from **Landscape Design Officer, Building Control, Housing Projects Officer, Ecology Officer, Arts Development Officer, Strategic Sustainability Officer, Environmental Operations Manager, Archaeology and Cambridgeshire Primary Care Trust**. These will be reported verbally or via an addendum to the report.

Representations - responses to proposals submitted 22nd August 2007

- 59. Objections received in the form of a letter signed by occupiers of all six properties at Maple Court:
 - (a) Living conditions for them during the construction phase including health issues arising from dust and dirt, access for emergency vehicles and

residents, need for alternative accommodation to be provided, and safety for residents while living in a building site.

- (b) Loss of part of the garden area serving Maple Court.
 - (c) Car parking spaces are not overlooked and therefore more susceptible to break-ins.
 - (d) Potential issues with rats if bin sheds are relocated to the rear garden.
 - (e) Mix of housing is not appropriate as there are six families in Thomas Road alone who require 3 or more bedroomed houses.
60. One further letter from a resident of Teversham Road raises concerns:
- (a) Increased volume of traffic coming out onto Teversham Road, which suffers from speeding in both directions. This junction needs to be improved. A mini-roundabout is suggested.
 - (b) The existing houses suffer from flooding. Effective drainage is required and the capacity of the existing pumping system checked.
 - (c) Confirmation that there is capacity at the sewage pumping station, which was increased a couple of years ago.

Representations – responses to amended proposals submitted 5th December 2007

61. No comments had been received at the time of writing; a verbal update will be given.

Planning Comments – Key Issues

62. The key issues in determining this planning application are:
- (a) Affordable housing provision
 - (b) Housing mix
 - (c) Highways
 - (d) Public open space
 - (e) Crime prevention
 - (f) Public art
 - (g) Construction period
 - (h) Other Matters

Affordable Housing

63. An affordable housing panel was held on the 15th October 2007. Parish Council and Local Councillors were represented. The Housing Projects Officer, Development Control Manager and Case Officer were also in attendance.
64. At the meeting it was confirmed that there is need for 95 affordable units within the village. Confirmation that the mix being provided is compatible with that being provided at the Windmill site in order to not duplicate provision and to make certain that local need is met by this scheme. The initial scheme included key worker housing for NHS staff. This has been omitted in the revised proposals due to concerns about how these could be secured to meet local need and issues about the layout and design. They have been replaced with houses. The Housing Project Officer's comments are awaited in order to confirm that the scheme is now acceptable in housing terms.
65. Within the net developable area of the site 0.26ha is outside of the village framework and within the Green Belt. Within this area it is proposed to erect 11

dwellings at a density of 42.3dph. On the land within the village framework that is developable (0.56ha), 18 dwellings are proposed at a density of 32.14dph. Looking at the development as a whole (0.82ha), 29 dwellings equates to a density of 34.1dph. 10 houses (34%) are offered for sale, the remainder being affordable (66%). A section 106 agreement will be required to secure these as such, including distinguishing between properties to meet general affordable housing need and those provided on an exception site basis, in perpetuity and for residents of Fulbourn Parish. The Panel did not consider it necessary for these to be limited to the land outside of the framework.

66. Confirmation that the mix meets local need is awaited from Housing Projects and a report on this will be given verbally at the meeting.

Housing Mix

67. The market element provides a mix of provides 40% (4no.) 2-bedroomed units, 40% (4 no.) 3-bedroomed units and 20% (2 no.) 4-bedroomed units. This is not in entire conformity with policy HG/2, however, the requirement is for “approximately 25% of homes with 4 or more bedrooms”. The mix proposed is in line with the spirit of this policy and there fore considered to be acceptable.

Highways

68. The layout is acceptable in principle. The agent has agreed to amend the plans to address the latest concerns raised by the Local Highway Authority and has indicated that the roads are not to be offered for adoption as Thomas Road itself is not adopted.
69. The Local Highway Authority has confirmed that the likely traffic levels generated are not sufficient to warrant junction improvements to Teversham Road.

Public Open Space

70. The application, as amended, now includes an area of informal open space adjacent to the railway line and an area of informal children’s play. The Housing Association proposes to maintain the areas on site themselves and will contribute towards off-site provision. This will be secured through a section 106 agreement and is considered acceptable. The play area is located so that it is overlooked by family homes and has a 5m buffer to the nearest properties, in accordance with current guidance.

Public art

71. The applicant has agreed to provide public art within the scheme and this can be secured through a section 106.

Construction

72. Certain issues regarding construction are outside of the planning remit. Notwithstanding, the applicant has been asked to consider including within the section 106 a restriction to prevent construction traffic accessing the site via Hinton Road. A verbal update on this will be given. Hours of construction using power-operated machinery and construction parking and compound will be conditioned, however limiting time vehicles enter the site is unreasonable. The developer is a member of the Considerate Contractor Scheme, which would

cover wheel washing and safety elements and has advised that they will phase the development in such a way as to ensure that residents of Maple Court have adequate access at all times. This can be achieved by utilising the existing roads within the site at different phases of the construction.

Other Matters

73. Other matters that can be dealt with through the imposition of planning conditions include: drainage, bin and cycle storage, renewable energy, archaeology, ecology, landscaping, tree protection, and acoustic scheme.

Recommendation

74. Subject to no new material planning objections being received from the additional consultations; amended plans to address issues raised relating to the road layout; and completion of a section 106 securing affordable housing provision, public open space provision, public art, and (subject to the applicant's agreement) route of construction traffic, delegated powers are sought to approve the application, as amended by plans date stamped 5th and 14th December 2007, subject to the following conditions:

1. Standard Condition A – Time limited permission (Reason A)
2. Drainage
3. Bin and cycle storage
4. Renewable energy
5. Archaeology
6. Bird boxes
7. Management of public open space and incidental landscaping
8. Landscaping
9. Implementation of landscaping
10. Tree protection
11. Acoustic scheme
12. Removal of permitted development rights for affordable plots
13. Retention of car parking, including within garages
14. Hours of power operated machinery during construction
15. Details of boundary treatments
16. Materials
17. Materials for hardsurfaced areas
18. Visibility splays
19. Siting of utility meters
20. Lighting scheme
21. Land contamination study

Informatives

1. Piled foundations,
2. Demolition
3. Bonfires
4. Bird boxes

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

- South Cambridgeshire Local Development Framework 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file refs. S/1643/07/F, S/1129/04/F, S/1621/99/F, S/1281/99/F S/2009/89/ Circ18/84, and S/689/74/Circ18/84

Contact Officer: Melissa Reynolds – Area Planning Officer (Area 2)
Telephone: (01954) 713237

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee9th January 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

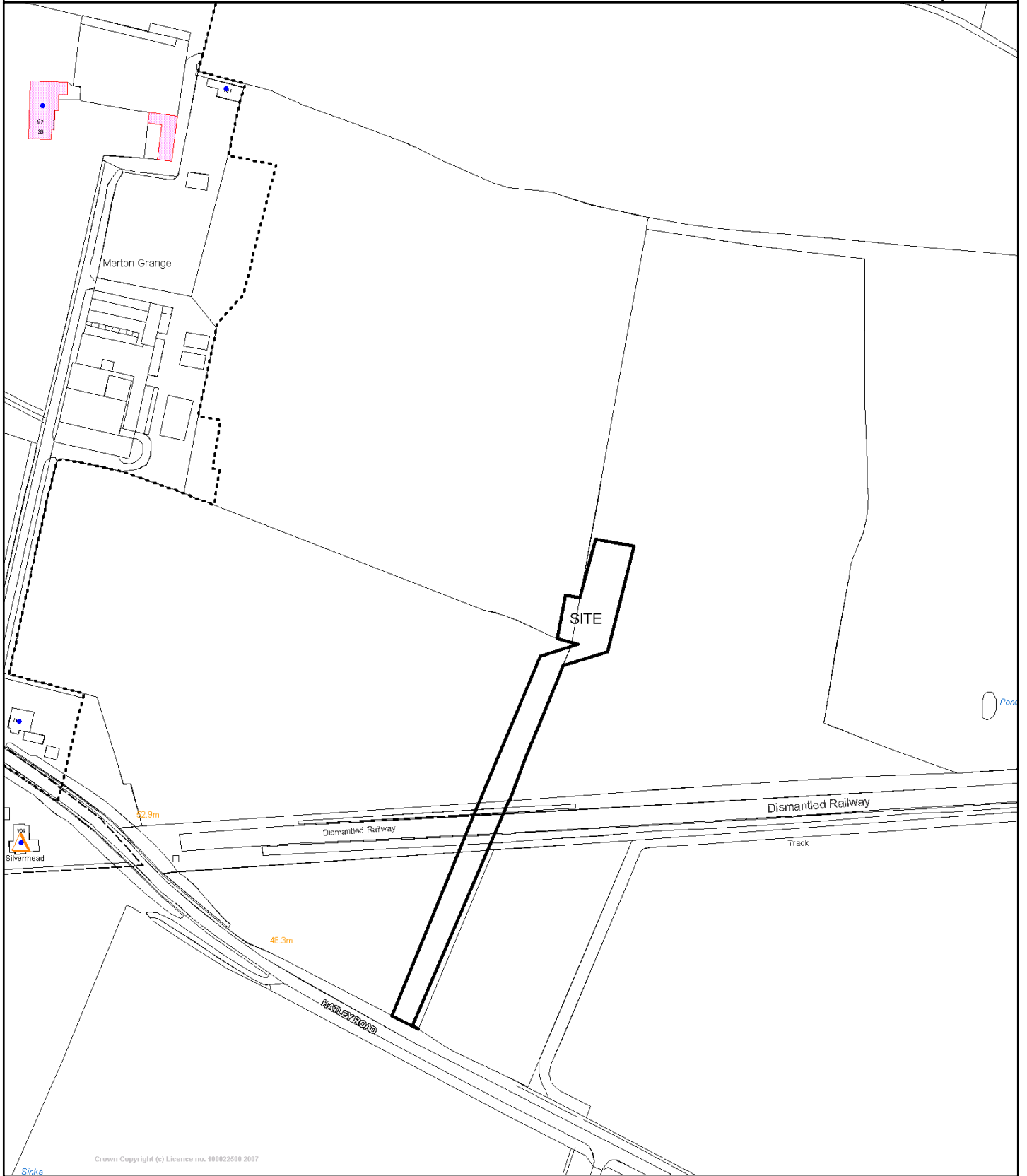
S/2046/07/F – GAMLINGAY**Erection of Free Range Poultry Unit (Phase 1) to Include Egg Room and Associated Hardstanding, Land off Station Road for Mr I Quince****Recommendation: Delegated Approval****Date for Determination: 17th January 2008
(Major Application)****Notes:**

This Application has been reported to the Planning Committee for determination as the officer recommendation is contrary to the objections received from the Parish Council and local residents

Site and Proposal

1. This full application, received on 18th October 2007, proposes the erection of a 530m² free range poultry unit (Phase 1) on land to the north of Station Road, Gamlingay. The site area of the application is limited to the area of the building and roadway from Station Road but the applicant controls a large area of surrounding land which will be used in association with the operation.
2. The majority of the land is to the north of the route of the former Cambridge to Bedford railway line. To the north the land is bounded by Millbridge Brook with agricultural land beyond extending to Long Lane. To the west of the land are Merton Grange and its associated outbuildings, and a dwelling fronting Station Road. To the east is agricultural land.
3. The building is located to the east of an existing hedgerow and measures 29m x 18.3m and is 6.8m high and will house approximately 4000 birds. Materials proposed is dark green coated profile steel sheeting.
4. Access will be from Station Road, approximately 150 metres to the east of the top of the old railway bridge.
5. The application is accompanied by an Environmental Statement and an Environmental Report.
6. Planning applications for Phases 2 and 3 of the building are currently being considered but were registered later than Phase 1 and will therefore not be considered until the February meeting. This application however can be considered on its own as it proposes a stand alone building which could be constructed regardless of any decision on the other two phases

s-2046-07-f



Reproduced from the 2007 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 1/2500 Date 13/12/2007

Centre = 525001 E 251957 N

January 2008 Planning Committee

7. The application has been screened in respect to the possible requirement for an Environmental Impact Assessment (EIA). Although the 2001 and 2006 applications (see History below) were accompanied by an EIA, at the request of the Local Planning Authority, the applicant subsequently requested screening opinions from Go-East. Although the decision to require an EIA was originally supported the Secretary of State has subsequently taken the view that although the scale of the building as originally proposed exceeded the relevant threshold it would not be likely to have a significant effect on the environment by virtue of factors such as its nature, size or location and therefore concluded that it did not constitute EIA development. It was stressed however that this did not override the need to address matters raised in the previous reasons of refusal.

Planning History

8. There have been two previous planning applications refused for the erection of an egg production unit on this site.
9. In 2005 a planning application (**S/2194/01/F**) for a 1560m² egg production building, including a storage building and vehicular access was refused on the grounds of the adverse visual impact on the area from the loss of hedgerow required to provide the visibility splays requested by the Local Highway Authority; the adverse impact of the buildings on the rural character of the area and approach to the village and; that the Environmental Impact Assessment submitted with the application was unsatisfactory in respect of its failure to address how the possible presence of badgers within the site would be taken into account within the development, the lack of botanical investigation of the disused railway line where 3 county scarce plants had been found and; that landscape mitigation/enhancement and management of hedgerows, oak trees and other features had not been adequately addressed.
10. An appeal against the refusal was dismissed in November 2006, however the Inspector did not support all the reasons of refusal in respect of the visual impact of the proposed access and its associated visibility splays. He concluded, following discussion at the appeal hearing, that the removal of the hedgerow was not necessary except for a small protruding section 80m west of the access. He concluded that this would therefore overcome the Council's concern about the impact of the access. Similarly he did not feel that the proposed building would look out of place in an agricultural landscape, taking into account existing planting and hedgerow retention. As a result the Inspector concluded that the proposals would not materially harm the character and appearance of the surrounding area.
11. In respect of the Environmental Impact assessment additional information was supplied at the appeal in respect of a botanical survey and the impact of over-flying aircraft (although not a reason of refusal) on the birds which the Inspector felt adequately addressed these concerns, however he felt that the matter of the possible impact of the proposal on badgers had not been satisfactorily addressed and the appeal was dismissed on the grounds that the development would have an unacceptable adverse impact on the ecology of the sites and the surrounding area.
12. The Inspector commented the "neighbours were also concerned about highway safety, odours and aircraft over-flying, as well as loss of wildlife, amongst other things. The proposal would only result in a few vehicular movements a day, less than half of which would be heavy lorries and I am satisfied an adequate access can be provided at minimal damage to the roadside hedge. I am told that a free range unit of this type should not produce an unacceptable odour problem and arrangements could be made to ensure that manure spreading was carried out at a suitable distance from

domestic properties. I am advised that over-flying aircraft can cause distress to chickens, but the evidence from existing flocks close to Little Gransden airfield is that they soon become used to the noise. Wildlife interests are covered in the ES.”

13. In 2001 a second application (**S/2193/01/F**) was submitted for an agricultural mobile home on the site which was refused on the grounds of lack of justification (given the refusal of the unit) and visual impact. Although the appeal was dismissed, the inspector concluded that a temporary mobile home was justified to support an egg production unit when it is built.
14. In 2005 the applicant submitted prior notifications of proposed agricultural development under Part 6 of Article 3, Schedule 2 of the General Permitted Development Order 1995 in respect of an agricultural storage building and agricultural access. The Council did not exercise its option of prior approval.
15. In 1995 an application was submitted for the Certificate of Lawfulness for the proposed use of land for the siting of mobile poultry sheds and grazing of free range hens. The certificate was issued in May 2006.
16. In October 2006, prior to the receipt of the Inspectors decision on the 2001 application, a planning application (**S/1321/06/F**) was refused for an identical building on the same grounds as the previous refusal but with an additional concern added that the application failed to provide information on the procedures for dealing with fallen stock. An appeal has been lodged against that decision and a Local Inquiry is due to take place in March 2008. Given the Inspectors decision on the previous appeal in November 2006 the Council has confirmed that it no longer wishes to object to either the scale and location of the poultry shed or the creation of the new access, subject to satisfactory conditions, and will only now contest the appeal on the grounds of the impact of the development on the ecology of the site and surrounding area.

Planning Policy

17. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) states that development should only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form.
18. **Policy DP/1** of the South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007 sets out criteria in respect of sustainable development and has the same aims as Policy P1/3 of the County Structure Plan.
19. **Policy DP/2** of the LDF states that all new development must be of high quality design and, as appropriate to the scale and nature of the development, sets out criteria that should be addressed.
20. **Policy DP/3** of the LDF states that planning permission will not granted where the proposed development would have an unacceptable adverse impact, amongst others, on residential amenity; from traffic generated; on the countryside and landscape character; from undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions and dust; on ecological, wildlife and archaeological interests; on flooding and flood risk; or on the quality of ground or surface water.

21. **Policy NE/4** of the LDF states that development will only be permitted where it respects and retains or enhances the local character and distinctiveness of the individual Landscape Character Area in which it is located.
22. **Policy NE/6** of the LDF sets out the Councils policy in respect of biodiversity.
23. **Policy NE/11** of the LDF states that in relation to flood risk, applications for planning permission will be judged against national policy (currently PPS25).
24. **Policy NE/14** of the LDF controls lighting within development proposals.
25. **Policy NE/15** of the LDF deals with the issue of noise pollution.
26. **Policy NE/16** of the LDF deals with emissions.

Consultation

27. **Gamlingay Parish Council** recommends refusal. "The Council was concerned about discrepancies between the supporting documentation and the completion of the application form, in addition to all the previous objections to development of this site. It is unclear whether there is the equivalent of 1 full time or two full time employees required for this venture. There is also reference to industrial machinery being required (bobcat), which is incorrectly recorded in the application form (no industrial machinery).

The access way to the site is OUTSIDE the 40 mile an hour limit – not inside as recorded in the supporting documentation, and the Council reiterate their concerns that this access way is not suitable for HGV use as it will cause HGV's being on the wrong side of the road when turning towards Gamlingay over a blind summit of the bridge, and potentially will cause a serious road traffic accident. The road is very narrow at this point.

Concerns were also expressed about the foul water disposal – again not recorded on the application form but evidence provided in the supporting documentation. This field does flood after heavy rain and therefore effluent from the free-range chickens will pass into the Millbridge brook adjacent – this water run off cannot be collected and contained in tanks. This will cause local environmental impact.

The Council is concerned about the concentration of local chicken farms in the vicinity of Gamlingay, with regard to the outbreaks of bird flu. If such an event did happen, Gamlingay would be at the centre of a 3Km exclusion zone surrounded on all sides by four chicken farms. This would cause local anxiety and concern.

The application also states long operating hours between 7am and 10pm every day, which will cause additional concerns to the residents adjacent to the site.

The Council therefore recommends refusal of the application."

28. The **Local Highway Authority** states that the proposal will result in increased traffic usage of the existing junction. Whereas, the increase may not at present be significant the proposed three phases have the potential to increase the likelihood of accidents occurring at an unmodified junction. The Highway Authority will require that the access be improved to reduce potential hazard.

The applicant should provide visibility splays of 2.4m x 120m; the splays must be either within the existing adopted public highway or over land in the control of the applicant. The access itself should be at least 6m wide over the first 20m of its length to allow two larger vehicles to pass without one having to wait on the highway. The above length of access should also be hard paved to prevent debris from spreading onto the adopted public highway.

29. **Natural England** states that based on the information provided it has no objection to the development, as it does not believe that it will result in a negative impact to designated sites or protective species.
30. The **Corporate Manager (Health and Environmental Services)** comments that the submitted information does not satisfactorily address the question of how fallen stock will be dealt with, but is satisfactory in all other respects.
31. The **Ecology Officer** has no objection subject to negotiation of suitable conditions. He comments that the ecological information supplied in support of the information now provides the detailed information required to consider the proposal and the explanation of how the chicken ranging areas will be moved around the site is useful to appreciate that the entire site will not be fenced off all at one time.

He is currently willing to accept that the badger sett in the dry pond is not active and similarly that the hedgerow sett is only being used occasionally. The applicants approach to leave wide buffer zones around these features to avoid any future possible conflict is welcomed. Surveys in 2007 do not show badgers as foraging across the proposed chicken ranging areas. Nevertheless, with the proposal to move the fenced areas around the site he does not envisage permanent fencing forming a barrier to the future movements of the local badger population.

Whilst the Ecology and Nature Conservation chapter of the Environmental Statement is useful in terms of habitat and species assessment and proposed mitigation, it is not actually clear if the measures contained within it are merely recommendations by the Ecologist or if they are actual commitments to mitigation and habitat provision. If it is the former and written confirmation can be provided as such then he is willing to accept the details. If not, then a condition is required to secure an Ecological Management Plan (EMP) to take forward specific matters that can be monitored in future.

Issues to specifically take forward in an EMP will include:

- Buffer planting/ grassland strips around badger setts.
- Baffles on lights to avoid spillage on to oak trees (lessening impact on possible bat roosts)
- Control of vegetation removal during the period 15th March to 15th September to avoid impact on breeding birds and young hares
- Habitat enhancement of the western end of the railway embankment, including hedge Laying and scrub removal
- Planting of woodland screen
- Hedgerow management programme
- Grassland buffer to avoid nutrients reaching Millbridge Brook
- Provision of 10 bird boxes
- Provision of 10 bat boxes

Although this application is for the poultry unit it would appear reasonable to request the applicant to implement the formerly discussed landscape mitigation measures.

These would include gapping up of hedgerows along the northern boundary of the site plus the inclusion of hedgerow trees (such as Oaks). Off-site landscaping has been requested and would still be desirable to lessen the wider landscape impact.

If the application is to be considered on the red line site alone then some form of screening may be requested for the individual unit.

The choice of species within the landscape proposals of the Environmental Report (Aug 2007) are not entirely suitable. Species included such as geulder rose and wayfaring tree are more typical of chalk landscapes. On the sandy soils of this location it is requested that they are replaced with rowan and downy birch.

Additionally, it is stated that the woodland belt will be delivered via a Woodland grant Scheme. If this landscape feature is required for planning purposes then delivery should not rely on the success of a grant scheme.

32. The comments of the **Environment Agency** and the **Bedfordshire and River Ivel Internal Drainage Board** will be reported at the meeting.

Representations

33. The occupiers of Merton Grange, 97 Station Road object to the application on following grounds:
- a) Highway safety issues due to dangerous access. Gamlingay is already a very busy village and more lorries will exacerbate the existing traffic problem, particularly when added to the traffic in Station Road from the industrial site
 - b) Risk of foul water and effluent draining in to Millbridge Brook. Removal of the effluent is not clear. The brook then flows into the village passing by a site where there is evidence of otters. Badgers also use the brook
 - c) Part of the application site has badger sets. Has a full ecological study of the area been undertaken?
 - d) There are already four chicken farms around Gamlingay and to have another 12,000 chickens would be a significant health hazard to the other farms and the local residents should there be an unfortunate outbreak of avian flu. To approve this application would be unwise.
34. The occupiers of 101 Station Road object to the application on the following grounds:
- a) Probable detriment on protected species:
 - 1. The environment assessment recorded one badger's track on the site but from observation badgers are extremely active in and around the proposed site.
 - 2. The assessment has failed to note several other species present in the area. There are green woodpeckers currently nesting in the oak trees marked on the planning drawing; three species of owls are present in the area and little owls in particular are nesting in Merton Grange buildings; there is a healthy population of foxes in the Merton Grange grounds – living in one of the badger setts; roe deer are often seen crossing the fields in the area.

- b) Water pollution. The environmental report states that provided adequate pollution run-off controls are implemented, impact on Millbridge Brook is assessed as being negligible.” The only run-off control outlined in the application is a soakaway thus this issue needs to be addressed. The application form states that there will be no foul water to be disposed of but it is felt that this cannot be the case and needs to be addressed.
 - c) The matter of waste and waste disposal has not been addressed.
 - d) Smell. There is concern from those living close to the proposed site about the odour from the poultry unit. No assessment appears to have been made of this issue.
 - e) The proposed building will be 530m² (the height is unclear) but it is likely to have a substantial impact on the visual landscape. It is understood that avoidance of building on green belt land is a very topical issue for the present government.
 - f) Noise pollution. The application form states that no noise assessment has been conducted and is not applicable but this is not the case. At present this is a peaceful area of countryside on the outskirts of Gamlingay. The proposed working hours of the unit (7am – 10pm, 7 days a week), not to mention the noise from the poultry itself, will be intrusive to local residents, both during office hours (several residents work at home) and leisure hours.
 - g) The poultry unit will incur a significant increase in traffic, in particular HGV's, along approaching roads to the site – which have narrow sections.
 - h) It is understood that the applicant has not outlined a business plan for the unit, therefore it is not known if there are plans to enlarge the business in the future, which would increase all the above concerns
 - i) The application form states that there is no new or altered vehicular access proposed but this is incorrect, as the applicant has recently laid a hard track that will support heavy goods vehicles.
 - j) It is understood that the applicant has been attempting to get permission through inappropriate methods – agricultural applications rather than mandatory planning applications – until this point. The objector is outraged to have witnessed work on site and the presence of building materials despite no permission having been granted and the planning application form stating that no development has taken place.
35. The occupier of 104 Station Road objects on the grounds of environmental impact and road safety concerns. The letter rehearses the point about the work in respect of the vehicular access.
36. The occupier of 103 Station Road repeats objections to earlier applications in respect of smell and traffic. There will be a loss of view and loss of value to properties. The applicant simply wishes to build a house but in order to do this he has to create a business on his land. There are foxes and badgers on the land.
37. The occupier of Unit 7, Station Road objects on the grounds that the smell and the possibility of vermin, generated by the poultry unit could be detrimental to the retail

premises. There is also an objection to traffic impact/highway safety and concerns about an avairian flu outbreak.

38. The owners of Lt Gransden Aerodrome (LGA) object to the application on the grounds of the risk of mortality to the hens and the ensuring risk of litigation. During the planning inquiry into Lt Gransden Aerodrome in 1997 a Mrs D Quince (believed to be the sister-in-law of the applicant) gave compelling evidence under oath regarding the loss of hens that she had suffered from low flying aircraft passing over her free range egg production farm at Waresley and spoke of the mortality of the hens caused by both asphyxia and egg perretitis. She also spoke of the loss of egg production from the surviving hens. She gave evidence of how aircraft departing from LGA had caused these losses and the affect that had on the profitability of her farm. Pilots from the aerodrome have been instructed to use alternative departure routes to avoid the risk of over-flying her farm. This alternative route is directly over the application site and there are no other routes that the pilots can take. If the application goes ahead the problems referred to will occur on a weekly basis with litigation, between the farmer and operator of the aerodrome being the most likely outcome.

Planning Comments – Key Issues

39. The site has been the subject of two previous refusals and one dismissed appeal. The second refusal notice has been appealed.
40. In assessing this application it is necessary for Members to consider all aspects of the proposal but in particular to concentrate on the previous reasons of refusal, the decision of the Planning Inspectorate, and whether the current application satisfactorily addresses these concerns.
41. The second refusal was issued prior to receipt of the Inspectors decision on the first application and Members will see from the History section that Council is now only contesting the current appeal on ecological objections.
42. **Access.** The Local Highway Authority did not raise objections to either of the previous planning applications on highway safety grounds, although it recommended improvements to the vehicular access in the light of the increased vehicular activity that would result from the proposal. It has made the same comment on this application although it has reduced its visibility splay requirements from 4.5 x 120m to 2.4m x 120m, which will be queried. The application states that vehicular movements to and from the site will be limited to one car per day and one heavy goods vehicle a week.
43. The previous planning applications were therefore not refused on the grounds of highway safety but over concern about the visual impact of the formation of the access and the provision of the required visibility splays. The Inspector did not support this concern and felt that the visual impact of the access was satisfactory and its use would not create an unacceptable highway hazard.
44. Work on the construction of an access and roadway has started on site under the prior notification application.
45. Given that the previous reason of refusal on access grounds was not supported by the Inspector and that this application would not involve vehicular movements over and above those previously considered, it is my view that it would be unreasonable to refuse this application on access grounds.

46. I have asked the applicant to supply a drawings showing the requirements of the Local Highway Authority.
47. **Visual Impact.** The proposed building, being phase 1, is approximately one third of the floor area of the building previously considered at appeal. There is existing screening within the site and the applicant has indicated that he is willing to undertake additional planting to further screen the building, which can be secured by condition.
48. At the appeal the Inspector considered the issue of the visual impact of the larger building and concluded that it would not materially harm the character and appearance of the surrounding area, and therefore did not support the previous refusal on this ground. Given this it would be unreasonable to refuse the current application on this ground.
49. **Ecology/Wildlife.** The Inspector previously upheld the reason of refusal on ecology/wildlife grounds, particularly on respect of the lack of information in respect of badgers.
50. The Environmental Statement submitted with this application has satisfied the previous concerns of the Ecology Officer in respect of the possible impact of the development on protected species, particularly badgers (refer to Ecology Officers comments above). Nevertheless he requires that a condition be attached to any consent requiring the submission of an Ecological Management Plan to ensure that measures indicated in the application are implemented.
51. I will make the Ecology Officer aware of the concerns expressed by local residents on ecological/wildlife grounds so that additional comments can be made if required, although he has confidence in respect of the information submitted in respect of the badgers.
52. **Noise.** The Corporate Manager (Health and Environmental Services) has not objected to the application on the grounds of the impact of noise on nearby residential dwellings. The closest dwelling is approximately 270m from the proposed building.
53. The applicant has addressed issues of noise in the Environmental Report.
54. **Odour.** The Corporate Manager (Health and Environmental Services) has not objected to the application on the grounds of the effect of odour on nearby residential dwellings. The issue of odourants and soild manure is addressed in the Environmental Report
55. **Lighting.** The question of lighting has not been addressed in the Environmental Report and the Ecology Officer has outlined the need to control the impact of any lighting on the adjacent Oak trees to avoid undue disturbance to wildlife. A condition can be attached to any consent requiring details of any lighting to be submitted and agreed. Such a condition is supported by Policy NE/14 of the LDF.
56. **Dust.** The Corporate Manager (Health and Environmental Services) has not objected to the application on the grounds of the effect of odour on nearby residential dwellings.
57. The Environmental Report states that calculations indicate that annual average concentrations of poultry dust are not expected at distance exceeding 100m from the source. In this case distances from the nearest residential properties are in excess of 100m and prevailing winds are away from residential areas. The report also states

that existing and planned hedging and trees will form a biological screen that will trap many odour-carrying particles at the times of year when odour risk will be greatest.

58. **Pollution Control.** The comments of the Environment Agency and Bedfordshire and River Ivel Internal Drainage Board will be reported to the meeting. However neither body has previously objected to the proposal, subject to the imposition of safeguarding conditions and this matter was not considered an overriding concern by the Planning Inspector.
59. The issue of clean and dirty water control is addressed in the Environmental Report. It states that no slurry will be produced from the building, apart from a negligible volume in the doorway after pressure washing which will be directed into the dirty water tank via a foul drain immediately in front of the building. This tank will also contain any fouled rainwater.
60. Manure will be taken to field heaps prior to spreading on other land owned by the applicant or neighbouring fields. These heaps must be at least 10 metres from a ditch or field drain.
61. **Pest Control.** The Corporate Manager (Health and Environmental Services) has not objected to the application on the grounds of pest control. The Environmental Report states that flies are not likely to be a problem as litter is not normally a breeding ground for flies during a layer's life and no dirty litter will be stored on site after cleaning the houses. A fully trained Pest Control contractor will make regular visits to the site.
62. The report states that routine baiting and a well constructed site will ensure that there will be no risk of the poultry houses becoming a breeding ground for rats or mice, again this will be covered by the pest control contractor.

Impact of Aircraft

63. The issue of the possible impact of low flying aircraft on chickens was considered at the time of the previous appeal and the Inspector concluded that there was insufficient justification to dismiss the appeal on these grounds. I do not consider that this situation has changed since that time.
64. In conclusion the applicant has now satisfactorily addressed the ecological issues which resulted in the previous appeal being dismissed and I am of the view that, subject to the response of outstanding consultations, that the application should be approved.
65. In my view to object to the application on grounds that have already been considered and dismissed by the Planning Inspectorate would lay the Council open to a possible award of costs at any subsequent appeal as there has not been any material change in circumstances since that decision.
66. The applications for phases 2 and 3 of the building will be reported to the February meeting and will have to be judged on their merits.

Conditions

Recommendation

67. I will report the comments of outstanding consultees but will recommend approval subject to safeguarding conditions.

Conditions

1. Time limit 3 years
2. Highway requirements, including visibility splays
3. Submission and implementation of an Ecological Management Plan
4. Submission of scheme for external lighting
5. Landscaping
6. Any requirements of the Environment Agency or Bedfordshire and River Ivel Internal Drainage Board
7. Control of outside storage
8. Restriction of hours of delivery/collection vehicles
9. Scheme for the management of environmental issues

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 Sustainable Design in Built Development
 - **South Cambridgeshire Local Development Framework – Development Control Policies – Adopted July 2007:**
DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
NE/4 Landscape Character Areas
NE/6 Biodiversity
NE/11 Flood Risk
NE/14 Lighting Proposals
NE/15 Noise Pollution
NE/16 Emissions
2. The development is not considered to be significantly detrimental to the following material planning considerations, which have been raised during the consultation exercise:
 - Highway Safety
 - Visual Impact/Landscape Character
 - Neighbour Amenity
 - Impact on Wildlife
 - Drainage Issues
 - Environmental Impact
 - Impact of Low Flying Aircraft

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

- South Cambridgeshire Local Development Framework – Development Control Policies (adopted July 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/2046/07/F, S/2147/07/F; S/2148/07/F, S/1321/06/F, S/1999/05/PNA, S/1851/05/LDC, S/1786/05/PNA, S/2193/01/F and S/2194/01/F

Contact Officer: Paul Sexton – Area Planning Officer
Telephone: (01954) 712155

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee9th January 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/2062/07/F – HARDWICK
Change of Use of Land to Motor Cycle Testing Centre and Erection of Building at 25 St Neots Road for Driving Standards Agency

Recommendation: Approval

Date for Determination: 4th February 2008

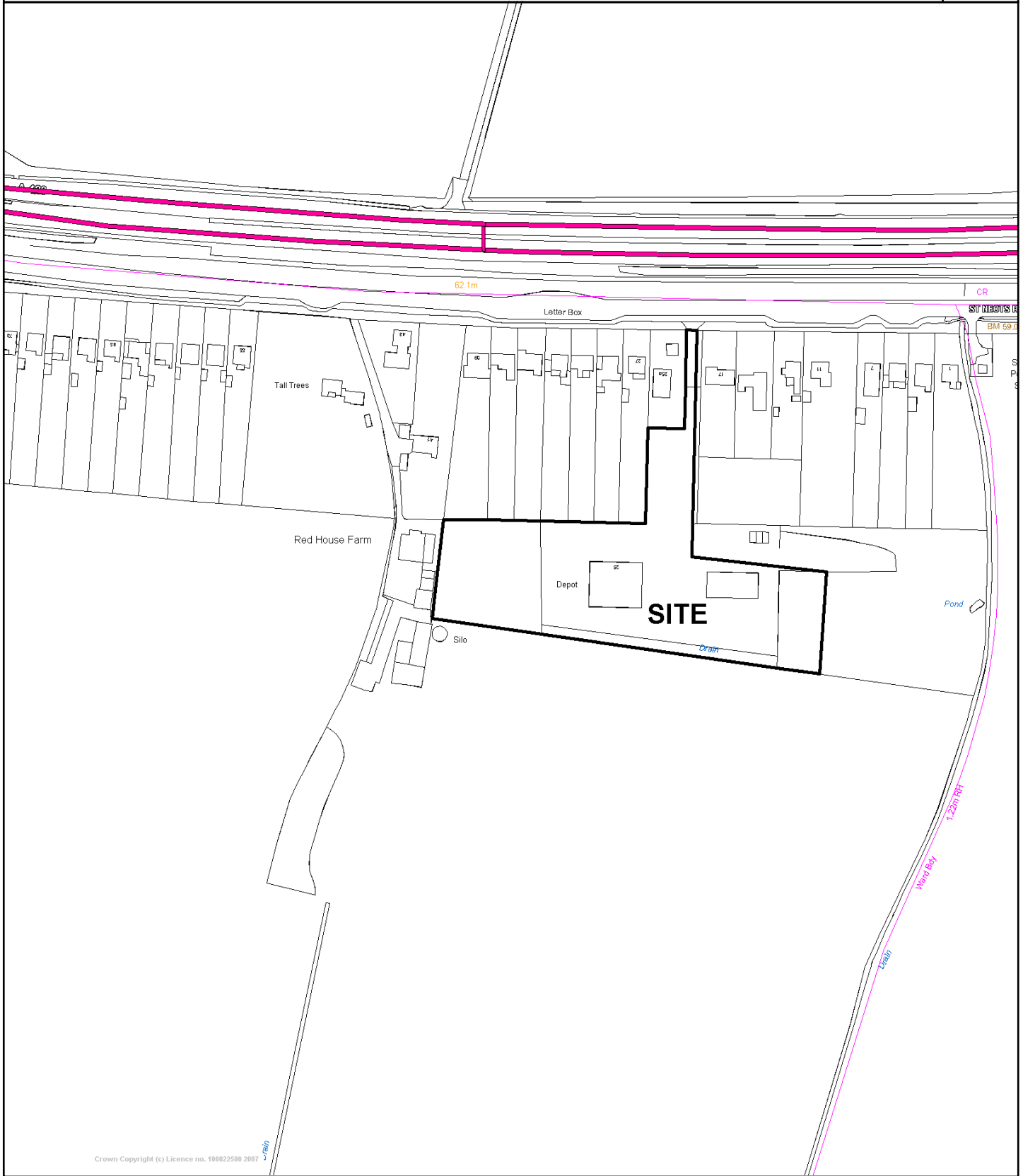
Notes:

This Application has been reported to the Planning Committee for determination because this departure application has attracted objections to the proposal.

Departure Application**Site and Proposal**

1. St Neots Road largely consists of a ribbon of residential dwellings, with some business units interspersed. The section of St Neots Road located immediately adjacent to the application site consists of mostly frontage dwellings and is outside of the village framework for Hardwick and within the Cambridge Green Belt.
2. The 0.97 hectare vacant application site is a 't-shaped' parcel of land that is located behind the frontage dwellings which is accessed between the two dwellings at 17 and 25a St Neots Road. The site is currently gated at the point of access with the public highway. The entrance road into the site measures approximately 5.2m wide and is separated from the neighbouring dwellings by 2m high close board fencing.
3. At present the entrance road and main body of the site is set out with brick-paviors and contains two large brick and corrugated sheet roof structures that were used in association with the consented use of the site as a builders merchants. To the east and west of the hard-standing are areas of unkempt planting, some of which is significantly overgrown in places. To the south the site is separated from open fields by a mature, dense hedgerow, which varies in nature, but typically measures approximately 2m in height.
4. This full application, received on 31st October 2007 and amended on 10th December 2007, proposes the clearance of the two existing buildings and existing hard-standing from the site and the replacement of these structures and the existing surface material with a new tarmac hard surface and a single storey 12m x 8m examiners office to facilitate a change of use of the site to provide a motor cycle riders test facility. The proposed use would include the laying out of a test circuit on the tarmac to the rear of the building, for candidates to perform a number of controlled manoeuvres as part of the test.

S-2062-07-F



Crown Copyright (c) Licence no. 100022500 2007



Reproduced from the 2007 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 1/2500 Date 13/12/2007

Centre = 538242 E 259387 N

January 2008 Planning Committee

5. The application is accompanied by a Design and Access Statement, Transport Statement, Planning Statement and Acoustics Report on potential noise impact.

Planning History

6. The site has an extensive planning history stretching back to 1962. The most relevant planning history for the site is as follows:
7. **S/0962/91/F** – approval for the use of the site for industrial purposes.
8. **S/0961/91/F** – approval for the use of the site as a building merchants. This use was implemented. Hours of operation were not restricted, although conditions prevented the use of power operated machinery at certain times of the day and restricted the noise to be emitted by the use. Changes of use that would otherwise have been permitted by legislation were also controlled to require prior planning permission.
9. **S/0960/91/F** – approval of the extension of one of the existing buildings on the site.
10. **S/0701/88/F** – approval of application to remove Condition 1 of S/1077/79/F relating to personal restriction of building material storage use.
11. **S/1077/79/F** – approval to allow personal change of use of part of the site from agricultural engineering purposes to storage of building materials.

Planning Policy

12. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 ('the County Structure Plan') requires a high standard of design and sustainability for all new development and which provides a sense of place which responds to the local character of the built environment.
13. **Policy P9/2a** of the County Structure Plan states that a Green Belt will be maintained around Cambridge which will define the extent of urban growth. The purposes of this Green Belt are to: preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre; maintain and enhance the quality of its setting; prevent communities in the environs of Cambridge from merging into one another and with the city. Within the Green Belt, new development, including change of use, will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area. The Local Planning Authorities will jointly draw up strategies for the active management of the Green Belt for biodiversity, outdoor recreation, and farm diversification appropriate to the Green Belt.
14. **Policy DP/1** of the South Cambridgeshire Local Development Framework 2007 ('the LDF') states that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It should (inter alia): be consistent with the sequential approach to development, as set out in the Strategy chapter of the Core Strategy DPD; Minimise the need to travel and reduce car dependency; Make efficient and effective use of land by giving priority to the use of brownfield sites and achieve adaptable, compact forms of development through the use of higher densities; Minimise flood risk; Where practicable, use sustainable drainage systems (SuDS); and Conserve and wherever possible enhance local landscape character.

15. **Policy DP/2** of the LDF states that all new development must be of high quality design and, as appropriate to the scale and nature of the development, should (inter alia): Preserve or enhance the character of the local area; Be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area; and Include high quality landscaping compatible with the scale and character of the development and its surroundings.
16. **Policy DP/3** of the LDF states that all development proposals should provide, as appropriate to the nature, scale and economic viability (inter alia): Appropriate access from the highway network that does not compromise safety, enhanced public and community transport and cycling and pedestrian infrastructure; Car parking, with provision kept to a minimum; and Safe and convenient access for all to public buildings and spaces, and to public transport, including those with limited mobility or those with other impairment such as of sight or hearing. Planning permission will not be granted where the proposed development would have an unacceptable adverse impact: On residential amenity; From traffic generated; On village character; On the countryside, and landscape character;. From undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust; On ecological, wildlife and archaeological interests; and On flooding and flood risk.
17. **Policy DP/7** of the LDF states that outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will permitted.
18. **Policy GB/1** of the LDF states that there is a presumption against inappropriate development in the Cambridge Green Belt. Section 3 of PPG2: Green Belts defines The re-use of existing buildings as appropriate development, providing: “(a) the development does not result in a materially greater impact on the openness and purpose of the Green Belt; (b) strict control is exercised over any proposed extensions and associated uses of surrounding land; (c) the buildings are of permanent and substantial construction and capable of conversion without major or complete reconstruction; and (d) the form, bulk and general design of the buildings are in keeping with their surroundings...Any development considered appropriate within the Green Belt under the above criteria must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt”.
19. **Policy GB/2** of the LDF states that any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt. Where development is permitted, landscaping conditions, together with a requirement that any planting is adequately maintained, will be attached to any planning permission in order to ensure that the impact on the Green Belt is mitigated.
20. **Policy ET/8** of the LDF states that when considering proposals for replacement buildings in the countryside for employment use, any increase in floor area will be strictly controlled, and must be for the benefit of the design, or in order to better integrate the development with its surroundings.
21. **Policy NE/9** of the LDF states that Planning permission will not be granted where there is inadequate water supply, sewerage or land drainage systems (including water sources, water and sewage treatment works) available to meet the demands of the development unless there is an agreed phasing agreement between the

developer and the relevant service provider to ensure the provision of the necessary infrastructure.

22. **Policy NE/11** of the LDF states that in relation to flood risk, applications for planning permission will be judged against national policy (currently in PPS25).
23. **Policy NE/15** of the LDF states that planning permission will not be granted for development which: a. Has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development; b. Has an unacceptable adverse impact on countryside areas of tranquility which are important for wildlife and countryside recreation; or c. Would be subject to unacceptable noise levels from existing noise sources, both ambient levels and having regard to noise impulses whether irregular or tone. 2. Conditions may be attached to any planning permission to ensure adequate attenuation of noise emissions or to control the noise at source. Consideration will be given to the increase in road traffic that may arise due to development and conditions or Section 106 agreements may be used to minimise such noise. The District Council will seek to ensure that noise from proposed commercial, industrial, recreational or transport use does not cause any significant increase in the background noise level of nearby existing noise sensitive property which includes dwellings, hospitals, residential institutions, nursing homes, hotels, guesthouses, and schools and other educational establishments.

Consultation

24. **Hardwick Parish Council** – makes no recommendation and raises no comments.
25. **Environment Agency** – comments that for operational developments of less than 1 hectare site size falling within Flood Zone1, the main flood risk issue to consider will usually be managing surface water run-off. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).
26. **Trees and Landscapes Officer** – considers the landscape proposals to be appropriate. More detailed information on sizes and densities should be submitted in due course if the development proceeds. I would not require any additional planting as the existing proposals would give the necessary screening.
27. **Local Highway Authority** – raises no objection, in principle, to the proposed development, but initially requested that the applicants show the width of the access, which should be a minimum of 5m, the dimensions of the proposed parking spaces, the dimensions of reversing spaces to the car parking spaces, and for the entrance gates to be set back at least 5m from the back of the adopted public highway, with dimensions shown on the drawings. The amendment that has been received appears to address these comments, but any additional comments that are received will be reported to Members verbally at the committee meeting.
28. **Corporate Manager (Health and Environmental Services)** – comments are currently awaited and will be reported verbally to Members at the committee meeting.
29. Comments of **Cambridgeshire Fire and Rescue Service** will be reported verbally.

Representations

30. At the time of preparing this report representations have been received from 3 neighbouring owner/occupiers. The main comments/concerns raised are as follows:
- a) One representation raised support – benefit the general public in the surrounding area who require to take the motorcycle test. Existing local industry needs such a site to continue trading. The scheme is in aid of casualty prevention for motorcyclists. General location and access is good.
 - b) Two representations raised concerns – contest that use is of benefit to local area.
 - c) Fear that noise of motorcycles will be excessive.
 - d) Noise study measures distance to one house on the road – does not take into account that occupiers will hear noise of motorcycles whilst they make use of their gardens.
 - e) Activities will cause both high-pitched engine noise and gas forming air pollution.
 - f) A large embankment would form best screening – hedging and link fencing are inadequate
 - g) Use is not appropriate in this location which is residential/agricultural.
 - h) Query whether use should be elsewhere – example disused airfields. Would prefer rumoured use of site for old peoples home – quiet use.

Planning Comments – Key Issues

31. The key issues to consider in the determination of this application are:
- Impact Upon and Appropriateness in the Cambridge Green Belt
 - Impact upon Residential amenity;
 - Flood Risk
 - Highway Safety

Impact Upon and Appropriateness in the Cambridge Green Belt

32. The primary issue when considering the proposed change of use and erection of new building will be the impact of the development upon the Cambridge Green Belt. For clarification purposes, the replacement of existing buildings, other than dwellings, would be 'inappropriate' development under the terms of the Green Belt policy. Inappropriate development is, by definition, harmful to the Green Belt. Such development should not be approved, except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
33. In the case of the proposed scheme, there appears to be a significant material benefit to the Cambridge Green Belt on two counts.

34. First, the proposed scheme involves the removal of two large brick and corrugated sheet buildings from the centre of the site, which have a combined floor area of 788m². Although the applicants have not provided any details of the precise dimensions of these buildings, they are of a significant size and scale, capable of achieving headroom on two levels, should they contain mezzanine floors. They appear to be structurally sound from the case officer's site visit. These structures, by virtue of their size, scale and form, have a significant impact upon the character and openness of the Green Belt. The scheme proposes the replacement of these structures with an individual, single storey structure that would be positioned towards the front of the larger rectangular shaped section of the site, and would have a floor area of 96m² and height of 3.7m, at its highest point. It would therefore have a floor area approximately 12% of the size of the existing buildings, would be significantly lower in height and would also be located closer to the ribbon of housing, and so constituting a significantly lower degree of intrusion into the countryside. I am therefore of the opinion that their removal and replacement would represent a significant enhancement to the openness of the Green Belt.
35. Secondly, by virtue of the proposed change of use of the site from builders merchants to test facility, the scheme would replace the need to provide open storage of builders materials on site, which has the potential to be visually intrusive, with an open area of manoeuvring space. I am of the opinion, therefore that this change would serve to further increase and enhance the openness of the Green Belt, by introducing a more compatible land use, that would not require the erection of racking and other associated items that would typically be associated with a builders merchants.
36. These factors, together with the loss of significant traffic movements and fork lift trucks with reversing beepers, which have had an impact on the amenities of near neighbours, have been identified by the applicants as very special circumstances.

Impact on Residential Amenity

37. By virtue of the site being located to the rear of a number of existing residential properties, with the shared boundary forming the rear boundary of the gardens serving those dwellings, and by virtue of the potential for disturbance to those properties arising from any activity at the rear, the impact of any noise and disturbance arising from the use will be the most sensitive aspect of the proposal in respect of residential amenity. Although the use will bring members of the public into the land to the rear of the dwellings, and therefore affording a potential for loss of privacy, the existing use affords the same opportunity to members of the public and would therefore be no more or less harmful in this respect. Additionally the applicants are proposing that the circulation area within the estate would be fenced off from the nearest properties, creating an enhancement to residential privacy. This could potentially be enhanced further over time through the establishment of additional planting, with the landscape scheme proposing to replace declining elm with native hedge species along the shared boundary with the dwellings.
38. In respect of disturbance the applicants have submitted an extensive noise impact assessment, using evidence from an existing driver training facility at Cardington, which has been passed to the Corporate Manager (Health and Environmental Services) for comment. It concludes that, on the basis of correction for distance from the perimeter of the proposed site to the nearest residential facades and correction for the tonal quality of the noise, the use will have minimal impact on the surrounding area. Comments from the Corporate Manager (Health and Environmental Services) are awaited at the time of preparing the report and will be reported verbally at committee.

39. Notwithstanding the potential for noise generation from the proposal, the scheme must be assessed in comparison with the authorised use of the site and the potential for disturbance that arises from the site as existing. Although currently vacant, the builders merchants use had the potential for vehicles to be entering and leaving the site at unregulated intervals throughout the day, with no start and end time being within the control of the planning approval for when visitors may enter and leave the site. By contrast the applicants have stated that candidates would undertake tests on site one at a time, thus resulting in no more than one motorcycle being out on the track area at any one time. This should serve to minimise the degree of disturbance suffered by residents from movements into and out of the site.

Flood Risk

40. With regard to the issues of drainage and potential flood risk, the site is identified as being in Flood Zone 1 (low risk) area, as identified by the Environment Agency. As such, a flood risk assessment is not necessary. The applicants have stated that it is their intention for surface water to channel to a drainage ditch, using sustainable drainage systems, as advised by the Environment Agency, although no technical details are outlined at this stage. This form of drainage may prove to be acceptable as a method of water disposal. However, in order to ensure that any system is suitable and has the capacity to cope it would be appropriate to secure suitable drainage systems by condition, requiring details to be submitted prior to implementation.

Highway Safety

41. It is important to consider that the access as currently laid out has previously been considered adequate to serve a builders merchants use, which would have involved a significant number of vehicular movements daily, and the need to access the site, on occasion, by heavy goods vehicles. St Neots Road is subject to a 40mph speed limit, straight in nature, and affords good visibility splays in both directions, allowing for safe ingress and egress to the site.
42. An amendment has been received which seeks to address Local Highway Authority comments. The further comments of the Local Highway Authority are awaited in respect of those plans and will be reported verbally at committee. However, I note that the revised plans show the access to be wide enough for two cars to pass clear of the public highway, the gates appear to be located over 5m back from the back edge of the public highway and internal manoeuvring spaces appear to be as requested.
43. The development provides for 7 car parking spaces (including one disabled bay) and eight motorcycle bays on site. The car parking standards outlined in Appendix 1 of the Local Development Framework do not expressly address a use of the nature proposed. However, given the proposed method of operation, with one rider and one instructor on site by appointment per test, with 1-2 full-time staff being based on site, the provision would appear adequate for the use allowing for a number of candidates to wait on site for their test time alongside the requirement for parking generated by staff.

Conclusion

44. Subject to the comments of the Corporate Manager (Health and Environmental Services), I consider harm is limited to the inappropriateness of the development in

the Green Belt. However, this is outweighed by the very special circumstances which have been identified in this report, particularly in regard to a significant reduction in building floorspace on the site and increased openness of the Green Belt.

45. In view of the fact that the development, although inappropriate, would not 'significantly' impact on the openness of the Green Belt, I do not consider that it needs to be referred to the Secretary of State in accordance with The Town and Country Planning (Green Belt) Directive 2005.

Recommendation

46. Subject to the comments of the Corporate Manager (Health and Environmental Services) comments, APPROVE, subject to the following conditions:
1. SCA 3 years (RcA)
 2. Landscaping and implementation of landscaping (Rc51 & 52)
 3. Details of external materials (Rc5(a))
 4. Details of boundary treatment (Rc60)
 5. Details of surface water drainage (Rc5(b))
 6. The permanent space to be reserved on the site for parking shall be provided before the use commences and thereafter maintained. (Reason: In the interests of highway safety.)

+ any Environmental Health conditions, where applicable.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref S/2062/07/F, S/0962/91/F, S/0961/91/F, S/0960/91/F, S/0701/88/F, and S/1077/79/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Contact Officer: Michael Osbourn – Acting Senior Assistant Planning Officer
Telephone: (01954) 713379

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee9th January 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/1969/07/A - HISTON
Sign (Retrospective) at Anglia House, Kendal Court, Cambridge Road
For Anglia Fireplaces and Design Ltd.

Recommendation: Approval

Date for Determination: 12th December 2007

Notes:

This Application has been reported to the Planning Committee for determination, having been referred at the request of a local Member and first been considered at Chairman's Delegation. The Officer's recommendation of approval conflicts with that of the Parish Council. The Local Member's request for a site visit was not supported, due to the nature of the proposal and as the application is accompanied by good photographs of the sign.

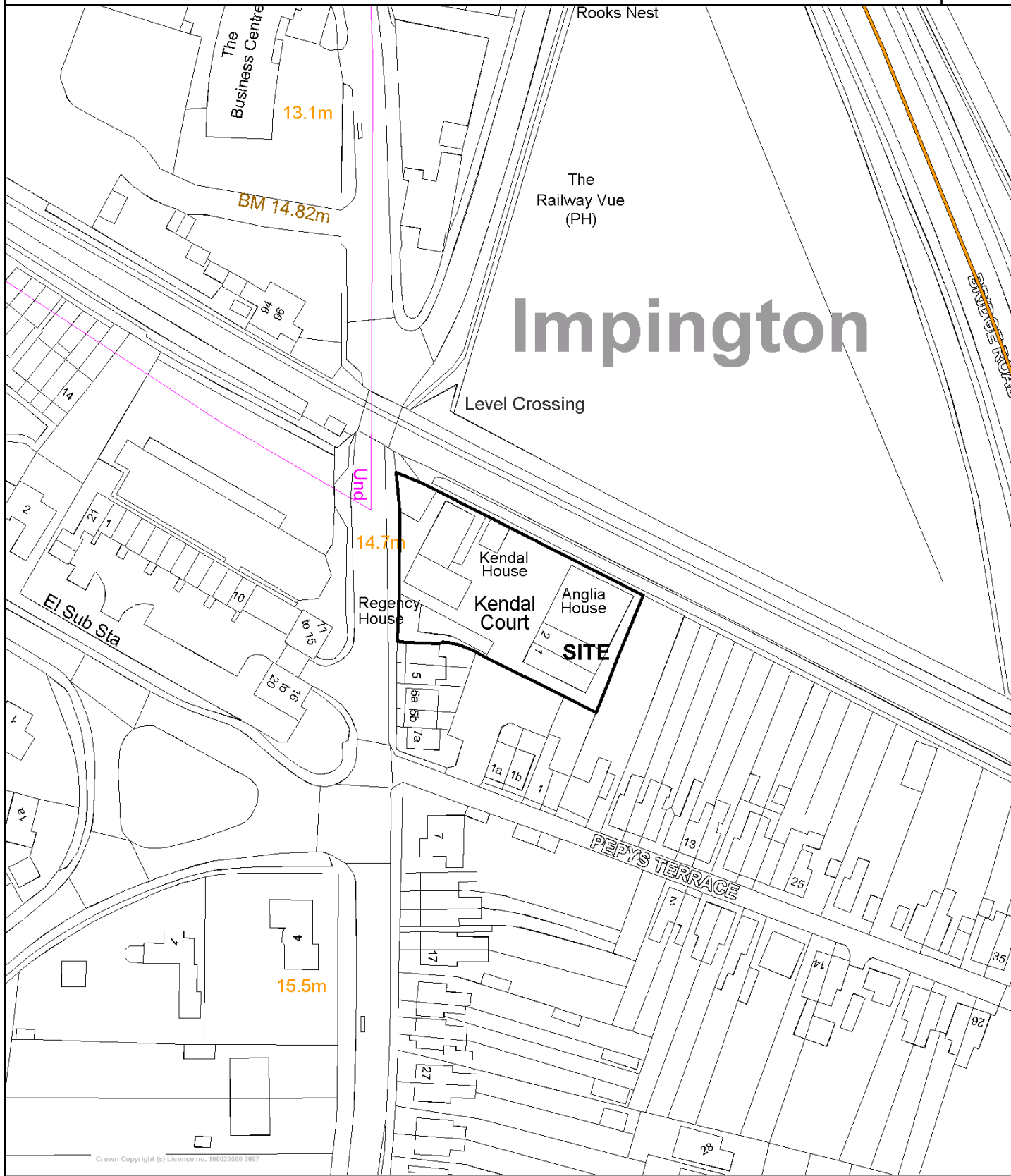
Site and Proposal

1. Anglia House is a commercial property sited behind properties that front Cambridge Road. It lies between the former railway line and the rear gardens of properties on Pepys Terrace. The site is accessed off Cambridge Road on a single lane access that runs between Kendal House and Regency House. It is an area of mixed commercial and domestic uses, with a complex of commercial units adjacent including, amongst others, a shop and funeral parlour. There is a builders' supplies store opposite the site.
2. This retrospective application seeks advertisement consent for a totem sign. This sign is 3 metres high and 1 metre wide. It is made of vinyl, with the majority being red in colour the remainder, at the base, being grey. It has "anglia" in white lettering that is statically internally illuminated. The lower, grey, part has a directional sign to the car park and studio. The sign is sited on the forecourt of Regency House, which is in the same ownership, and is adjacent to the access.

Planning History

3. In 1988 planning permission was granted for the showroom and store, now occupied by Anglia Fireplaces and Design (ref. **S/2424/88/F**).
4. A subsequent application for advertisement consent was made in 1993 for a sign on the sidewall of Kendal House for Anglia Fireplaces and Design. This sign was a simple board. The application was granted (ref. **S/0459/93/A**).

S/1969/07/A Impington



Crown Copyright (c) Licence no. 100022500 2007



Reproduced from the 2007 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 13/12/2007

Centre = 544240 E 262498 N

January Planning Committee

5. In 1997 planning permission (ref. **S/1510/97/F**) was refused for the extension and conversion of Regency House into a dwelling, however a subsequent appeal was allowed.
6. A planning application for a fire escape to Anglia House (the showroom) has recently been approved (ref. **S/2002/07/F**).
7. The site is located within an Area of Special Control for Advertisements. Within such an area additional controls are exercised under The Town and Country Planning (Control of Advertisements) Regulations 2007.

Planning Policy

South Cambridgeshire Local Development Framework Development Control Policies 2007

8. **CH/8 Advertisements** restricts the number, size, format, materials and design of signs in order to ensure they are appropriate to the building or locality. Adverts should not prejudice road safety. The supporting text acknowledges that there must be a balance between commercial needs and protection of the environment, as adverts can greatly influence the appearance of an area.

Consultation

9. **Impington Parish Council** – Refuse. Commenting that the sign is out of keeping with the character of the immediate area, inappropriate and too futuristic in design, overly large, and obscures visibility.
10. **Local Highway Authority** – comments to be reported verbally.

Representations

11. Councillor Mike Mason supports the Parish Council's recommendation of refusal and requested that the application be determined at Planning Committee, he objects on grounds of:

“The Parish Council has recommended refusal based on size and position. It is my understanding that it has already been damaged by vehicle/s, which to some extent justifies their concern.

Whilst understanding the business case for the applicant under the present very difficult trading conditions at this site, Members need to see this in the context of other business and public use of the area on the frontage to the road, which includes the Station Stores and Stebbings Funeral Parlour. The area is subject to heavy traffic and pedestrian movements serving the shops and businesses to the rear. The location of standing signs in this area is of some concern.

Notwithstanding the above comments, I would refer to the document submitted by myself at Planning Committee, 5th December 2007 in respect of applications from Cambridgeshire Guided Bus Project to discharge conditions concerning the very extensive highway alterations at and around Histon Station level crossing. The application site for this advertisement, abuts the Transport and Works Order limits of deviation boundary for this junction with the Guideway. Major road works are now in progress at this location causing

very difficult trading conditions for these local businesses. This work is programmed to continue into the new year and Members would benefit from a site inspection and considered whether any permission needs to be amended or be granted on a temporary basis, subject of course to officer advice”.

Planning Comments – Key Issues

12. The only issues in determining advertisement applications are the impact upon the visual amenity of the area and highway safety. At Chairman’s Delegation it was suggested by the Members that a temporary permission of one year could be given to support the business during the works to construct the Cambridge Guided Busway.
13. Members should note that this is an application for advertisement consent. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 identifies the issues that local planning authorities can consider in determining these applications as being amenity (i.e. visual and aural) and public safety (i.e. highway safety through obscuring a traffic sign or equipment for measuring the speed of traffic, and crime prevention), taking into account provisions of the Development Plan and any other relevant factors. Furthermore, ‘in determining an application for consent for the display of advertisements, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is requested’.
14. Additional conditions, as the local planning authority thinks fit, may also be added. This can include requiring the removal of any advertisement or the discontinuance of any use of land authorised by the consent, at the end of a specified period, and the carrying out of any works required for the reinstatement of the land.

Amenity

15. The site is within an area of mixed commercial and residential character. The sign relates to a group of commercial buildings. Bishops Hardware Store is opposite and that building is finished, in part, with red sheet cladding.
16. The sign itself is seen against the backdrop of Kendal House when approaching along Cambridge Road from the south, being set back from the back of the pavement by approximately 1 metre. It is obscured from view by Kendal House when approaching from the north along Station Road and is only visible as you pass the access point itself.
17. It is noted that the sign is of a modern design and materials. The illumination of the lettering also means that the sign is relatively prominent within the very immediate area adjacent to it. When seen within its context however, as described above, it is difficult to argue that the sign has significant harm to the visual amenity of the area. On balance, the actual harm to amenity caused by the sign is limited.

Public safety

18. The comments of the Local Highway Authority were awaited at the time of writing however, the sign is set back from the back of the pavement within a triangle of land between the access to Anglia House and car parking spaces to the front of Regency House. Traffic is travelling at relatively low speeds at this point, as there is a 30mph speed limit and it is within 35 metres of the future guided busway crossing. The pavement is quite wide in this location and the roadway has ‘keep clear’ markings, preventing on-street car parking to the frontage. Subject to the comments of the

Local Highway Authority, it is considered that this sign does not threaten public safety unduly.

Temporary consent

19. The sign is acceptable, in that it does not cause significant harm to amenity or public safety, for the reasons set out above.
20. If Members consider the sign is acceptable in these terms they should resolve to approve the application. While the difficulties for local businesses during the period of construction of the Cambridge Guided Busway are noted and are regrettable, it is not usual to take into consideration such matters on applications for adverts. Officers consider the sign to be acceptable and that there are no good planning reasons for limiting the permission to less than the standard 5 year period for advertisements.

Recommendation

21. Approve, subject to the comments of the Local Highway Authority and the five standard planning conditions set out in the Town And Country Planning (Control Of Advertisements) (England) Regulations 2007.

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

- South Cambridgeshire Development Control Policies DPD 2007
- Planning Files Ref: S/2424/88/F, S/0459/93/A, S/1510/97/F, S/2002/07/F and S/1969/07/A
- Documents referred to in the report including appendices on the website only and reports to previous meetings

Contact Officer: Melissa Reynolds – Area Planning Officer (Area 2)
Telephone: (01954) 713237

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee9th January 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

**S/0276/07/F – Waterbeach
8 Dwellings
Land R/O 12 Pieces Lane for Hayler Developments Ltd**

**Recommendation: Approval
Date for determination: 13th April 2007**

Notes:

This Application has been reported to the Planning Committee for determination because of the time it has taken to negotiate on the application it is now a departure to the recently adopted Development Plan.

Departure Application**Site and Proposal**

1. The site covers 0.26 ha of rectangular flat land to the rear 12 Pieces Lane a detached bungalow. It is in between the dwellings in Hartley Close and Saberton Close. The dwellings in Saberton Close have been recently constructed. There is a TPO'd (Tree Preservation Order) walnut tree in the north-western corner of the site, adjacent to the boundary with 17 Hartley Close.
2. The application, received 16th February 2007, as amended by letter dated 29th November 2007, proposes 8 no. two-storey dwellings. The mix is 2 no. two bedroomed, 3 no. three bedroomed, 1 no. four bedroomed and 2 no. three/four bedroomed. These will be accessed off Saberton Close and will predominantly face the new dwellings in Saberton Close. 16 car parking spaces will be provided comprising a mix of garages and spaces.
3. The application is submitted with a unilateral undertaking to make a contribution of £22,500 for education following occupation of 50% of the development (after the fourth house).
4. The application has been amended, having originally been for a scheme of nine houses. The density proposed is 31 dwellings per hectare.

Planning History

5. **S/2089/03/F** Nine houses. This was refused on grounds of poor layout, impact on amenities (loss of light), over domination of hard surfacing. An appeal was dismissed in December 2004. The Inspector considered that the layout would result in a scheme dominated by walls, fencing and hard surfacing which would have been out of keeping with the prevailing character of the area.

S/0276/07/F Waterbeach



Crown Copyright. Ordnance Survey Licence no. 100022500 2007



Reproduced from the 2007 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 13/12/2007

Centre = 549936 E 265566 N

January Planning Committee

6. **S/0462/05/F** Eight houses following demolition of existing bungalow. Permission was refused on grounds of poor layout resulting in overly dominant areas of hard surface, not making best use of land, impact on amenity of neighbours by being overbearing due to bulk, form and mass. An appeal was dismissed in October 2005. The Inspector considered that some of the proposed dwellings would have had an overbearing impact on neighbouring properties and would be substandard in their design and layout.
7. **S/0813/06/F** Eight dwellings following demolition of existing bungalow appeal submitted due to non determination. Appeal dismissed April 2007. The Inspector considered that the scheme failed to adequately protect the living conditions of the adjoining occupiers and would cause harm to them. The development would be overbearing and unneighbourly to existing dwellings.

Planning Policy

Cambridgeshire and Peterborough Structure Plan 2003

8. **P1/3 Sustainable Design in Built Development** requires a high standard of design and sustainability for all new development, providing a sense of place appropriate to the location, efficient use of energy and resources and account to be taken of community requirements.

South Cambridgeshire Core Strategy 2007

9. **ST/5 Minor Rural Centres** includes Waterbeach. Development or re-development up to a maximum scheme size of thirty dwellings is allowed within frameworks.

South Cambridgeshire Development Control Policies 2007

10. **DP/1 Sustainable Development** only permits development where it is demonstrated that it is consistent with the principles of sustainable development. The policy lists the main considerations in assessing whether development meets this requirement.
11. **DP/2 Design of New Development** requires all new development to be of a high quality design and indicates the specific elements to be achieved where appropriate. It also sets out the requirements for Design and Access Statements.
12. **DP/3 Development Criteria** sets out what all new development should provide, as appropriate to its nature, scale and economic viability and clearly sets out circumstances where development will not be granted on grounds of an unacceptable adverse impact e.g. residential amenity and traffic generation.
13. **DP/4 Infrastructure and New Developments** requires that development proposals should include suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. It identifies circumstances where contributions may be required e.g. affordable housing and education.
14. **DP/7 Development Frameworks** permits development within village frameworks provided that retention of the site in its present state does not form an essential part of the local character; it would be sensitive to the character of the location, local features of landscape, ecological or historic importance, and the amenities of neighbours; there is the necessary infrastructure capacity to support the

development; and it would not result in the loss of local employment, or a local service or facility.

15. **HG/1 Housing Density** is set at a minimum of 30 dph unless there are exceptional local circumstances that require a different treatment in order to make best use of land. Higher densities of 40 dph will be sought in the most sustainable locations.
16. **HG/2 Housing Mix** sets a mix of at least 40% of homes with 1 or 2 bedrooms, approximately 25% 3 bedrooms and approximately 25% 4 or more bedrooms for housing developments of less than 10 dwellings. Accommodation should also provide a range of types, sizes and affordability to meet local needs.
17. **HG/3 Affordable Housing** at a level of 40% of all new dwellings on developments on two or more units is required to meet housing need. The exact proportion, type and mix will be subject to the individual location and the subject of negotiation. Affordable housing should be distributed in small groups or clusters. Financial contributions will be accepted in exceptional circumstances.
18. **SF/10 Outdoor Play Space, Informal Open Space and New Development** requires that all new residential development contribute towards outdoor space. The policy states the specific requirements, including that for small developments (less than ten units) it is expected that only informal open space be provided within the site. Contributions to off-site provision and maintenance of other types of open space will be expected in addition to this.
19. **SF/11 Open Space Standards** sets out minimum space requirements as follows: 2.8ha per 1000 people comprising 1) 1.6ha per 1000 people outdoor sport; 2) 0.8ha per 1000 people children's play space; and 3) 0.4ha per 1000 people informal open space.
20. **NE/1 Energy Efficiency** requires development to demonstrate that it would achieve a high degree of measures to increase the energy efficiency of new and converted buildings. Developers are encouraged to reduce the amount of CO₂m³ / year emitted by 10%.
21. **NE/9 Water and Drainage Infrastructure** indicates that planning permission will not be granted where there are inadequate water supply, sewerage or land drainage systems to meet the demands of the development unless there is an agreed phasing agreement between the developer and the relevant service provider to ensure the provision of necessary infrastructure.
22. **TR/1 Planning for More Sustainable Travel** states that planning permission will not be granted for developments likely to give rise to a material increase in travel demands unless the site has (or will attain) a sufficient standard of accessibility to offer an appropriate choice of travel by public transport or other non-car travel mode(s). Opportunities to increase integration of travel modes and accessibility to non-motorised modes by appropriate measures will be taken into consideration. The Local Transport Plan road user hierarchy will also be taken into account in the determination of planning applications to ensure adequate emphasis has been placed on the relevant modes, although no modes should be promoted to the exclusion of others.
23. **TR/2 Car and Cycle Parking Standards** identifies maximum parking standards to reduce over-reliance of the car and to promote more sustainable forms of transport. Cycle parking should be provided in accordance with minimum standards.

Consultations

Original Submission dated 16 February 2007

24. **Waterbeach Parish Council** – Approve.
25. **Local Highway Authority** – questions the justification for seventeen dwellings off a private drive (the proposed scheme and Saberton Close). How will drive be maintained, drained and lit? The statement suggests that the drive is to be widened. The layout plan should show this and provide dimensions together with pedestrian visibility splays to the west of the widened drive.
26. **County Finance Officer** – Is concerned that capacity of existing pre-school and primary school are inadequate. A contribution of £22,500 to provide additional school places is required.
27. **County Archaeological Unit** – Recommends that a planning condition is attached to ensure investigation is carried out for any archaeological remains.
28. **Cambridgeshire Fire and Rescue Service** – Requests adequate provision be made for fire hydrants through Section 106 agreement or condition.
29. **Waterbeach Internal Drainage Board** – Notes that the site is just outside of the Board's area but is in an area that drains into its Bottisham Locks Catchment. The Board's surface water receiving system has no residual capacity to accept increased rates of surface water run-off. The proposed method is via infiltration methods soakaways etc. Tests should be done to ensure this can be accommodated. A condition must be attached to agree the method of surface water disposal.
30. **Building Control** – No adverse comments.
31. **Environmental Services Manager** – Recommends a planning condition regarding hours of use of power operated machinery during the construction period and informatives to be attached to any consent relating to foundations and bonfires.
32. **Trees and Landscape Officer** – Insufficient landscaping information had been provided. The walnut tree in the north west corner is a significant mature tree in the built up area, although compromised by access to garages to the north. The tree should be afforded protection in accordance with BS5837. Foundations of houses in this area should be designed and constructed to accommodate future root growth. Recommend that this tree is TPO'd for its protection.
33. **Landscape Design Officer** – commented on:
 - a) The frontages of the dwellings are very close but notes that the houses are designed to avoid direct overlooking.
 - b) To achieve some visual buffer between the rear boundaries and the houses of Hartley Close, suggests a small tree per garden. Fruit trees e.g. apples on dwarfing rootstocks to achieve a mature size of 3-4m could be suitable or a shrub with a tree-like habit such as Amelanchier Lamarkii or hazel.
 - c) The rear gardens do not need to be designed beyond at this stage. However, the details of the front garden planting and hard landscape are required and notes

that the earlier phase has an element of herbaceous planting which is very appropriate to give variety in the small spaces available.

- d) A landscaping condition requiring a detailed scheme showing the species, sizes and densities of the planting is required.
- e) The tree in the north west corner is protected with a TPO. Appropriate root protection should be agreed with the Trees and Landscape Officer.
- f) The site will need to be cleared at a time of year outside the bird breeding season, as it will be rich in wildlife.

34. **Environmental Operations Manager** – No comments received.

35. **Housing and Environmental Services** – No comments received.

Amended Plans Received 3rd December 2007

36. **Waterbeach Parish Council** – recommend approval subject to there being a condition that no further development is allowed in the roof space and that the development does not exceed the 120 extra houses which Anglian Water specified in the drainage statement for the Bannold development could be accommodated at the sewage treatment plant in Bannold Drove. It is noted that there is no landscaping and no water harvesting or other ecological features on the plan.

37. The comments are awaited of **Local Highways Authority, Trees and Landscape Officer, Building Control Officer and Environmental Operations Manager**. These will be reported verbally.

Representations

Original Submission dated 16 February 2007

38. 2 letters of support have been received stating that:

- a) The scheme addresses issues that have arisen in the past.
- b) The design is coherent with Saberton Close.
- c) Access from Saberton Close is the preferred design rather than Pieces Lane.
- d) It is not overbearing to dwellings in Hartley Close.
- e) No overlooking to No 11 Hartley Close will result.

39. Letters of objection have been received from occupiers in Nos. 2, 4 and 8 Saberton Close and No. 20 Pieces Lane summarised as follows:

- a) Saberton Close is quite dangerous due to poor visibility turning in and out of it
- b) Saberton Close is too narrow to accommodate the additional traffic.
- c) Construction traffic blocking the road in Pieces Lane.
- d) Poor access via roads in the area due to parked cars, restricted visibility and narrow road widths. These add to problems for construction, emergency and refuse vehicles accessing the area and increased likelihood of a traffic accident involving children playing or cycling in the road.
- e) Potential access via Hartley Close instead of Pieces Lane.
- f) Lack of drainage infrastructure to accommodate additional surface water runoff, increasing the likelihood of flooding.

- g) Loss of light to dwellings on Hartley Close and of afternoon and evening light to dwellings on Saberton Close.
- h) Overbearing and loss of privacy due to direct line of sight due to 10m front to front distances with existing dwellings on Saberton Close (properties should be re-sited westwards to prevent this).
- i) Intrusive design that is out of keeping in the landscape.
- j) Turning area in Saberton Close is currently not large enough for large vehicles and is restricted further by parking in the street, encouraging vehicle drivers to park or turn using No. 8 Saberton Close's parking space.
- k) Existing problems caused by the access not being wide enough for delivery vans etc. without having to ask for cars to be moved.
- l) Lack of designated bin collection area within the existing development means that wheelie bins are placed at the Saberton Close/Pieces Lane junction for collection presently, blocking the path and visibility splays.
- m) Query why a pedestrian access is included but was not for the first phase?
- n) There is a need for low level lighting to the footway for safety reasons.
- o) Shortage of car parking, which is considerably worse in evenings and at weekends.
- p) Only a two-lane road should be considered to serve 17 dwellings, lighting should be provided and the road adopted due to the increased cost of its maintenance if it is to serve an additional 9 dwellings.

Amended Plans Received 3rd December 2007

40. No additional representations have been received. These will be reported verbally.

Planning Comments – Key Issues

41. The key issues in determining this application are neighbouring amenity, access, car parking, and its status as a departure from the development plan.

Neighbouring amenity

42. The revised layout moves the dwellings proposed so that the shortest back-to-back distance is 15.4m, which is between the bungalows on Hartley Close and plots 1 and 2. These units are 8m high to the ridge and designed with high level (1.5m above floor level) rear facing bedroom windows to minimise overlooking and loss of privacy. Similarly, the front elevations face the rear of dwellings at Saberton Close and have been designed to only have obscure glazed or high level first floor windows (1.8m above floor level) with front to back to distances of 12m. This will provide minimal opportunities for overlooking and loss of privacy. Some late afternoon and evening sunlight is likely to be lost to the short rear gardens of existing dwellings at nos.1 and 3 Saberton Close, which are to the east of plots 1 - 3. The separation distance is considered to be sufficient to ensure that there is not a significant harm to the amenities of either existing or proposed units.
43. Front-to-front distances with houses already built on Saberton Close will be approximately 11m with dwelling heights also at 8m. This provides a reasonable relationship, common within the wider built environment.
44. Some permitted development rights are proposed to be removed in order to maintain reasonable levels of amenity for existing dwellings.

Access

45. The road layout is considered to be a considerable improvement upon that which has previously been proposed, in that it no longer creates two accesses, running directly adjacent to each other. The use of the existing access point is a logical approach, and one which Officers have supported throughout this site's history. The current application was submitted, having received informal support from the Local Highway Authority.
46. The road is to be widened within the site from approximately 4m to 5.5m, according to the amended layout plan, and pedestrian visibility splays are achieved to all access points within the scheme. This scheme will improve the current situation, as refuse vehicles will be able to enter the site, turn and exit in forward gear; enabling collections from all properties on Saberton Close and not via a collection point.
47. Lighting and drainage can be conditioned to ensure that satisfactory provision is made for these, however the agent notes that the drive is to be drained using sustainable soakaways; and that formal street lighting was not required on the original scheme at Saberton Close. Notwithstanding the agent's comments, subject to the Local Highway Authority's comments, I consider that it is both reasonable and necessary to require street lighting, given that the number of vehicles using the access will be higher than previous.
48. The road is to be managed by the applicant and will be included in covenants on the sale of individual properties, therefore no management company is required.
49. It is noted that the access point at Pieces Lane may not previously have been considered suitable for this additional number of units, however the guidance in Manual for Streets does not now exclude such development. In addition, this layout enables a sensible mechanism to bring forward land for development and to achieve a layout that makes best use of that land.

Car Parking

50. All dwellings will have two parking spaces and space to store cycles within garages. Each property will be provided with refuse storage. This is in accordance with the standards set out in the development plan.

Drainage

50. The Parish Council's comment regarding drainage infrastructure are noted. The Bannold Road development proposes 100 dwellings. This scheme will provide an additional 8 units, which is within the 120 specified by the Parish in its comments. The application proposes that foul drainage will be via connection to the public main. This is acceptable in practice and accords with the Development Plan.

Other Matters

51. This application is not a for major development, therefore policy NE/12 of the Development Plan does not apply, and water harvesting measures have not been sought as a consequence.
52. The site is not regarded as having a high biodiversity value currently and therefore no measures to achieve positive gain have been sought. Further guidance will be

sought from the Council's Ecology Officer prior to the meeting and the report updated if necessary.

Departure

53. This application is a departure to the development plan in that there is no provision of public open space or affordable housing, and the mix of housing is not in accordance with that set out in policy HG/2. These requirements have come about during the life of this application, prior to the adoption of the Development Control Policies DPD, and it is considered unreasonable to now seek them. The application is not of a sufficient scale or nature, or an allocation that would result in significant prejudice to the implementation of the Development Plan. As such it is not required to be referred to the Secretary of State for determination.

Recommendation

54. Approve, as amended by plans received on 3rd December 2007 and subject to receipt of signed and completed unilateral undertaking for education contribution.

Conditions

1. SCA (Time limit) – RCA.
2. SC5 a) materials (RC5ai); b) surface water drainage (RC5b) f) materials to be used for hard surfaced areas within the site including roads, driveways and car parking areas (RC5f) g) foundations (RC5g) Add non-standard requirement: road lighting. (Reason - In the interests of highway safety).
3. SC66 (Archaeology) – RC66.
4. Development shall not begin until a scheme for the provision and location of fire hydrants to serve it, to a standard recommended by the Cambridgeshire Fire and Rescue Service has been submitted to and approved in writing by the Local Planning Authority; the development shall be implemented in accordance with the approved scheme prior to the occupation of any one dwelling within the site. (Reason - To ensure the provision of adequate facilities for fire fighting).
5. SC51 (Landscaping scheme) – RC51.
6. SC52 (Implementation of landscaping) – RC52.
7. SC56 (Tree protection during development) – RC56.
8. SC26 Power operated machinery, worded: "During the period of construction..." (RC26).
9. Prior to the occupation of the dwellings hereby permitted the parking and turning spaces as detailed on the approved drawing number shall be constructed and made available for use and shall thereafter be retained at all times. (Reason – To ensure that turning and parking facilities are available in the interest of highway safety).
10. The garages of the dwellings hereby permitted shall not be used as, or converted to, additional living accommodation. (Reason - To ensure parking of vehicles is retained at all times in the interest of highway safety).

11. Pedestrian visibility splays shall be provided as indicated on drawing 002B and shall be maintained free from any obstruction over a height of 600mm. (Reason - In the interest of pedestrian safety).
12. SC21 (Removal of permitted development rights in regard to Plot 7):
PART 1, (Development within the curtilage of a dwellinghouse, Classes A, and E). (Reason - To protect the existing walnut tree).
13. SC21 (Removal of permitted development rights in regard to Plots 1, 2, 3, 4, 5 and 6).
PART 1, (Classes A, B, C & E.)
(Reason - To protect the amenities of occupiers of adjoining properties).
14. SC22 No further windows or openings at first floor level in Plots 1 to 6 inclusive (RC22).
15. SC23 Obscure glazing – (RC23) worded:

Plots 1 and 2: first floor bathroom window and escape hatch (west elevations)
Plot 3: first floor windows, including stair window (eastern elevation)
Plot 4: escape hatch north and west elevations)
Plot 5: escape hatch (north elevation)
Plot 6: escape hatch (south elevation)
Plot 7: first floor bathroom and stair window (south elevation), escape hatches (east and west elevations); and
Plot 8: escape hatches (east elevation)

Informatives

- 1 – 4 Standard highway informatives.
5. See attached Environment Agency Advice.
6. Piled foundations.
7. Bonfires.
8. Clearance of the site should take place outside of the bird nesting season.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework Core Strategy 2007 and Development Control Policies 2007
- Planning files Ref: S/2089/03/F, S/0462/05/F, S/0813/06/F and S/0276/07/F

Contact Officer: Melissa Reynolds - Area Planning Officer
Telephone: (01954) 713237

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	9 th January 2008
AUTHOR/S:	Executive Director / Corporate Manager - Planning and Sustainable Communities	

S/1678/05/F – WESTON COLVILLE
Erection of House and Garage and Carport for Existing Dwelling at
Land Adj. 33 Mill Hill for Dr & Mrs N Coleman

Recommendation: Approval
Date for Determination: 28th October 2005

Notes:

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

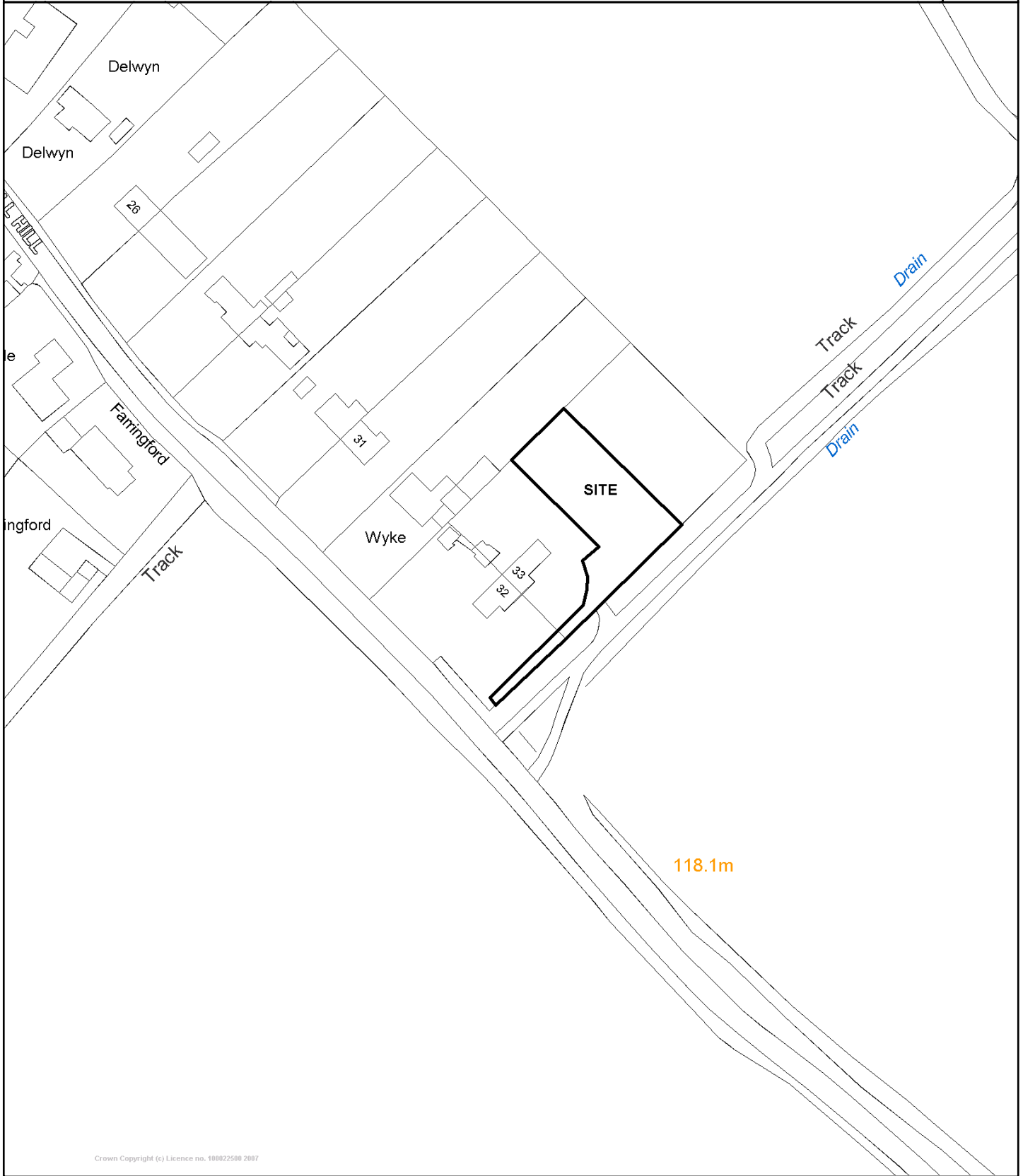
Site and Proposal

1. The application site is a 0.08 hectare plot of land that forms part of the garden to No.33 Mill Hill, a substantial detached two storey red brick dwelling that is located just inside the village framework and is bounded to the north-east and south-east by agricultural land. The proposed plot comprises the south-western half of the garden nearest to the dwelling. The remainder of the garden to the north-east of the site has consent for a dwelling, which is presently under construction.
2. The full application, submitted on 2nd September 2005, seeks to erect a house and garage on the site. The dwelling would be a 2^{1/2} storey (approximately 8.7 metre high) 5-bedroom property that would be oriented in a south-east/north-west direction. A detached double garage would be sited in front of the property and a single carport would also be constructed at the front of the existing dwelling. The density of the development equates to 12.5 dwellings per hectare.
3. The property would be a market dwelling, but the proposal involves the payment of a £77,000 commuted sum towards affordable housing, that would be secured by way of a Section 106 legal agreement. Initially, the application proposed the payment of a £35,000 sum. Following objections received from the Housing Development Manager, the proposed contribution was increased to approximately £61,500 (based on a formula used at another Authority and Housing Corporation Standards). The final sum of £77,000 was arrived at following an independent assessment/valuation carried out by Pocock and Shaw, in accordance with the Council's procedure guide on commuted sums. Further details of this process are set out in the 'Consultations' and 'Representations' sections of the report.

Planning History

4. **S/2109/02/O** and **S/1289/03/RM** – Outline and reserved matters consents granted for the erection of a 2^{1/2} storey 5-bedroom dwelling at the north-eastern end of No.33 Mill Hill's garden area.

S/1678/05/F Weston Colville



Crown Copyright (c) Licence no. 100022500 2007



Reproduced from the 2007 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 13/12/2007

Centre = 562098 E 252893 N

January Planning Committee

5. **S/0358/04/F** – An application to erect a 2¹/₂ storey dwelling (of identical design and siting and on the same plot as the current proposal) on a plot between the existing house and the above approved dwelling at the end of the garden was refused for the following reason:

“There is an extant consent for a single dwelling on a plot of land directly to the north-east of the proposed site which is under the same ownership as the present application site. If proposed together, an application for the approved dwelling together with that currently proposed would bring forward a requirement for 1 affordable dwelling, in accordance with Policy HG7 of the South Cambridgeshire Local Plan 2004. In villages with a population of fewer than 3000 people, this policy requires affordable housing to be provided at a rate of up to 50% of the total number of dwellings for which planning permission may be given where there is a clear need in the local area. Such a need exists in this instance. Submitting the current proposal as a separate application to that approved on the adjacent site obviates the possibility of providing affordable housing, and hence the opportunity to contribute to meeting the defined need in the local area. This dwelling has not been specifically proposed or designed to meet that need and the proposal therefore contravenes the aims of Policy HG7 of the above mentioned Local Plan.”

6. The application was subsequently dismissed at appeal with the Inspector concluding that the plot should be regarded as forming part of a larger site and hence linked to the earlier adjacent planning permission. As such, the proposal, in not providing affordable housing, was in conflict with Policy HG7 of the Local Plan. The Inspector did not raise any concerns in respect of the impact of the dwelling on the character of the area or upon the amenities of neighbours.

Planning Policy

7. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 stresses the need for a high standard of design and a sense of place that corresponds to the local character of the built environment.
8. Weston Colville is identified within **Policy ST/7** of the Local Development Framework Core Strategy 2007 as an Infill Village. In such locations, residential development is restricted to no more than two dwellings comprising (amongst other things) the redevelopment of an existing residential curtilage.
9. **Policy DP/2** of the 2007 Local Development Framework requires all new development to be of high quality design, whilst **Policy DP/3** states that permission will not be granted for proposals that would have an unacceptable adverse impact on (amongst other issues): residential amenity, from traffic generated, on village character, or from undue environmental disturbance.
10. **Policy HG/1** of the LDF requires residential developments to make the best use of land by achieving average net densities of at least 30 dwellings per hectare, unless there are exceptional local circumstances that require a different treatment.
11. LDF **Policy HG/2** requires the market element of developments of up to 10 dwellings to provide at least 40% of homes with 1 or 2 bedrooms.
12. **Policy HG/3** of the Development Control Policies Document of the Local Development Framework states that proposals need to include an agreed mix of affordable housing to meet local needs, with the amount of affordable housing sought

to be 40% or more of the dwellings for which planning permission may be given on all sites of two or more dwellings.

13. The supporting text to the above policy states that, in smaller developments, where individual units of affordable housing cannot reasonably be provided on the development site itself, it may be appropriate for a financial contribution towards off-site provision to be secured through Section 106 agreements. This approach will only be applicable to small sites where there may be difficulties over delivery or management, and financial contributions will be secured towards the provision of affordable housing on other sites. Where possible, affordable housing will be provided in locations as close to the site as possible but, as monies will be time limited, they may need to be spent elsewhere in the local area.
14. **The Council's Procedure Guide for Consideration of Commuted Sums in Lieu of On-Site Provision of Affordable Housing** states that, although procurement of land for affordable housing is the Council's main priority, there are certain schemes where the inclusion of affordable housing may not be appropriate, and where payment of a commuted sum may be an acceptable alternative. Any variation from the provision of affordable housing as part of a larger scheme should be regarded as a last resort and good reasons will need to be provided by the applicant to demonstrate why on-site provision is not appropriate. If it is accepted that the Council will forego on-site provision for whatever reason, the offer of provision of an alternative site within the same village should be considered next. A commuted sum should only be considered once the aforementioned options have been fully explored, but the acceptance of anything other than on-site provision is purely at the Council's discretion.

Consultation

15. **Weston Colville Parish Council** objected to the initial application, stating:
 - “ 1. There is a need for affordable housing in Weston Colville.
 2. You have ruled that under your policy this site should be used for an affordable house, this decision was upheld on appeal and we do not think the policy should now be changed. Since the site is quite small we believe a two or perhaps three bedroom property would be appropriate.
 3. We think it unlikely a payment of £35,000 will secure an alternative site. We are very surprised that negotiations seem to have taken place between your Mr Sugden and Taylor Vinters over the theoretical cost of a site in Weston Colville. If you have a site in mind why have we not been consulted?
 4. We strongly suggest that this application should not be considered unless and until a suitable alternative site for a low cost house in Weston Colville is identified and paid for. The onus for this should be on the applicant.
 5. In the absence of the above we strongly recommend refusal of this application.”
16. With regards to the increased financial contribution of approximately £61,500 put forward, the Parish Council continued to object stating:

“We object to the application unless and until a site for a low cost house is provided in Weston Colville.”

17. These concerns were reiterated in response to the final larger contribution of £77,000:

“The only situation in which this application would be supported would be if an affordable house could be built in Weston Colville.”

18. **The Housing Development Manager** objected to the initial proposal to provide a £35,000 contribution, stating that such a sum would not cover the cost of acquiring a single plot elsewhere. It was estimated at the time that a commuted sum in the region of £60,000 - £70,000, depending on the size of the unit, would be required. Subsequent offers of £61,467 and, following a valuation carried out on behalf of the Council, £77,000, were considered to be acceptable.

19. **The Environmental Health Officer** raises no objections in principle although does express concerns about potential noise disturbance to residents during the construction period. As such, it is recommended that a condition restricting hours of use of power operated machinery be applied to any planning consent.

20. **Pocock & Shaw** carried out an independent assessment in order to determine the commuted sum that would be required. This sought to establish the following with the commuted sum amounting to the difference between the two valuations:

1. The value of the land without an affordable housing contribution (ie – with permission for two detached houses as per the approved application reference S/1289/03/RM and the current proposal); and
2. The value of the land with an on-site affordable housing contribution (ie – with permission for one detached market house as per S/1289/03/RM and one affordable dwelling on the current site).

Pocock & Shaw advised that the creation of a 2nd plot would have a major impact on the value of the existing house (by some £40,000/£50,000) and result in a slight reduction in the value of the plot that already has planning consent (by some £5,000/£10,000). The creation of the plot reduces the applicants remaining assets by approximately £52,000. The plot of undeveloped land, if sold in the open market, would be worth around £145,000. Therefore the potential gain for the applicants as a result of obtaining planning permission for the 2nd plot would be about £93,000. If the plot were to be developed for social housing there would be a substantial net loss, with the plot having a value of around £16,000 for the appropriate affordable house (resulting in a loss of about £36,000). Making the plot available for an affordable dwelling would therefore prove unviable. The difference between the value of the land on the open market and its value for social housing (the required commuted sum) is £77,000.

Representations

21. A letter of objection has been received from the occupiers of ‘Wyke’, the adjoining dwelling to the south-west. The main points raised are:

1. The application is a duplicate of an earlier refused scheme (Reference S/0358/04/F);
2. The development would result in overlooking of and loss of sunlight to ‘Wyke’;
3. The proposal would change the character of this part of the village;
4. The safety of the access;

5. Proposed screening would undermine the foundations of the building behind Wyke's garage.

Representations by the applicants agent

22. In a covering letter submitted with the application, the applicants agent has stressed that the proposal does not involve the erection of an affordable dwelling on the site. If the Council would require any 2nd dwelling within No.33's garden to be an affordable dwelling, then the scheme would simply not come forward, as it would not prove financially viable to do so. In pre-application discussions, the Housing Manager advised that Registered Social Landlords are reluctant to accept large houses in small villages, as they are often not a viable proposition. Further, the Housing Needs Survey for the village shows a need for predominantly two-bedroom properties, which would not be a best and most efficient way to develop the site. As such, a financial contribution is proposed in lieu of providing affordable housing on the site, the final agreed amount being £77,000, based on Pocock & Shaw's valuation.
23. To comply with the Council's procedure guide relating to the consideration of commuted sums in lieu of on-site provision, the applicants were asked to identify whether there are any alternative sites within the village upon which an affordable dwelling could be provided. The applicants agent advised that it is most unlikely that an alternative plot for an affordable housing unit could be found within the village framework as landowners would not release their land for this purpose due to the increased land value that would be achieved if the same plot were developed as a private market dwelling. Also, land on the edge of villages but outside the village framework are equally difficult to bring forward mainly due to landowner expectations that the village framework will be expanded at a later date to include their land.

Planning Comments – Key Issues

24. The design and siting of the proposed dwelling is identical to that shown within the scheme refused under application reference S/0358/04/F. This Council considered the impact of the dwelling upon the character of the area, upon the amenities of neighbours and in highway safety terms to be acceptable and the application was refused, and subsequently dismissed at appeal, solely on affordable housing grounds. This therefore remains the sole issue to be considered in the determination of the current application.
25. In accordance with the terms of Policy HG/3 of the Local Development Framework (this supersedes 2004 Policy H7), which requires affordable housing to be provided at a minimum rate of 40%, and in light of the previous refusal and appeal decision, any property built on this site should be an affordable dwelling. However, the applicants agent has stressed that the scheme before the Council is for a 2nd dwelling proposed as part of the redevelopment of the former garden to 33 Mill Hill, and not part of a comprehensive redevelopment scheme. If the Council's position is that any 2nd dwelling must be an affordable unit, then the scheme will not come forward (there would be no financial incentive whatsoever for the applicants to do this in light of Pocock and Shaw's conclusions that the applicant would actually suffer a net loss) and the applicant will just proceed to build the single market dwelling he has consent for. This would result in one less general purpose dwelling to the district's housing stock as well as the loss of the financial contribution of £77,000 towards affordable housing that the applicants are offering to pay if they obtain consent to erect a 2nd market dwelling within their garden. It is argued that there is no public benefit from the Council's approach.

26. The valuation report carried out by Pocock & Shaw supports the applicants view that erecting an affordable dwelling on this plot would not prove financially viable and, as has been made clear, it simply will not happen. If the erection of an affordable dwelling is proven to be unviable, the Council's procedure for consideration of commuted sums states that provision of an alternative site within the village should be considered. I agree with the points made by the applicants agent, as set out in paragraph 23 above, that if there was suitable land elsewhere within the village, it would be developed for private market housing.
27. The Parish Council is objecting very strongly to the payment of a commuted sum in lieu of on-site provision, as the monies are time limited and there is no guarantee that it would be directed towards providing affordable housing in Weston Colville. So, if within the time period (normally 5 years), a site failed to come forward, the money could be directed towards development in any other village.
28. I have been made aware that there is a Council owned garage site at the north-eastern end of Horseshoes Lane in Weston Green. This has recently been identified by the Council's Housing Department as a potential development plot and, having visited the site, I concur that it seems to have the potential to accommodate one or two dwellings. A consultant is presently investigating options for this site, as well as other sites within the District, on behalf of the Council. I had hoped to defer consideration of this application until I was in a position to provide Members with further information about the alternative site. However, the Housing Development Manager has advised that there is a reasonable expectation that this alternative site will come forward within the foreseeable future and that any commuted sum paid in respect of the current application could be directed towards the provision of an affordable dwelling there. The applicants are keen for the application to be determined and, in view of the reasonable expectation that the Horseshoes Lane site will come forward within the next 5 years, it would be unreasonable for further delays to be incurred in the consideration of the application.
29. This is a small site and in such instances Policy HG/3 acknowledges that payment of a commuted sum may be appropriate, and the procedure for consideration of commuted sums has been followed by the applicants. In light of the fact that the proposed dwelling is acceptable in all other respects, there seems to be little public benefit in rejecting the proposal and I therefore recommend that the application be approved as it stands subject to the provision of a £77,000 financial contribution towards the provision of affordable housing.
30. At a density of 12.5 dwellings per hectare, the application would fail to comply with the requirements of Policy HG/1. It is considered, however, that meeting the minimum density standard of 30 dwellings per hectare would not be appropriate in this instance as it would result in a form of development that would be out of keeping with the character of the area.

Recommendation

31. Subject to the prior signing of a Section 106 Agreement to secure the provision of a financial contribution of £77,000 towards affordable housing, approval:
1. ScA – Time limited permission (RcA);
 2. Sc5a – Details of materials for external walls and roofs (Rc5a(ii));
 3. Sc51 – Landscaping (Rc51);

4. Sc52 – Implementation of landscaping (Rc52);
5. Sc60 – Details of boundary treatment (Rc60);
6. During the period of construction no power operated machinery shall be operated on the premises before 08.00 hours on weekdays and 08.00 hours on Saturdays nor after 18.00 hours on weekdays and 13.00 hours on Saturdays (nor at any time on Sundays or Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions (Rc26)

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003:**
P1/3 (Sustainable design in built development);
 - **Local Development Framework 2007:**
ST/7 (Infill Villages)
DP/2 (Design of New Development)
DP/3 (Development Criteria) and
HG/3 (Affordable Housing)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Overlooking
 - Loss of sunlight
 - Impact on character of area
 - Highway safety

General

1. Should driven pile foundations be proposed, then before works commence, a statement of the method for construction of these foundations shall be submitted and agreed by the District Environmental Health Officer so that noise and vibration can be controlled.
2. During construction there shall be no bonfires or burning of waste on site except with the prior permission of the Environmental Health Officer in accordance with best practice and existing waste management legislation.

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

- Cambridgeshire and Peterborough Structure Plan 2003
- Local Development Framework 2007
- Planning application refs: S/1678/05/F, S/0358/04/F, S/1289/03/RM and S/2109/02/O

Contact Officer: Lorraine Casey – Senior Planning Assistant
Telephone: (01954) 713251

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee9th January 2008**AUTHOR/S:** Executive Director / Corporate Manager - Planning and Sustainable Communities

S/2102/07/F - COMBERTON**Extension and Garage to Existing Dwelling and Erection of Bungalow to Rear at 64 Barton Road****Recommendation: Approval****Date for Determination: 30th January 2008**

This Application has been reported to the Planning Committee for determination because the Parish Council objection does not accord with the Officer recommendation.

Conservation Area**Site and Proposal**

1. This approximately 1600m² site lies within the village framework of Comberton and within the Conservation Area. Its southern portion lies within the Protected Village Amenity Area (PVAA) which also lies to the south and west. A public footpath runs along the eastern boundary. Mature trees lie to the south and west. Those to the south are protected with Tree Preservation Orders. An existing dwelling on the front portion of the site sits in an elevated position in relation to the road. An existing garage building lies to its east adjacent to the footpath.
2. The full planning application, received 2nd November 2007 proposes rear extensions and alterations to the existing dwelling, the demolition of the existing garage and its replacement with a new single garage and the erection of a new single storey dwelling to the rear. The new dwelling would lie immediately north of the PVAA with its garden within it. The height to the eaves is approximately 2.4m and the ridge approximately 4.7m.

Planning History

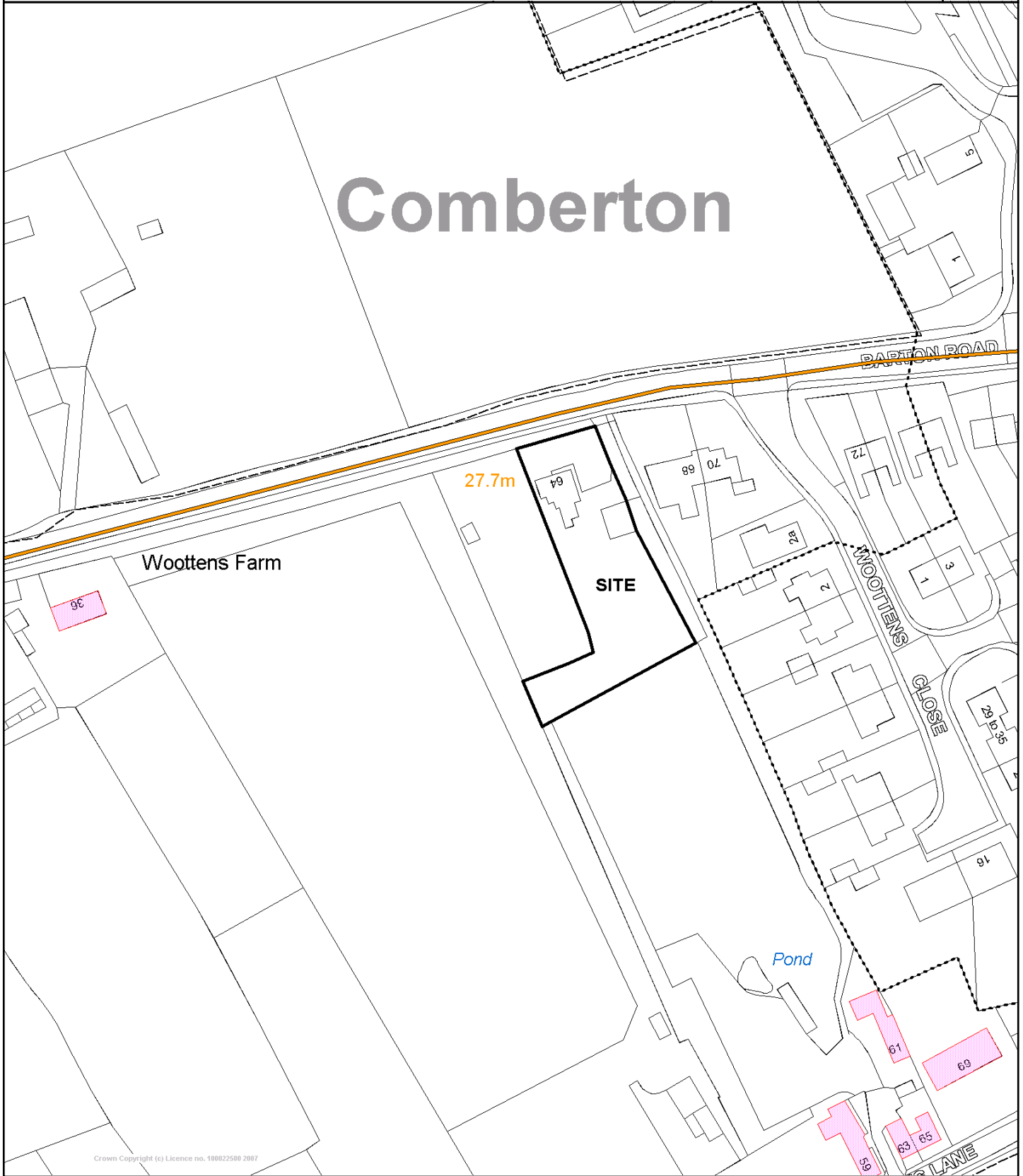
3. **S/2259/06/F** – Extension and replacement garage for existing dwelling and erection of new dwelling on land to the rear. This application was refused on 9th March 2007 following the 7th March 2007 Planning Committee resolution to refuse planning permission. The applicant has appealed the decision and the outcome is awaited. The reason for refusal was:

“The introduction of a dwelling to the rear of the existing dwelling would result in the loss of a green and open area that positively contributes to the character and appearance of the Comberton Conservation Area. As such the dwelling would neither preserve nor enhance the character and appearance of this Conservation Area and would be contrary to Policy EN30 of the South Cambridgeshire Local Plan 2004 and Policy P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003. Any

s-2102-07-f



Comberton



Crown Copyright (c) Licence no. 100022500 2007



Reproduced from the 2007 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 13/12/2007

Centre = 538420 E 256279 N

January 2008 Planning Committee

enhancement of the site through the proposed works to the existing dwelling and the replacement garage building do not outweigh this identified harm”.

4. **S/1295/06/F** – Erection of two dwellings following demolition of existing house and garage. This application was withdrawn largely due to concerns that the replacement dwelling to the front was not of sufficient architectural quality and the test of preserve or enhance the Conservation Area within Policy EN30 of the, then, South Cambridgeshire Local Plan 2004 was not satisfied.
5. **S/1432/06/CAC** – Application to demolish the existing dwelling was withdrawn.
6. **S/1031/83/F** – Planning permission was approved in July 1983 for a garage.

Planning Policy

7. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 (‘ the County Structure Plan’) requires a high standard of design and sustainability for all new development which provides a sense of place which responds to the local character of the built environment.
8. **Policy ST/6** of the 2007 adopted South Cambridgeshire Local Development Framework Core Strategy lists Comberton as a Group Village.
9. **Policy DP/2** of the South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 (LDFDCP) addresses the design of new development. It states, in part, that all new development must be of high quality design and should preserve or enhance the character of the local area and be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area.
10. **Policy DP/3** of the LDFDCP addresses development criteria. It states, in part, that planning permission will not be granted where the proposed development would have an unacceptable adverse impact on residential amenity or village character.
11. **Policy SF/10** of the LDFDCP addresses the provision of outdoor playspace, informal open space and new developments. It states that all new residential developments will be required to contribute towards such provision.
12. **Policy CH/5** of the LDFDCP addresses development in Conservation Areas.
13. **Policy CH/6** of the LDFDCP addresses Protected Village Amenity Areas. It states that development will not be permitted within or adjacent to Protected Village Amenity Areas if it would have an adverse impact on the character, amenity, tranquillity or function of the village.

Consultation

14. **Comberton Parish Council** – recommends refusal. It states:
“The proposed second dwelling (to rear) has not responded to our major objections identified in previous applications. We are fundamentally opposed to the second dwelling as it is in a Conservation Area and is adjacent to a Protected Village Amenity Area. Hence this proposed development is contrary to Policy EN30 of SCDC Local Plan and Policy P7/6 of the Cambridgeshire Structure Plan and Policy CH6 (Protected Village Amenity Areas) since:

- a) This proposal would result in a loss of green and open area and does not “preserve or enhance the special character and appearance” of Comberton’s Conservation area.
- b) The development would have an adverse impact on the character, amenity, tranquillity and function of the adjacent village amenity area.
- c) The proposed development with the hedges, fencing and residential buildings would preclude the enjoyment of the existing open space.
- d) The minor reduction in ridge height compared to the previous application still does not allow an open view by any pedestrian.

The following additional objections also remain:

The public footpath should be ‘at least’ 2m wide – by ancient custom; the gate to the footpath is inadequate; there is no fence between the public footpath and the second driveway so that pedestrians on the footpath would necessarily be obstructed by wing mirrors and by any car doors opened on that side”.

15. **Local Highway Authority**

“The proposed 2m x 2m pedestrian visibility splays should be shown for each crossing point and not conflated as shown.

The minimum width of the proposed access to the gates should be 5m to allow two domestic cars to pass or wait off the adopted public highway while the gates are being operated.

Please request the applicant to show the dimensions of the proposed turning area to the new dwelling, this should as a minimum be 11m in length (including any parking area), 3m wide with a radii of 6m.

The Highway Authority would prefer to see the two accessways conjoined this will remove the thin sliver of grass verge, this will make manoeuvring in and out of the accesses easier and remove a potential maintenance issue”.

16. **Conservation Manager**

“Observations:

The current application follows the refusal of a previous application for a broadly similar proposal. There was officer support for that proposal but it was opposed by Parish Council and rejected by committee. There are a number of components to this application and I shall comment on them separately:

Works to Existing House

The existing house dates from Edwardian times but has been unsympathetically altered over the years, with inappropriate replacement windows and concrete roof tiles in place of the original slate roof. The proposals for the house extend it into a 'double-pile' house and restore the original fenestration pattern on the front elevation and slate to the roof. The 'double pile' plan form is a traditional way of extending shallow depth dwellings and the changes to the house will be an enhancement to the conservation area.

New Garage for Existing House, Boundary Treatment and Drive

The existing garage is an unsightly pre-fabricated concrete structure and the proposed replacement is much more sympathetic addition to the Conservation Area. The new boundary between the existing house and the new dwelling to the rear is to be in hedging (a brick wall was proposed on the previous application). This will again be more sympathetic to the semi-rural nature of this part of Comberton. The driveway is to be in bound gravel which again is an appropriate material (and in this instance it will be necessary to use bound gravel due to the gradient of the drive).

New Dwelling to Rear

The massing of new dwelling to the rear has been significantly reduced from the previous proposal and now comprises a single storey dwelling with reduced roof height and no accommodation contained within the roof. The impact of this dwelling is therefore also reduced when compared to that on the previous proposal. The pattern of development in this part of Comberton has been noticeably changed in the latter half of the 20th Century and there is now significant development in depth away from the Barton Road immediately to the east of the site, and therefore a modest, subservient dwelling discretely sited to the rear of the dwelling will not cause further harm. Due to the ground contours the new bungalow would be largely hidden in views from Barton Road, but would be visible from the public footpath running along the east side of the site.

Recommendation:

Taken as a package, it is my opinion that these proposals would not result in harm to the Comberton Conservation Area and, indeed, the works to the existing dwelling and the removal of the existing garage would be a positive enhancement. I therefore raise no objection to this application. In the event of planning permission being granted I would wish to see a condition requiring the existing garage to be removed and the works to the existing dwelling completed before occupation of the new dwelling. I would also wish to see conditions requiring agreement of all materials, for all external windows and doors to be painted timber and for Permitted Development Rights to the new dwelling to be removed”.

Planning Comments – Key Issues

17. The key issues to consider in the determination of this application are:
 - Impact upon the character and appearance of the Conservation Area,
 - Impact upon the Protected Village Amenity Area and countryside,
 - Impact upon residential amenity,
 - Impact upon the footpath,
 - Impact upon highway safety.

18. Members may recall visiting the site on 5th March 2007 and resolving to refuse the earlier application at the March 2007 Planning Committee meeting. The reasons for the refusal are reproduced above. This application introduces changes to lessen the impact of the proposal.

Changes since the previous refusal

19. This revised proposal leaves the design of the extensions to the existing dwelling unchanged. The new garage has reverted to a single garage to replace the existing poorly designed double garage building. (The previous application initially proposed a single garage replacement but was later amended to a double garage replacement).

20. The main changes, however, are to the dwelling to the rear. The footprint is similar but the overall height has been reduced from 6.8m to 4.7m resulting in a change from a 4 bedroom chalet dwelling to a small scale 3 bedroom bungalow.
21. Additionally the proposed accesses have been split with a small green area to help reduce the level of hardstanding to the site frontage. Bound gravel is proposed for the surfaces in preference to block paving as previously proposed.

Impact upon the character and appearance of the Conservation Area

22. In my previous report I stated:

“I note the comments of the Conservation Manager and that the proposal has been submitted following negotiations with officers. I accept some of the local criticism with regard to the erection of a dwelling to the rear and I agree that this element of the proposal neither preserves or enhances the Conservation Area. However, the proposal should be viewed as a whole. The benefit of the removal of a poor garage building and the improvement works to a very prominently sited existing dwelling amount to an overall development that will enhance the character and appearance of the Comberton Conservation Area.

The dwelling at the front will be far more visible in the street scene than the new one to the rear and its considerable improvements of design and materials together with an appropriately designed garage building to replace a building that is rather ugly will result in an overall enhancement of the site though I accept that the various elements of the proposal need to be weighed in coming to this view.

If Members are minded to approve the application I consider a condition requiring the works to the existing dwelling and replacement garage to be completed prior to the occupation of the new dwelling to ensure that the benefits of the proposal are delivered.

Although, as stated above, I consider that the new dwelling, on its own, would not ‘preserve or enhance’ I nevertheless do not consider it is otherwise inappropriate. The site lies within the village framework, there is no strong linear character and development in depth exists on the other side of the footpath. A modest dwelling here would not be out of character with the existing settlement pattern.

I am concerned that the block paving material for the driveway may not be wholly appropriate and I await the comments of the Conservation Manager in this regard. The detail of the material used can be controlled through a condition should Members be minded to grant planning permission.

The garage is of simple form and design and will not appear incongruous. It will not therefore harm the Conservation Area or street scene”.

23. My views have not changed. The matter is one of balancing the enhancement to the front of the site with the loss of the green space to the rear. The scheme as revised and in particular the reduction in scale of the dwelling to the rear further tips this balance towards the scheme representing an overall enhancement to the character and appearance of the Conservation Area in my view.
24. I note the proposed use of bound gravel to the access and the introduction of a green separation between the accesses. Both are improvements over the previous scheme.

Protected Village Amenity Area

25. I do not consider the proposal will harm this designation. No part of the dwelling will lie within the PVAA (apart from a small paved area) and for the reasons given above in relation to the setting of the Conservation Area I do not consider the proposal will visually harm the setting of the PVAA. In relation to its character, amenity, tranquillity and function for the village this is an important and extensive largely undeveloped green space within the village. It does include buildings, dwellings and their curtilages but it also provides an open and informal space within an otherwise built up village centre. The proposed bungalow is low at only 4.7m in height and does not lie within this area. It lies at a lower ground level to that of the existing dwelling (finished floor level 19.25m and 20.0m respectively) and there are a number of mature trees within the PVAA that are between this site and the more open area of the PVAA. I do not therefore consider the character, amenity, tranquillity or function will be adversely compromised.

Residential amenity

Front dwelling extensions

26. There are no windows proposed in the eastern elevation at first floor level that would have the potential to overlook the side and garden of the adjacent property, No. 68. A condition to ensure that no windows are added could be imposed if Members are minded to grant planning permission.

Rear dwelling

27. The site abuts the gardens to No. 68 Barton Road and No 2 Woottens Close. The dwelling is single storey and set on lower lying ground. I do not consider there will be any loss of privacy to existing dwellings and its rear garden will not be overlooked. Some planting will be necessary to restrict views from the adjacent footpath.
28. I do not consider there are any material overbearing or overshadowing issues in relation to either dwelling.

Footpath

29. I have not received the comments of the County Council Definitive Maps Officer. However I note that no objections were raised to the earlier scheme. The public footpath will not be directly adversely affected and views from it will not be harmed for the reasons given above.

Highway Safety

30. Each property will be served off its own access and parking and turning can be achieved for both properties. Appropriate pedestrian visibility splays can also be achieved. Subject to conditions to ensure these controls are in place I do not consider the proposal will result in any danger to highway safety.
31. I note the comments of the Local Highways Authority with regard to the green space between the accesses. This can be omitted within the highway but retained within the site. I have suggested this to the LHA and it has agreed that this would be acceptable.

The previous refusal

32. The reason for refusal is reproduced above. For the reasons given above I consider this proposal to be an improvement over the original scheme but it does not overcome these reasons of refusal. In particular, the green and open area that was identified as positively contributing to the character and appearance of the Comberton Conservation Area would still be lost by the introduction of a dwelling, albeit a smaller dwelling. The enhancement through the proposed works to the existing dwelling and the replacement garage building have not changed (other than the proposed garage has reverted to a single garage) so they cannot be regarded as now outweighing the harm of the loss of the green and open area.
33. Members may consider that since the reason for refusal has not been addressed that the scheme should be refused. However, the officer recommendation for the earlier scheme was 'approval' after having undertaken the difficult task of balancing the identified enhancements to the Conservation Area against the impact of the dwelling to the rear. This subjective exercise led officers to conclude that overall the scheme resulted in a net enhancement. Members clearly felt that the balance tipped the other way.
34. The submitted scheme, in my opinion, tips this balance further in favour of granting approval and will further enhance the Conservation Area. The reduction from a 1½ storey chalet dwelling to a single storey bungalow will make the dwelling to the rear even less visible from the street scene and when viewed from the adjacent footpath its impact will be similarly reduced.
35. Although the scheme does not overcome the reason for refusal I remain of the opinion that the proposal overall represents an enhancement to the character and appearance of the Conservation Area and I invite Members to balance the positive and negative elements of this revised proposal in coming to a decision.

Open space requirements

36. Approximately 40m² informal open space is provided on site at the end of the access to the rear dwelling.
37. Since the refusal of the earlier application the Council has adopted a revised open space policy, SF/10, that now requires *all* residential developments to contribute to open space requirements. In this case a payment will be required for off site provision of formal outdoor sport space and children's play space. The payment, including maintenance sums will be in the order of £4,853 to be paid to the Parish Council. This can be secured through a condition to require a scheme for the provision of open space.

Recommendation

38. Approval subject to conditions to require submission of details of materials for walls, roofs, windows, doors and hard surfaced areas, landscaping and its implementation, boundary treatment, removal of permitted development rights for rear dwelling, no further windows in the first floor east elevation of front property, no occupation of the rear dwelling until the works to the front dwelling and the demolition of its existing garage building have been completed, parking, turning, access width and visibility, replacement of green space between accesses within the Highway with hard surface to be agreed and a scheme for the provision of open space.

Informatives

Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policies:
 - **Cambridgeshire and Peterborough Structure Plan 2003: P1/3** (Sustainable design in built development)
 - **South Cambridgeshire Local Development Framework (LDF) Core Strategy, adopted January 2007 ST/6** (List of Group Villages)
 - **South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007 DP/2** (Design of New Development)
DP/3 (Development Criteria)
SF/10 (Outdoor Playspace, Informal Open Space and New Developments)
CH/5 (Conservation Areas)
CH/6 (Protected Village Amenity Areas)

2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
 - Character and Appearance of the Streetscene
 - Character and Appearance of the Comberton Conservation Area
 - Protected Village Amenity Area
 - Impact on the public footpath
 - Highway Safety

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies Development Plan Document 2007
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning File Ref: S/2102/07/F and S/2259/06/F

Contact Officer: Nigel Blazeby – Area Planning Officer
Telephone: (01954) 713165

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee9th January 2008**AUTHOR/S:** Chief Executive / Principal Solicitor

FORMER LAND SETTLEMENT ASSOCIATION AGREEMENT AT FEN DRAYTON**Purpose**

1. The purpose of this Report is to ask Members to terminate an Agreement entered into on the 30th March 1937 between the Land Settlement Association Limited and the Chesterton Rural District Council (our predecessor authority).

Executive Summary

2. For the reasons as summarised in the background information it is felt that this Agreement is no longer of any use in planning terms, and therefore needs to be terminated.

Background

3. On the 30th March 1937, an Agreement was entered into between the Land Settlement Association Limited and the Chesterton Rural District Council. This Agreement was for "the reservation of open spaces in the Parish of Fen Drayton". The Agreement was entered into under Section 34 of the Planning Act 1932, and this would now be an Agreement under Section 106 of the Town and Country Planning Act 1990 which is, of course, a Planning Obligation.
4. The effect of the 1937 Agreement was that all properties within an area of 235 acres at Fen Drayton were subject to agricultural occupancy conditions which meant that on that particular Estate, only agricultural/horticultural use was allowed. Over the years, a few parcels of land had been exempted from the Agreement, such as the County School, some council housing, and some properties close to Fen Drayton High Street, which form part of the built framework of the village. However, most of the properties remain part of the Agreement and, as such, have the agricultural occupancy condition still applied to them.
5. In the seventy years that have elapsed since the Agreement was signed, as one would expect, the law relating to Town and Country Planning has changed considerably. There was a consolidating Act of Parliament in 1947, and the present major legislation is Town and Country Planning Act 1990. The effect of this legislations means that South Cambridgeshire District Council, like all other Planning Authorities in the country, have devised and adopted Planning Policies, and the present position with regard to the adoption of Planning Policies is that the land is subject to the South Cambridgeshire Local Plan Policy 2004, Policy Fen Drayton 1 and also the District Council Development Control Policies adopted in July 2007.
6. Paragraph 28.20 of the 2004 Local Plan states "It is the District Council's view that the Agreement now be replaced by the above statutory Local Plan Policy (Fen Drayton 1) which confirms that the former estate is to be subject to the countryside policies of the Development Plan".
7. This means that the terms of the original 1937 Agreement have been superseded by legislation and the existing Planning Policies in the District, such that the regulation of

the Fen Drayton land being subject to the 1937 Agreement can now be controlled by the Countryside Policies of the Development Plan.

Considerations

- 8. In light of the executive summary and background information Members are asked to consider whether this Agreement entered into over 70 years ago has any value now, given that it has been superseded by the adoption of planning policies.

Options

- 9. Members are asked to pass a resolution to terminate this Agreement.

Implications

- 10. There are no specific implications since bringing the Agreement to an end will still mean that the land in question is protected by the existing planning policies.

Consultations

- 11. This matter was considered by the Planning Committee on the 3rd October 2007 when it was decided to defer the item and to consult Fen Drayton Parish Council. Letters of consultation sent on the 11th October, 26th November and the 11th December 2007 have not brought forth a response. Any communication received in the meantime will be verbally reported to Committee.

The Effect on Annual Priorities and Corporate Objectives

12.	Affordable Homes	}	There are no specific affects on these
	Customer Services		
	Northstowe and other growth areas		
	Quality, Accessible Services		
	Village Life		The termination of the Agreement will enable the land in question to be protected by existing planning policies.
	Sustainability	}	There are no specific implications
	Partnership		

Conclusions/Summary

- 13. When this Agreement was entered into 70 years ago it did have the benefit of protecting the properties concerned and ensuring that they would be subject to agricultural occupancy conditions. Since then such protection as is needed is now covered by existing planning policies such that this Agreement is no longer of any real benefit.

Recommendation

- 14. It is **RECOMMENDED** that the Agreement now be brought to an end.

Background Papers: All of the following background papers are contained on a file in the Legal Office reference PLAADV.1865 and these have been used in the preparation of this report.

These documents are available for public inspection.

Contact Officer: Catriona Dunnett, Principal Solicitor
Telephone: (01954) 713308

This page is left blank intentionally.

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Planning Committee	9 th January 2008
AUTHOR/S:	Corporate Manager – Planning and Sustainable Communities	

**APPEALS AGAINST PLANNING DECISIONS AND ENFORCEMENT ACTION:
SUMMARIES OF DECISIONS OF INTEREST – FOR INFORMATION**

Purpose

1. To highlight recent Appeal decisions of interest forming part of the more extensive Appeals report, now only available on the Council's website and in the Weekly Bulletin.

Summaries

Mr & Mrs N Fitzgibbon – Erection of Dwelling – 20 Park Lane, Fen Drayton – Appeal allowed.

2. The main issue in this appeal was the effect of the proposal on the character and appearance of the surrounding area and on the living conditions of surrounding residents.
3. The appeal site is a triangular-shaped area of side garden in an area characterised by detached houses, many of which are 1½ storeys in height with low eaves. The area has a low-density feel with dwellings set in relatively spacious plots. The proposal involved the demolition of an existing conservatory and sub-dividing the plot to allow a new 1½ storey, low-eaved dwelling to be erected some 2.8m away from the main elevation of no. 20.
4. The inspector noted that the appearance of this part of Park Lane had recently been changed by the erection of a 1.8m high close-boarded fence along the site boundary. This was erected under permitted development rights. In his view, the new dwelling would sit comfortably within its plot maintaining the open feel of the area. While the space between the dwelling and no. 20 would be less than that which exists between most of the dwellings in the locality, this would not be particularly noticeable in views along Park Lane. The inspector was not persuaded this would be unacceptably harmful to the street scene. It would not appear cramped in its plot nor leave no. 20 with too small a garden area. The site lies some distance from the village conservation area and would have no impact on it.
5. While not part of the Council's case, neighbours had raised concerns relating to physical impact, overlooking and overshadowing. While the proposal would cause some impact in each case, the inspector was satisfied that this would not be unacceptable. Further concerns regarding the amount of car parking provision or traffic safety were also not considered to be significant.
6. Planning permission was therefore granted subject to conditions regarding materials, landscaping, removal of permitted development rights, a restriction on further openings and the use of obscure glazing in key elevations, and a restriction on construction times.

Mr R Dias – Non-compliance with conditions to allow premises to be used as a takeaway – 44 Station Road, Histon – Appeal dismissed. Appellant’s application for costs dismissed.

7. This appeal followed previous applications and appeals to allow takeaway use from premises formally known as ‘Romanos’ and now trading as ‘Ayesha Tandoori’. The premises have permission to trade as a takeaway between the hours of 11 a.m. and 2.30 p.m. following a successful appeal in 2005. An appeal to allow all-day opening as a takeaway was previously refused in the same year. This latest appeal sought to remove a condition to allow the premises to trade as a takeaway up until 11.30 p.m.
8. The appeal was considered by way of a hearing. The Parish Council was represented and opposed the appeal.
9. The main issue was the impact of living conditions of nearby occupiers. The appellant was adamant that ancillary takeaway sales have already operated for several years without complaint and that the appeal merely sought to regularise this. In response, the Council argued that any permission granted for takeaway sales could result in the use becoming the dominant use and this was unacceptable.
10. The appellant confirmed that a Premises Licence has recently been granted which allows the sale of alcohol for consumption on the premises until 1.00 a.m. or 1.30 a.m. depending on the day of the week. He argued that this could not have been issued had there been any substantial evidence of difficulties arising from the present operation. Nonetheless, the appellant was unable to show that takeaway sales have been a substantial part of the business on the site. In view of the objections to the planning application, the inspector was satisfied that the existing ancillary level of takeaway use has not been without some controversy.
11. It was argued that on-street parking around the site is in high demand, so that customers would not be likely to park outside dwellings with the consequent potential for noise and disturbance. While the appellant had produced a parking survey to demonstrate this, the inspector’s own evening visit showed there were several places available. The inspector also shared the Council’s view that it is difficult to manoeuvre a vehicle when all of the on-site parking spaces were occupied. He judged that a significant proportion of drivers arriving to collect a takeaway meal would be tempted to park outside houses in Station Road and Saffron Road.
12. The inspector reasoned that removing the disputed condition would still only allow takeaway sales as an ancillary operation. While I am not convinced this is correct, he nonetheless still considered that even on this limited basis, the use would have a significant potential for noise and disturbance to adversely affect residents in the evening. This impact would be different than what might be perceived during the day. This was in accordance with findings of the previous appeal inspector when permission for all-day opening was refused in 2005.
13. The possibility of a temporary planning permission was considered but discounted. The potential for noise and disturbance from a takeaway use is predictable so as not to warrant an experimental period. In any event the nature of the operation might change over time. Similarly, a personal permission was also contrary to advice in Circular 11/95 – The Use of Conditions in Planning Permissions. The appeal was therefore dismissed.

14. The appellant applied for an award of costs because of what he considered was unreasonable behaviour by the Council. He reasoned that the Council had failed to produce any factual evidence about the effects of the takeaway use on the area. The use had been operating for 12 or 13 years and the Council had never taken action in that time. The successful licensing application shows there are no concerns about operation of the business late at night.
15. In dismissing the application, the inspector appreciated the appellant's frustration at the Council's resistance to what the appellant perceived as a modest change to the operation of his business. Nonetheless, it was open to the Council to form a judgement about the likely effects of the proposal and it is unnecessary for it to obtain evidence of those effects before making a decision. The nature of a takeaway business is well enough known for a local planning authority to decide on its likely impact. It does not follow that a lack of complaints in the past means there will be no harm in the future. Only limited weight should be given to the licensing application as this is governed by separate legislation and would have been judged against separate criteria.
16. The Council had therefore not acted unreasonably and an award of costs was not justified.

Mr S Gardner and Ms A Goodman - Retrospective consent to retain entrance gates and alterations to gate pier to form post box and control panel for gates – Haslingfield Manor, Haslingfield - Planning and Listed Building appeals allowed

17. The manor house is listed grade II*. The brick piers are listed grade II. Since the appeals were lodged, the Council had granted planning and listed building consent authorising the retention of the gates, which have been inserted between the brick piers.
18. Bearing this in mind, the inspector determined the appeals on the basis that permission was now being sought only for the post box and covered key pad which were to be inserted in the eastern gate pier. The main issue, therefore, was whether the alterations would preserve the special character of the listed gate piers.
19. In allowing the appeals, the inspector noted there would be no loss of fabric important to the special interest of the pier. In doing so, he took into account that the pier has been either largely or wholly reconstructed in the recent past. The introduction of two comparatively small features, finished to match the nearby entrance gates was acceptable and would preserve the special interest of the piers. It followed that the contribution the piers make to the character and appearance of the conservation area would also be preserved.
20. The inspector noted third party representations, which were concerned almost exclusively with a dispute concerning access to land through part of the appeal site. These were matters of private legal rights and were not before the inspector to consider.

T Willers – Removal of condition requiring screening to be attached to eastern side of tiger walkway – Shepreth Wildlife Park, Station Road, Shepreth – Appeal allowed

21. The Condition was imposed by the Planning Committee to address concerns regarding overlooking of the first floor windows of nos. 1, 2 and 3 Edieham Cottages, Angel Lane, opposite the walkway. The walkway is 5.7 m above ground level and passes over and between two animal compounds.
22. From what he saw on his site visit, the inspector found that visitors using the walkway would be unlikely to turn their attention away from the “interesting” animals in the two compounds. An existing hedge between the animal park and the road had been allowed to grow and that it “completely obscures the gardens and ground floor windows all almost all of the first floor windows” of the houses opposite. Even without the hedge, the houses are sufficiently far enough away from the walkway to ensure there would be no loss of privacy. Given the opening hours of between 10 a.m. and 6 p.m. (or dusk if earlier) even any perceived loss of privacy is likely to be limited as the rooms would not be in use at this time.
23. In the circumstances, there is no need to fix an additional screen to the walkway itself. The condition has been deleted.

INDEX OF CURRENT ENFORCEMENT CASES
9th January 2008

Ref No	Location	See Page No for full update	Remarks
18/98	Setchell Drove COTTENHAM	1-3	Plots 7, 7A and Four Winds being monitored.
34/98	Camside Farm Chesterton Fen Road MILTON	3-8	Defendants appeared before Cambridge Magistrates Court on 15 th May 2007. Each given a conditional discharge for 18 months with £200 costs. Awaiting determination of S/1653/07/F.
17/02	Land at Sandy Park Chesterton Fen Road MILTON	8-10	Temporary planning permission (S/2364/06/F) granted for 3 years for part of the site. Planning application S/1332/07/F to be determined for remainder of site.
10/03	Plot 12 Victoria View, Smithy Fen COTTENHAM	10-12	Site being monitored. Not currently proceeding with legal action as a result of decision by Planning Sub-Committee on 18 th June 2007.
15/03	Plots 1-11 Victoria View Smithy Fen COTTENHAM	12-14	Proceeding with application for breach of an injunction. Case listed in the High Court on 19 th November 2007. Verbal update to be given.
19/03	Land adjacent to Moor Drove Cottenham Road HISTON	14-16	Proceeding with application for an injunction. Case listed for a hearing in the High Court in February.
9/04	Land adjacent to Cow Fen Drove SWAVESEY	16-17	Case listed at Cambridge Magistrates Court. Adjourned to 2pm on 10 th January 2008.
3/05	Land adjacent to Hilltrees Babraham Road STAPLEFORD	17-18	Case committed to Crown Court. Date to be fixed.
13/05	Plots 5, 5a, 6, 10 & 11 Orchard Drive COTTENHAM	18-19	Refusal of planning application S/1631/06/F appealed. Inquiry listed for 15 th January 2008.

Ref No	Location	See Page No for full update	Remarks
18/05	Land off Schole Road (known as Cadwin Lane) WILLINGHAM	20	Three year temporary planning permission granted for 3 plots. Injunction granted on 18 th November restricting development on plots 3 and 4. Planning application S/2330/06/F to be determined for plot 5.
4/06	Plot 15 Water Lane Smithy Fen COTTENHAM	21	Appeal dismissed on 29 th January 2007. Compliance date 28 th January 2008.
5/06	Plot 17 Adjacent to Pine View Smithy Fen COTTENHAM	21-22	Considered by Planning Sub-Committee on 18 th June and 3 rd August 2007. Authority given to take direct action. No change.
8/06	Plot 15 1 London Way Clunchpits MELBOURN	22-23	Appeal allowed in part and dismissed in part. Compliance date 22 nd August 2007. Site visit being made to verify compliance. Discussions continue.
12/06	Unit J Broad Lane COTTENHAM	23	Planning application S/1048/07/F refused. Case listed at Cambridge Magistrates Court on 20 th September 2007 for breach of Enforcement Notice. Adjourned to 10 th January 2008.
15/06	Land at Quarry Lane HASLINGFIELD	24	Enforcement Notice not complied with. Prosecution file being prepared.
16/06	49 Broad Street CAMBOURNE	24-25	Appeal dismissed. Compliance date 6 th January 2008.
19/06	Land adjacent to Moor Drove HISTON	25	Injunction served on 7 th December 2006 to prevent further development of the site. Enforcement Notice issued. Compliance date 1 st July 2007. Prosecution file being prepared.
1/07	Lanacre 86 Chrishall Road FOWLMERE	25	Appeal withdrawn. Compliance date 15 th December 2007.
3/07	15 Field View BAR HILL	26	Appeal dismissed. Compliance date 19 th February 2008.

Ref No	Location	See Page No for full update	Remarks
4/07	Land to rear of 17 High Street OVER	26	Enforcement Notice withdrawn. Remove from active list.
5/07	107 Jeavons Lane CAMBOURNE	26	Enforcement Notice appealed.
6/07	The Old Hall 61 High Street WEST WRATTING	26	Enforcement Notice appealed. Informal hearing listed for 15 th February 2008.
7/07	The Drift Cambridge Road BARTON	27	Enforcement Notice appealed. Local Inquiry listed for 18 th March 2008.
8/07	Land adjacent to Church Farm STEEPLE MORDEN	27	Enforcement Notice appealed. No date fixed for local inquiry.
9/07	The Old Coal Yard Chesterton Fen Road MILTON	27	Enforcement Notice appealed.
10/07	Falcon Caravan Park Wilson's Road LONGSTANTON	27	Enforcement Notice issued for removal of mobile home. Takes effect on 1 st October 2007. Compliance period 6 months.
11/07	Land at 2 Cambridge Road FOXTON	27	Enforcement Notice issued for unauthorised use of land as a hand car wash. Notice appealed.
12/07	The Firs 117 Duxford Road WHITTLESFORD	28	Enforcement Notice issued for unauthorised wall. Notice appealed.
13/07	20 South Road GREAT ABINGTON	28	Enforcement Notice issued on 3 rd September 2007 for unauthorised portable cabin. Notice takes effect on 12 th October 2007. Compliance period 6 months.
14/07	8 Bridge Lane LITTLE SHELFORD	28	Stop Notice and Enforcement Notice withdrawn. Remove from active list.

Ref No	Location	See Page No for full update	Remarks
15/07	17 Glebe Way HISTON	28	Enforcement Notice issued 3 rd September 2007 for unauthorised use of structure for residential use. Enforcement Notice appealed.
16/07	38 Silver Street WILLINGHAM	28	Enforcement Notice issued 28 th September 2007 for unauthorised work on listed building. Compliance period 6 months.
17/07	Lordship Cottage Fardells Lane ELSWORTH	29	Enforcement Notice issued 30 th October 2007 for unauthorised work on Listed Building Notice takes effect on 5 th December 2007. Compliance period 3 months.
B/1/45/37	North Hall Farm Barley Road GREAT CHISHALL	29	Enforcement Notice issued 6 th December 2007 for unauthorised use of farm offices. Notice takes effect on 12 th January 2008. 6 month compliance period.