

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

10 April 2019

AUTHOR/S: Joint Director of Planning and Economic Development

Application Number: S/4747/18/OL

Parish(es): Cottenham

Proposal: Outline application with some matters reserved except for Access, Appearance, Layout and Scale (Resubmission of S/1254/18/OL) for the demolition of existing building on site and erection of replacement Office, Workshop and Security Kiosk

Site address: Elm Tree Farm, Hay Lane, Cottenham, Cambridge, CB24 8RP

Applicant(s): Durman Stearn Civil Engineering Ltd.

Recommendation: Delegated Approval subject to no further representations raising new material considerations following unexpired period of consultation, completion of a s106 agreement and referral of the application to the Secretary of State

Key material considerations: Principle of Development (including Green Belt)
Visual Amenity and Local Character
Flood Risk and Drainage
Highway Safety, Travel Plan and Parking
Residential Amenity and Noise
Ecology
Trees and Landscaping
Contamination
Archaeology
Sustainability Issues

Committee Site Visit: 09 April 2019

Departure Application: Yes (advertised 9 January 2019 and re-advertised 27 March 2019)

Presenting Officer: Michael Sexton, Senior Planning Officer

Application brought to Committee because: Departure from the Development Plan (development in the Green Belt)

Date by which decision due: 26 April 2019 (Extension of Time agreed)

Executive Summary

1. This is an outline application for the demolition of an existing building and the erection of a replacement office, workshop and security kiosk, with matters including access, appearance, layout and scale to be determined at this stage. Landscaping would continue to be a reserved matter for later approval.
2. The Elm Tree Farm site lies outside of the defined development framework boundary of Cottenham, within the countryside and Green Belt. The site is located approximately 1 mile south east of the village of Cottenham, accessed from Hay Lane off Beach Road, which runs between Cottenham and Landbeach. The site is located partially within flood zones 2 and 3, with most of the site within flood zone 1.
3. Historically the site was occupied by the applicant Durman Stearn, a civil engineering and groundwork's contractor, who currently occupy a site in Cottenham High Street in the middle of the village. The application site remains in the ownership of Durman Stearn and has been used for ancillary storage purposes.
4. Durman Stearn is a family owned business with its roots firmly established in the East Anglia region and has been based in Cottenham since 1979. Since that time the company has become a successful civil engineering and groundwork's contractor, providing services to a range of clients in the region. The business currently employs 150 people, 30 of whom are office-based staff with the remainder being mobile employees based off-site. The High Street site is now too small to meet Durman Stearn's business needs, with the group's Business Plan forecast to double business operations in the next five years; therefore, a new site is required to meet the business needs.
5. The outline application seeks to return the Elm Tree Farm site to its former use and create a single site for Durman Stearn, with a facility which will allow space for expansion in the future. The proposed office would provide space for the company's office-based staff and equipment, with the workshop / storage building used for goods deliveries and shipments, as well as the secure storage, repair and maintenance of the company's vehicles. The security kiosk would manage the operation of the site. The remainder of the site would be used as a yard for the storage of materials and plant. A green security fence would be erected around the perimeter of the site.
6. The Elm Tree Farm site is a brownfield site, regularised through lawful development certificate S/1352/16/LD, issued on 20 December 2016. A copy of the lawful development certificate can be found in Appendix A, with a remastered map in Appendix B for clarification purposes.
7. Officers consider the proposed development to constitute inappropriate development in the Green Belt by definition. Officers also consider the proposal to result in additional harm to the openness of the Green Belt.
8. The applicant's agent does not agree with officer's view that the proposed development is inappropriate by definition but has, without prejudice to that view, set out their case for very special circumstances. A sequential test has also been submitted to demonstrate that there are no suitable alternatives to the application site.
9. Officers attach significant weight to the fact that the site is a brownfield site (previously developed land), alongside the lawful use of the site as regularised through lawful development certificate S/1352/16/LD, which includes a large expanse of unrestricted / unconditioned storage and distribution use.

10. Officers are of the view that the applicant has demonstrated the necessary very special circumstances that clearly outweigh the in-principle harm to the Green Belt and the other limited harm in this instance.
11. Officers recommend that the Committee grants planning permission with delegated powers for the completion of a section 106 agreement to ensure the existing use rights of the applicant's present site in High Street, Cottenham are extinguished and to refer the application to the Secretary of State as a departure in accordance with The Town And Country Planning (Consultation) (England) Direction 2009.

Planning History

12. ***Application Site***

S/1254/18/OL – Outline planning permission for the demolition of existing building and erection of replacement office, workshop and security kiosk with some matters reserved except for access, appearance, layout and scale – Withdrawn.

S/1352/16/LD – Lawful Development Certificate for existing use of the land and buildings for B1, B2 and B8 activities – Certificate of Lawfulness Granted.

13. ***Existing Durman Stearn Site (264 High Street, Cottenham)***

S/4698/18/OL – Outline application for up to 1000sqm mixed A1, A2, B1, C3 and D1 with all matters reserved – pending decision.

Environmental Impact Assessment

14. The application does not fall under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and would not exceed the criteria in section 10 of Schedule 2 of the Regulations. The application does not therefore require the submission of an Environmental Impact Assessment.

National Guidance

15. National Planning Policy Framework (NPPF) 2019
National Planning Practice Guidance

Development Plan Policies

16. **South Cambridgeshire Local Plan 2018**

S/1 Vision

S/2 Objectives of the Local Plan

S/3 Presumption in Favour of Sustainable Development

S/4 Cambridge Green Belt

S/5 Provision of New Jobs and Homes

S/6 The Development Strategy to 2031

S/7 Development Frameworks

S/8 Rural Centres

CC/1 Mitigation and Adaption to Climate Change

CC/3 Renewable and Low Carbon Energy in New Development

CC/4 Water Efficiency

CC/6 Construction Methods

CC/7 Water Quality

CC/8 Sustainable Drainage Systems
CC/9 Managing Flood Risk
HQ/1 Design Principles
NH/2 Protecting and Enhancing Landscape Character
NH/4 Biodiversity
NH/8 Mitigating the Impact of Development in and adjoining the Green Belt
NH/9 Redevelopment of Previously Developed Sites and Infilling in the Green Belt
NH/14 Heritage Assets
HQ/1 Design Principles
E/13 New Employment Development on the Edges of Villages
E/16 Expansion of Existing Business in the Countryside
SC/9 Lighting Proposals
SC/10 Noise Pollution
SC/11 Contaminated Land
TI/2 Planning for Sustainable Travel
TI/3 Parking Provision
TI/10 Broadband

17. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**

Cambridgeshire Flood and Water SPD – Adopted November 2016
District Design Guide SPD - Adopted March 2010
Landscape in New Developments SPD - Adopted March 2010
Biodiversity SPD - Adopted July 2009
Trees & Development Sites SPD - Adopted January 2009

Consultation

18. **Cottenham Parish Council** – Supports.

In the greenbelt however NPPF allows for engineering buildings. This is an improvement on what is currently on the site and would remove heavy engineering machinery from the High Street and therefore highway safety. Would increase employment. Consistent with our emerging Neighbourhood Plan. Would welcome tree screening to soften the impact. CPC recommends approval.

19. **Cambridgeshire County Council Historic Environment Team** – No objection, subject to condition.

Requests a condition requiring a written scheme of investigation (WSI).

20. **Cambridgeshire County Council Transport Assessment Team** – No objection, following submission of additional information.

Requests a condition requiring the submission of a travel plan stating methods to encourage car sharing, provision of cycle changing facilities and the appointment of a travel-plan coordinator.

21. **Contaminated Land Team** – No objection, subject to condition.

Requests a condition requiring a risk assessment, a remediation method statement, a verification report and the identification of any contamination not considered in the remediation method statement.

22. **Ecology Officer** – No objection, subject to conditions.

Requests conditions requiring a Construction Ecological Management Plan (CEcMP) and a Landscape and Ecological Management Plan (LEMP).

23. **Environmental Health Officer** – No objection.

Recommends informatives to minimise the potential for disturbance to neighbouring residents and the requirement for a demolition notice.

24. **Environment Agency** – No objection, subject to conditions.

Requests a condition requiring a scheme for the provision and implementation of pollution control of the water environment. Information on foul water drainage also provided, alongside informatives for surface water drainage, pollution prevention, contaminated land conservation and a general informative.

25. **Lead Local Flood Authority** – No objection in principle to the proposed development.

Requests conditions requiring a detailed surface water drainage scheme (based on the agreed Site Specific Flood Risk Assessment And Drainage Assessment prepared by Richard Jackson Engineering Consultants (ref: 48586, Rev B) dated December 2018) and details for the long term maintenance arrangements for the surface water drainage system. An informative that the site falls within the Old West Internal Drainage Board (IDB) district is also requested.

26. **Local Highways Authority** – No objection, following submission of additional information.

Requests conditions requiring the driveway falls and levels to be such that no water drains onto the adopted public highway and that the proposed amended access be constructed using bound material for at least the first 15m from the boundary of the adopted public highway and an informative relating to works to or within the public highway.

27. **Natural England** – No comments to make on this application.

28. **Old West Internal Drainage Board** – No objection.

This application for development is within the Old West Internal Drainage District.

Surface water from the site will discharge into the Board's District. The Board's surface water receiving system has no residual capacity to accept flows over the Board's greenfield run-off rate of 1.1l/s/ha. Any discharge will require the prior consent of the board.

The site and access track is adjacent to a Board's Main Drain. No works can take place in, over, under or within nine metres of the Drain without the prior consent of this Board.

29. **Sustainable Drainage Engineer** – No objection, subject to conditions.

Requests a condition requiring details of the maintenance and management of the surface water drainage scheme.

30. **Trees Officer** – No objection.
31. **Urban Design Officer** – No objection.
32. **Representations** – None received.

The redline boundary for the application was amended on 19 March 21019 generating a new round of consultation; letters were issued 19 March 2019, a new site notice was placed at the site on 21 March 2019 and a press notice published on 27 March 2019. These consultations expire on 09 April, 11 April and 17 April 2019 respectively.

Given the nature of the amendment officers do not anticipate any further matters arising from the consultation. Nonetheless, should responses be received material planning grounds on or before 17 April that have not been addressed in this report, officers would seek clarification on whether the application would need to be re-considered by the Planning Committee.

Site and Surroundings

33. The site lies outside of the defined development framework boundary of Cottenham, within the countryside and Green Belt. The site is located approximately 1 mile south east of the village of Cottenham, accessed from Hay Lane off Beach Road, which runs between Cottenham and Landbeach. The site is not located in a conservation area, nor is it near any listed buildings. The site is located partially within flood zones 2 and 3, with most of the site within flood zone 1. The site is surrounded by mature trees and hedgerows, which provide a good degree of natural screening around the site. The trees are not the subject of any Tree Preservation Orders. The site is surrounded by relatively flat and open countryside.
34. Historically the site contained several buildings and other facilities. Most of these buildings have since been demolished, with one main building remaining on the front of the site. To the rear of the site is a pump house building and borehole. The site is relatively run-down and overgrown and used for ancillary storage purposes only as part of the Durman Stearn operation.

Proposal

35. The application seeks outline consent with some matters reserved except for access, appearance, layout and scale (resubmission of S/1254/18/OL) for the demolition of existing building on site and erection of replacement office, workshop and security kiosk.
36. The proposed office building would be erected within the footprint of the existing building on the site, which is to be demolished, with the new workshop built immediately adjacent. The security kiosk would be built close to these two main buildings, retaining the built form of the proposed development in the south-eastern portion of the site. Formalised car and cycle parking would be arranged around the office and workshop buildings. The remaining area of the site would be used for open plant and material storage. The site would be surrounded by a 2.5 metre high security perimeter fence, with gates at the security kiosk.

Planning Assessment

37. The key issues to consider in the determination of this application are: principle of development (including Green Belt), visual amenity and local character, flood risk and drainage, highway safety, travel plan and parking, residential amenity and noise, ecology, trees and landscaping, contamination, archaeology and sustainability issues.

Principle of Development

Development Framework

38. The site lies outside of the defined development framework boundary of Cottenham, in the countryside and Green Belt.
39. Policy S/7 of the Local Plan states that outside development frameworks, only allocations within Neighbourhood Plans that have come into force and development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside or where supported by other policies in this plan will be permitted.
40. Officers acknowledge that Cottenham is in the process of developing a Neighbourhood Plan, which was most recently at public consultation stage (11 February to 25 March 2019). The Neighbourhood Plan contains policies which relate specifically to the existing Durman Stearn site on Cottenham High Street and the Elm Tree Farm site, which is the subject of this outline application.
41. Chapter 6 of the Cottenham Neighbourhood Plan, which focuses on improving amenities and facilities, identifies the existing Durman Stearn site as a site for either a new medical centre or small retail or office units with 1 or 2 bed apartments above under Policy COH/3-1.1.
42. Chapter 7 of the Cottenham Neighbourhood Plan, which focuses on encouraging employment, identifies the Elm Tree Farm site, the subject of this outline application, as a new site for Durman Stearn under Policy COH/7-3. The policy states:

Planning permission will be granted for the development of the Durman Stearn site in Hay Lane (see Figure 27) to relocate their engineering business from the village core and business expansion, provided this:

- a) can be shown to increase local employment, and*
- b) preserves, by sensitive site arrangement, the openness of the Green Belt, and*
- c) increases, where practicable, public access to the countryside from near Beach Road.*

43. However, given the early stages of Cottenham's Neighbourhood Plan, it can only be afforded limited weight. For the purposes of the assessment of this outline application with respect to Local Plan policy S/7, no Neighbourhood Plan has come into force in Cottenham.

Employment Policies

44. Chapter 6 of the NPPF focuses on building a strong, competitive economy.
45. Paragraph 84 of the NPPF states that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to

ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

46. At a local level, policy E/16 of the Local Plan deals with the expansion of existing business in the countryside. The use of the application site has been regularised through a lawful development certificate, reference S/1352/16/LD (Appendix A & B). The development of the Elm Tree Farm site is therefore an expansion of an existing business in the countryside, rather than new employment development on the edge of a village (policy E/13 of the Local Plan).
47. Policy E/16 of the Local Plan supports the expansion of established existing firms which are outside development frameworks, subject to Green Belt policy, where: a) the proposal is justified by a business case; b) there is a named user for the development; c) the scale is appropriate for the location, adjacent to existing premises and appropriate to the existing development; d) there is no unacceptable adverse impact on the countryside from new buildings and/or changes of use of land; e) existing buildings are reused where possible; and f) the development would not have a significant adverse impact on traffic generation.
48. Officers are satisfied that the proposed development is justified by a business case (criterion a), the scale is appropriate for the location (criterion c), there is no unacceptable adverse impact on the countryside (criterion d), the existing building is not suitable for reuse (criterion e), and the development would not have a significant adverse impact on traffic generation (criterion f).
49. To ensure the proposed development is in full accordance with policy E/16, officers consider it reasonable and necessary to impose a named user condition for the development, as required by criterion (b).
50. Policy S/7 of the Local Plan allows for development outside of development frameworks when supported by other policies in this plan; in this instance policy E/16. Therefore, the key in-principle matter for consideration is the fact that the site is located within the Green Belt.

Green Belt

Chapter 13 of the NPPF focuses on protecting Green Belt land.

51. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances
52. Paragraph 144 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
53. Paragraph 145 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, but lists 7 exceptions, which includes:

- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces (criterion d);
 - limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - o not have a greater impact on the openness of the Green Belt than the existing development; or
 - o would not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority (criterion g).
54. Paragraph 146 of the NPPF states that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. Engineering operations are referred to as falling within the scope of this paragraph.
 55. Policy S/4 of the Local Plan states that new development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework.
 56. Policy NH/9 of the Local Plan states that the redevelopment of previously developed sites and infilling in the Green Belt will be inappropriate development except for the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development (criterion e).
 57. The Design and Access Statement submitted in support of the application claims that the development qualifies against paragraph 145 of the NPPF by virtue of the replacement of a building in the same use and not being materially larger than the one it replaces and the redevelopment of previously developed land (paragraphs 15.12 to 15.16 of the statement).
 58. The replacement building would be contained within the footprint of the existing building and would be approximately 0.6 metres lower in height, although presenting a greater mass at first floor level by virtue of the flat roof design as opposed to the existing pitched roof appearance. Nonetheless, this element of the proposal is not considered to be materially larger or to have a greater impact on the openness of the Green Belt than the existing building.
 59. Officers accept that the replacement office building would constitute an exception under paragraph 145 of the NPPF.
 60. The application includes the erection of a new workshop / storage building, a security kiosk and perimeter fencing for security purposes, along with an area of formalised car and cycle parking. These elements of the development are not considered to fall within the list of exceptions under paragraphs 145 and 146 of the NPPF to the general presumption against the construction of new buildings and other forms of development in the Green Belt. As a result, the proposal would constitute inappropriate development in the Green Belt and has therefore been advertised and treated as a Departure from the Development Plan.
 61. The NPPF makes it clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances

(paragraph 143). The onus is on the applicant to demonstrate why permission should be granted, and the NPPF makes it clear that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations (paragraph 144). It is therefore necessary to consider whether the development results in further harm in addition to that caused by inappropriateness.

Openness of the Green Belt

62. The site is not considered to be in a prominent position or immediately evident from Beach Road / Cottenham Road, being set approximately 290 metres from the public highway. The site is surrounded by mature trees and hedgerows which provide a good level of natural screening from the public realm and allows the site to be read as part of the landscape. There are no public rights of way near to the site which would afford additional viewpoints. Nonetheless, the site can be observed from the public highway and any development on the site increases the potential for the site to be observed. It must also be remembered that when considering the impact on the openness of the Green Belt, this is not affected by planting or tree screening as this is not a permanent feature.
63. The application includes the erection of a workshop / storage building to securely store plant and machinery undercover of the same scale and general appearance of the office building; approximately 23 metres by 20 metres in footprint, creating an additional floor space of approximately 460sqm, with a flat roof approximately 6.95 metres in height. A modest security kiosk is proposed, approximately 3.2 metres in height and creating an additional footprint of approximately 18sqm. 45 car parking spaces and 38 cycle spaces are proposed and incorporated around the new office and workshop buildings, which alongside the security kiosk consolidates the built for and formalised parking in the south eastern portion of the site. The remaining area of the site is for open plant and material storage, covering an area of approximately 8,800sqm. The site would be enclosed by a 2.5 metre high security perimeter fence with security gates next to the kiosk. Although the green security fencing would afford views through to the site (i.e. palisade fencing), it can have a relatively solid appearance depending on the angle from which it is viewed.
64. Turning to the impact of the development on the purposes of the Green Belt, this must be assessed in accordance with both national and local Green Belt purposes.
65. Paragraph 133 of the NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
66. Paragraph 134 of the NPPF states that the Green Belt serves five purposes: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; to assist in safeguarding the countryside from encroachment; to preserve the setting and special character of historic towns; and to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
67. Policy S/4 of the Local Plan states that a Green Belt will be maintained around Cambridge that will define the extent of the urban area. The detailed boundaries of the Green Belt in South Cambridgeshire are defined on the Policies Map, which includes some minor revisions to the inner boundary of the Green Belt around Cambridge and to the boundaries around some inset villages. New development in the Green Belt will only be approved in accordance with Green Belt policy in the National Planning Policy Framework.

68. The supporting text to policy S/4 of the Local Plan reiterates that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and a specific function of some Green Belts, such as the one around Cambridge, is to preserve the setting and special character of historic towns. A number of factors define the special character of Cambridge and its setting, which include the distribution, physical separation, setting, scale and character of Green Belt villages; and a landscape that retains a strong rural character.
69. Due to the intensification of the permanent built form on the site and formalised parking areas, the proposed development would result in a loss of openness.

Visual Amenity and Local Character

70. The application seeks outline consent with the details of appearance, layout and scale included. The application has not included landscape as a matter for consideration at this stage; the specific landscape details would be dealt with at reserved matters stage. Nonetheless, the landscaping around the site, which could be further enhanced as part of the development, plays an important role in considering the impact of the proposal on the visual amenity and local character of the area.
71. Officers consider that the proposed layout of the site would have an acceptable impact on the visual amenity of the area, locating the built form of the development in the south-eastern portion of the site where the existing building is located. By clustering the three buildings together and wrapping the formal parking areas around them, the proposed development minimises and seeks to mitigate the level of visual encroachment into the countryside. Officers also note that the impact of the built development on the visual amenity and local character of the area is further mitigated by the mature trees and hedgerows which surround the site, allowing it to be read as part of the landscape.
72. The layout also reflects the lawful use of the site, as confirmed by lawful development certificate reference S/1352/16/LD, which is considered to be appropriate. This includes a large area of open plant and material storage, which under the lawful development certificate is unrestricted. Officers attach significant weight to the fact that this application provides the opportunity to place a restrictive condition on the height of the storage of materials on the site, an improvement on the existing situation and one which can seek to minimise the impact on the visual amenity and local character of the area (and Green Belt) of this brownfield site.
73. Officers consider the scale and appearance of the buildings to be acceptable and to have taken account of the scale of the existing building on the site. The two main buildings proposed would have similar footprints to the existing building and despite a larger first floor mass by virtue of the flat roof design, would have an overall lower height than the existing building. The incorporation of a flat roof design is considered to mitigate the potential visual intrusion of the buildings into the flat, open countryside. Again, the presence of mature trees and hedgerows are considered to further mitigate the visual impact of the development. The proposed security kiosk is a small ancillary building and is not considered to result in significant harm to the visual amenity or local character of the area.
74. Officers considered it reasonable and necessary to impose a condition requiring the submission of materials for the proposed buildings.

75. Overall, the design, layout, scale and appearance of the proposed development is considered acceptable and officers consider that the visual impacts of the proposed development can be adequately mitigated against. The proposal accords with policies HQ/1 and E/16 of the Local Plan.

Flood Risk and Drainage

76. The site is located within flood zones 1, 2 and 3. The proposed buildings and parking areas are in flood zones 2 and 3 while the area for open plant and material storage is in flood zone 1, which is most of the site.

Sequential Test

77. Chapter 14 of the NPPF focuses on meeting the challenge of climate change, flooding and coastal change.
78. Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
79. Moreover, all plans should apply a sequential, risk-based approach to the location of development—taking into account the current and future impacts of climate change so as to avoid, where possible, flood risk to people and property (paragraph 157 of the NPPF).
80. Paragraph 158 of the NPPF states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
81. Paragraph 159 of the NPPF states that if it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.
82. Policy CC/9 of the Local Plan states that in order to minimise flood risk, development will only be permitted where the sequential test and exception tests established by the National Planning Policy Framework demonstrate the development is acceptable (where required).
83. The proposed development is classified as ‘less vulnerable’, being buildings used for offices, general industry and storage and distribution. When applying the ‘Flood Risk Vulnerability and Flood Zone Compatibility’, developments of this nature can be appropriate without the need for an exception test to be applied.
84. The application is supported by a sequential test which sets out 12 different sites which were considered for their potential to host the new Durman Stearn premises. These sites were selected based on their proximity to where current employees reside

(essential as a local employer), the sites existing use (likelihood of obtaining planning consent for engineering or industrial use) and their potential functional use (open land sufficient to accommodate business need).

85. The sequential test examined other sites in Cottenham and then other villages nearby in the district, including Willingham, Rampton, Impington, Histon and Landbeach. Officers consider this to be a logical and appropriate approach given the proposed end-use.
86. The sequential test did not identify any sites more suited for the proposed development than the application site.
87. Based on the information that the Local Planning Authority has before them, officers are satisfied that there does not seem to be a reasonably available site at a lower flood risk level than the site proposed in this application. On this basis officers consider that the sequential test has been passed and development on this site is acceptable.

Technical Flood Risk Mitigation

88. The application has been supported by Flood Risk Assessment. The applicant / agent has also engaged with the Environment Agency for pre-application advice prior to the submission of the outline application; a copy of that pre-application advice has been provided in support of the application.
89. The application has been subject to formal consultation with the Environment Agency, the Lead Local Flood Authority, the Old West Internal Drainage Board and the Sustainable Drainage Engineer and no objection has been raised, subject to the imposition of flood / drainage conditions.
90. Officers consider it reasonable and necessary to impose conditions requiring a scheme for the provision and implementation of pollution control of the water environment, a detailed surface water drainage scheme (based on the agreed Flood Risk Assessment and details for the long-term maintenance arrangements for the surface water drainage system. The informatives put forward by the technical consultees are recommended as part of the consent for the information of the applicant.
92. Subject to the recommended conditions and informatives, officers consider that the application has demonstrated that the development would be acceptable and to accord with policy CC/9 of the Local Plan and NPPF guidance.

Highway Safety, Travel Plan and Parking

91. The application has been supported by a Transport Assessment, a Site Access Appraisal and, following initial objection from the Local Highways Authority and Transport Assessment Team, a 'Response to Highways Comments' and Traffic Survey Results. Following the submission of this additional information, no objection is raised by the Local Highways Authority or the Transport Assessment Team, subject to conditions.
92. As part of the proposed development, the junction between Hay Lane and Beach Road is to be improved and a passing place introduced, to facilitate the safe passage of traffic in and out of the site. The Local Highways Authority are satisfied with the information submitted and has requested conditions relating to the falls and levels of

the access, a bound material finish for at least the first 15 metres from the boundary of the public highway. The conditions are considered reasonable and necessary to ensure the development is acceptable in terms of highway safety.

93. The application site is located outside of Cottenham village on a street with no footpath, dedicated cycle lane or street lighting, therefore potentially increasing the dependence on car travel. A condition requiring the submission of a travel plan which outlining methods to encourage car sharing, the provision of cycle changing facilities and a travel plan coordinator is considered reasonable and necessary to ensure the development promotes the use of sustainable forms of travel, in line with national and local policies.
94. Concern had been raised over the use of the existing High Street site once vacated and the Elm Tree Farm site being in full operation and the potential impact on the highway network, given the nature of the use of both sites. The applicant has been clear that there is no intention to occupy and operate both sites simultaneously once the Elm Tree Farm site was fully occupied. An outline application for a change of use of the existing site has already been submitted (S/4698/18/OL).
95. To ensure there is no significant harm to the highway network from the two sites, the applicant has agreed to enter into a legal agreement that the use of the High Street site cease upon full occupation and operation of the Elm Tree Farm. Such an agreement gives confidence and security that the proposed development would be acceptable in terms of highway safety and highway use.
96. Officers consider the proposed development accords with policy E/16(f) of the Local Plan, which requires the expansion of existing businesses in the countryside to not, by itself or cumulatively, have a significant adverse impact in terms of the amount or nature of traffic generated.
97. The proposed development would provide 45 car parking spaces and 38 cycle parking spaces. The level of provision on site is sufficient to accord with policy TI/3 of the Local Plan.

Residential Amenity and Noise

98. The application site is located a significant distance from the nearest residential property and therefore the proposed development is not considered to result in harm the amenities of neighbouring properties by way of an overbearing impact, loss of light or loss of privacy.
99. The use of the site and its separation from residential properties is such that the proposal is not considered to result in significant harm through noise pollution. No objection has been raised by the Council's Environmental Health Officer. Nonetheless, a condition restricting the hours of work during construction is considered reasonable and necessary.
100. The Design and Access Statement details that the site would operate from 07.00 to 19.00 Monday to Friday and 07.00 to 13.00 on Saturdays. A condition to secure the hours of operation is recommended as part of the consent.
101. No details of any external lighting have been provided as part of the outline application. Officers therefore consider it reasonable and necessary to impose a condition that no external lighting is installed on site without written approval, given the sites location in the countryside and Green Belt and potential impacts of external

lighting, which have not been fully considered as part of this application.

102. Subject to the recommended conditions, the proposed development is considered to accord with policies HQ/1, SC/9 and SC/10 of the Local Plan.

Ecology

103. The application has been supported by a Preliminary Ecological Appraisal, Bat Scoping Letter Report, Bat Activity Survey, and Water Vole Letter Report which have identified several constraints on the site which will require specific mitigation strategies and a low impact bat licence from Natural England.
104. The application has been subject to formal consultation with the Council's Ecology Officer who raises no objection to the proposed development and has recommended two conditions be imposed as part of any consent. The first requiring a Construction Ecological Management Plan (CEcMP), the second requiring a Landscape and Ecological Management Plan (LEMP).
105. The conditions are considered reasonable and necessary to ensure that the development secures an improved level of biodiversity for the site, in accordance with the policy NH/4 of the Local Plan and chapter 13 of the NPPF, in particular paragraphs 170, 174 and 175, where applications should look to enhance, restore and add to biodiversity.

Trees and Landscaping

106. The application site is surrounded by mature trees and hedgerows, which are to be retained as part of the proposed development. The development is therefore not considered to result in the loss of any significant trees that make a positive contribution to the visual amenity of the area.
107. The Council's Trees Officer has raised no objection to the application and has not requested any conditions.
108. Policy NH/8 of the Local Plan states that any development proposals within the Green Belt must be located and designed so that they do 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.
109. Landscape is a reserved matter at this stage and therefore no specific landscape details have been submitted in support of the outline application. The Design and Access Statement states in paragraph 10.3 that it is anticipated that any future hard landscaping scheme would incorporate a secure metal fence to the perimeter to assist in protecting on site plant.
110. To ensure that the development is acceptable in landscape terms, officers consider it to be reasonable and necessary to impose landscape and a boundary treatment condition as part of the consent, particularly as the landscaping around the site plays an important role in visual amenity and local character of the area and any boundary treatments needs to be carefully considered.
111. Subject to the recommended conditions, the proposed development would accord with policies HQ/1, NH/4 and NH/8 of the Local Plan.

Contamination

112. The application has been supported by a Phase 1 Desk Study Report. The Council's Contaminated Land Team has stated that the site has historically been used as a Civil Engineering Works/Warehouse and Yard and the desk study identified risks associated with onsite above ground storage tanks, chemical storage, vehicle/plant storage & maintenance, an infilled pond and spoil heaps. As per the findings of the submitted report, the Council's Contaminated Land Team recommend that an intrusive site investigation should be carried out to investigate potential risks identified in the report, secured by condition.
113. Subject to the recommended condition, the proposed development would accord with policy SC/11 of the Local Plan.

Archaeology

114. The Historic Environment Team at Cambridgeshire County Council has stated that their records indicate that the site lies in an area of high archaeological potential, situated in a known multi-period landscape. The Historic Environment Team is satisfied that the impacts of the development can be satisfactorily controlled through the imposition of a condition requiring the submission of a written scheme of investigation to ensure that the significance of historic environment assets is conserved.
115. Subject to the recommended condition, the proposed development would accord with policy NH/14 of the Local Plan and NPPF guidance.

Sustainability Issues

116. Policy CC/3 of the Local Plan states that proposals for new non-residential buildings of 1,000m² or more will be required to reduce carbon emissions by a minimum of 10% through the use of on-site renewable energy and low carbon technologies. Officers considered it reasonable and necessary to impose a condition requiring the submission of appropriate details to ensure the development accords with policy CC/3 of the Local Plan.
117. Policy CC/4 of the Local Plan states that proposals for non-residential development must be accompanied by a water conservation strategy, which demonstrates a minimum water efficiency standard equivalent to the BREEAM standard for 2 credits for water use levels unless demonstrated not practicable. This information has not been provided as part of the current application. Officers therefore considered it reasonable and necessary to impose a condition requiring the submission of such details to ensure the development accords with policy CC/4 of the Local Plan.
118. Policy TI/10 of the Local Plan states that new development (residential, employment and commercial) will be expected to contribute towards the provision of infrastructure suitable to enable the delivery of high speed broadband services across the district. As a minimum, suitable ducting to industry standards should be provided to the public highway that can accept fibre optic cabling or other emerging technology. Other forms of infrastructure, such as facilities supporting mobile broadband and Wi-Fi, should be included where possible and viable. Officers considered it reasonable and necessary to impose a condition requiring the submission of appropriate details, prior to the occupation of the office building, to ensure the development accords with policy TI/10 of the Local Plan.

Need for Very Special Circumstances

119. In addition to the harm by reason of inappropriateness, the development is also considered to result in harm by virtue of the loss of openness to the Green Belt. Other impacts, as assessed above, could be satisfactorily mitigated against through the imposition of safeguarding conditions.
120. The applicant's agent does not agree with officer's view that the proposed development is inappropriate by definition but has, without prejudice to that view, set out their case for very special circumstances. It is therefore necessary to consider the justification put forward in support of the proposal and the extent to which these amount to 'very special circumstances'.
121. This justification was initially put forward in brief as part of the initial Design and Access Statement (paragraph 15.17) but superseded by a Design and Access Statement Addendum focused purely on very special circumstances. This justification is set out in summary below:
122. *Allowing a Thriving Rural Business to Expand*
- Cambridge is one of the UK's fastest expanding cities. In order to support this level of expansion, the local industry needs to be able to meet the construction requirements. Durman Stearn has been directly involved with many of the latest economic developments in and around Cambridge and therefore provides an essential service for Cambridge as it emerges as a sub-regional centre.
 - The development of new offices, workshop and yard have become essential to Durman Stearn (CE) Ltd's future expansion plans which despite current uncertainties around Brexit remain very positive and on course to achieve record levels of production and profitability in this current financial year supported by an ongoing and healthy order book from a varied portfolio of clientele.
 - Durman Stearn has provided an operational update from their Managing Director presented at a Board Meeting held on the 23 January 2019 and issued to the Directors in attendance. This highlights Durman Stearn's current financial performances, future contract opportunities and ongoing challenges (*disclosed to South Cambridgeshire District Council on a Private and Confidential basis*).
123. *Supporting Rural Employment Opportunities*
- A sustainable work-life balance:
 - o Of the employees surveyed, 100% of staff lived within 23 miles of the office at Cottenham and 44% of them lived within 10 miles of the office in Cottenham. Durman Stearn's workforce is a local workforce.
 - o Supporting the relocation will mean supporting the expansion of a business which offers local jobs to local people thereby helping to promote a self-sustaining local rural economy. It would be supporting a sustainable business which sources local workforce which means staff do not have to rely on long, costly and unsustainable commutes to work, thereby helping the environment.

- Apprenticeships for local people:
 - o Durman Stearn offers apprenticeships to local school leavers. If Durman Stearn were to relocate out of the area, then this would significantly reduce the apprenticeship programmes available locally to Cottenham. Retaining Durman Stearn's apprenticeship programme locally will ensure continued benefit for the local rural economy in and around Cottenham.

- Local employment opportunities in a Rural Centre:
 - o Durman Stearn is a large local employer, currently providing jobs for 150 staff. The retention of Durman Stearn within the parish will therefore contribute positively to its continued status as a Rural Centre.

 - o Paragraph 3.4 of the Cottenham Neighbourhood Plan notes that limited 'employment opportunities' is a key issue for the village and it sets out an explicit desire to encourage employment opportunities. One of the employment opportunities specifically highlighted within the Neighbourhood Plan as being an important contributor to improved employment opportunities is 'Durman Stearn's expanded village-edge site'. It is clear that the retention and expansion of Durman Stearn within the parish of Cottenham is needed to help improve employment opportunities within the parish and meet the emerging Neighbourhood Plan's aims.

 - o The relocation of Durman Stearn out of the area could have a significant impact on the success of the local employment, particularly within Cottenham itself.

 - o Retention and expansion of a thriving rural business which offers rural employment opportunities in Cottenham to address an identified limitation within the village.

- Supporting businesses and events in a local Rural Centre:
 - o Over and above the employment opportunities at Durman Stearn, the presence of the business has direct benefits for other entities within the village of Cottenham; Durman Stearn employees bring a direct economic benefit to Cottenham by virtue of their daily use of local amenities.

 - o Durman Stearn has historically provided sponsorship to the Fen Edge Festival 2017 and often provided road closures, diversion signs, cones etc. for village events.

 - o If Durman Stearn were to relocate out of Cottenham, then it would no longer be able to contribute to Cottenham businesses and events in the way in which it has in the past which would have a negative economic impact on this Rural Centre

- Supporting local businesses in Cambridgeshire:
 - o Durman Stearn has an array of clients, however, many of these are based within Cambridgeshire which further drives the need to remain within the district. Cottenham provides a relatively central location with easy access to the transport network to move across Cambridgeshire.

It is therefore ideally located to serve the company's existing clientele.

124. *Established lawful use already occurring on site*

- A Lawful Development Certificate for the site was secured under application S/1352/16/LD. This permission secured the site's 'existing use of the land and buildings for B1, B2 and B8 activities' in relation to Durman Stearn's historic use of the site. As such, the site is already lawfully used for the purposes proposed.
- The site is already lawfully used for B1, B2 and B8 activities in relation to the Durman Stearn business and there is already a building on site which is lawfully supporting this use. The application must therefore be considered an expansion of the existing use of this site.
- The current permission for the use (S/1352/16/LD), placed no restrictions on the site. As such, the applicant is able to store materials on site up to any height (say 15m-20m) without breaching the planning permission.
- The applicant would be willing to agree to a condition of permission which restricted the height of the materials stored on the [site to 5 metres](#). As such, by granting permission, the Council would be securing a future for this site whereby the harm to the Green Belt by virtue of the storage of materials on site, is capped.

125. *Making Use of a Brownfield Site*

- The Revised NPPF defines 'brownfield land' or 'previously developed land' as 'land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure'.
- The presence of the existing building on site, ensures that the site is classed as brownfield or previously developed land.
- Paragraph 84 of the Revised NPPF states 'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport....The use of previously developed land ...should be encouraged where suitable opportunities exist.'

126. *Improved Traffic Flows within Cottenham Village (social and environmental benefit)*

- Currently, the location of the Durman Stearn offices requires business traffic (cars, vans and HGVs) to access the centre of the village of Cottenham via Cottenham High Street.
- The presence of HGV's visiting the site in the High Street is undesirable not only because of the pollution caused but also safety arising from the slow-moving, heavy vehicles needing to cross the footway to access the existing site from the High Street.
- Due to the lack of onsite parking, staff are parking in near-by residential streets

which is undesirable not only from the parking perspective but also from the perspective of additional traffic in residential areas.

- In an effort to reduce the speed of the HGV's (and other vehicles) using Cottenham High Street, Durman Stearn constructed traffic calming measures on Beach Road for Skansaon behalf of Cambridgeshire County Council. This has had the desired effect, reducing speed and dissuading larger vehicles from using the route when other preferable routes are available to them. However, whilst Durman Stearn remain located at their existing premises on the High Street, there will be a need for the large Durman Stearn vehicles to regularly use the High Street, even at lower speeds. By relocating all business activities to the Elm Tree Farm site, there will no longer be an essential need for Durman Stearn's HGV's and other vehicles to use the High Street and the traffic calming already in situ will be an added reason to persuade the HGV's to use alternative accesses (i.e. south east along Beach Road and then directly on to the A10 which also provides easy access to the A14, A11 etc).

127. *Existing Site to be Used for a Community-Focussed Development*

- The proposal will allow the existing site to be used for a community-focussed development, for example smaller houses (1 and 2 bed), additional amenities, a medical centre or other community-focussed development. This will improve the High Street and create more sustainable living in a sustainable village. This will also assist in reducing pollution by bringing forward a development close to existing amenities and/or close to residential properties which it will serve.

Officers assessment of the 'very special circumstances'

128. The proposal constitutes inappropriate development in the Green Belt by definition and other harm through a loss of openness. However, it is consistent with Government objectives, as set out within the NPPF, to ensure that the planning system encourages and helps deliver sustainable economic growth and builds a strong, competitive economy (chapter 6) and makes the best use of previously developed land (paragraph 84).
129. Officers attach significant weight to the fact that the site is previously developed land, alongside the lawful use of the site as regularised through application S/1352/16/LD (Appendix A and B). As shown on the map accompanying the lawful development certificate, a large expanse of the site is lawfully B8 storage and distribution use with no restriction on the height of materials which can be stored; such a restriction can be secured through this application which represents an improved scenario for the site and its surroundings.
130. Officers also attach significant weight to the fact that Durman Stearn is a local employer who has been based in the village of Cottenham for over three decades and has developed a high-quality regional reputation and clientele. In addition to this, existing and future employees who work for Durman Stern could well be residents from within Cambridge City or South Cambridgeshire villages.
131. Officers attach limited weight to the allocations with the Cottenham Neighbourhood Plan, given its current status, but acknowledge its contents.
132. Taken collectively, the justification provided by the applicant's agent, as summarised in paragraphs 122 to 127 above, represents a compelling argument in support of the

development and to clearly outweigh the harm to the Green Belt by reason of inappropriateness and the other limited identified harm to the purposes of the Green Belt.

133. Officers are therefore of the view that the applicant has demonstrated the necessary very special circumstances that clearly outweigh the in-principle harm to the Green Belt and the other limited harm in accordance with paragraph 144 of the NPPF.
134. In coming to a view on the merits of the application, members will need to confirm the approach taken by officers, namely:
- (i) Does the Committee agree with the officer view that the proposed development is inappropriate development in the Green Belt?
 - (ii) If it found to be inappropriate development in the Green Belt, members should then proceed to consider the extent of any other harm.
 - (iii) Members should then proceed to consider if there are very special circumstances which clearly outweigh the in principle harm to the Green Belt and any other identified harm, recalling the need to afford “substantial weight” to any harm. If no such very special circumstances exist, planning permission should be withheld. If Members conclude very special circumstances exist, these should be clearly recorded and the application can be approved.
135. Should the application be approved following members conclusion that the development would be inappropriate development in the Green Belt, the application will need to be referred to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009.

Other Matters

Pre-Commencement Conditions

136. All pre-commencement conditions have been agreed in writing with the agent in advance of this report.

Recommendation

137. Delegated Approval subject to:
- (i) No further representations being received on material planning grounds which have not already been submitted and considered before the expiry of the consultation period following amendments to the application site red line boundary.
 - (ii) The completion of a section 106 agreement for the extinguishment of existing use rights in respect of the applicants existing site at High Street, Cottenham.
 - (iii) Planning conditions and Informatives as set out below, with the final wording of any amendments to these to be agreed in consultation with the Chair and Vice Chair prior to the issuing of planning permission.
 - (iv) Referral of the application to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009.

Conditions

138. Outline Matters

- a) Approval of the details of landscaping (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.
(Reason -The application is in outline only.)
- b) Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
(Reason -The application is in outline only.)
- c) The development hereby permitted shall begin not later than the expiration of two years from the date of approval of the last of the reserved matters to be approved.
(Reason -The application is in outline only.)
- d) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1064-P01 Rev A, 1064-PO3 Rev B, 1064-P04 Rev E, 1064-P05 Rev E, 1064-P07, 1064-P08, 1064-P09B and 1064-P10 Rev C.
(Reason –To facilitate any future application to the Local Planning Authority under section 73 of the Town and Country Planning Act 1990.)
- e) The landscaping details required in condition 1 shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock. The details shall also include a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for the development shall be completed before the site is first occupied in accordance with the approved details and shall thereafter be retained.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with policies HQ/1 and NH/4 of the South Cambridgeshire Local Plan September 2018.)
- f) The landscaping details required by Condition 1 shall include a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment for the development shall be completed before the development is first occupied in accordance with the approved details and shall thereafter be retained.
(Reason -To ensure that the appearance of the site does not detract from the character of the area in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)

Use

- g) The development, hereby permitted, shall be carried out on behalf of and occupied only by Durman Stearn Civil Engineering Ltd for a period of no less than ten years from the date of this permission.
(Reason – To ensure the expansion of the existing business in the countryside is in accordance with Policy E/16 of the Local Plan.)

- h) The use of the site shall only operate between the hours of 07.00 to 19.00 Monday to Friday and 07.00 to 13.00 on Saturdays and at no time on Sundays or bank holidays.
(Reasons - To protect the amenity of the area in accordance with policy HQ/1 and SC/10 of the adopted Local Plan 2018).

Amenity

- i) No development above slab level shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018).
- j) Any materials, tools, plants, machinery, or items associated with the operation of the site shall not be stacked or deposited to a height exceeding 5 metres above existing ground level.
(Reason - In the interests of the visual/rural amenity of the area in accordance with Policies HQ/1, NH/8 and NH/9 of the South Cambridgeshire Local Plan.)
- k) During the period of demolition and construction, no demolition and construction work shall take place on the site before 0800 hours and after 1800 hours on weekdays or before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018).
- l) No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the local planning authority.
(Reason - To minimise the effects of light pollution on the surrounding area in accordance with Policy SC/9 of the South Cambridgeshire Local Plan 2018.)

Drainage

- m) No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Site Specific Flood Risk Assessment And Drainage Assessment prepared by Richard Jackson Engineering Consultants (ref: 48586, Rev B) dated December 2018 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the development.
(Reason – To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with Policies HQ/1, CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018).
- n) No development shall commence until a scheme for the provision and implementation of pollution control of the water environment (including surface and foul water drainage) shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans.

(Reason - To reduce the risk of pollution to the water environment in accordance with Policy CC/7 of the South Cambridgeshire Local Plan 2018).

- o) No development above slab level shall occur until a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.
(Reason - To reduce the risk of pollution to the water environment and to ensure a satisfactory method of foul water drainage in accordance with Policies CC/7 and CC/8 of the South Cambridgeshire Local Plan 2018).
- p) Prior to the first occupation of any building, details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter
(Reason – To ensure the satisfactory maintenance of drainage systems that are not publically adopted, in accordance with Policies HQ/1, CC/7, CC/8 and CC/9 of the South Cambridgeshire Local Plan 2018 and of paragraphs 163 and 165 of the National Planning Policy Framework).

Highway Safety

- q) Prior to the occupation of the development, hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan shall include the methods to encourage car sharing, the provision of cycle changing facilities, and the appointment of a travel-plan coordinator.
(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TI/2 of the South Cambridgeshire Local Plan 2018).
- r) The amended access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway.
(Reason – In the interests of Highway Safety).
- s) The amended access shall be constructed using a bound material for at least the first 15 metres from the boundary of the adopted public highway to prevent debris spreading onto the adopted public highway.
(Reason – In the interests of Highway Safety).

Ecology

- t) Prior to or concurrently with the submission of the first approval of reserved matters no development shall take place (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CEcMP) has been submitted to and approved in writing by the local planning authority. The CEcMP shall include the following:
- a. Risk assessment of potentially damaging construction activities.

- b. Identification of “biodiversity protection zones”.
- c. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d. The location and timings of sensitive works to avoid harm to biodiversity features.
- e. The times during which construction when specialist ecologists need to be present on site to oversee works.
- f. Responsible persons and lines of communication.
- g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h. Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEcMP shall be ahead to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

(Reason - To protect existing habitats and protected species on site and to enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NH/4 of the South Cambridgeshire Local Plan 2018.)

- u) A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the local planning authority prior to or concurrently with the submission of the first approval of reserved matters. The content of the LEMP shall include the following:
 - a. Description and evaluation of features to be managed.
 - b. Ecological trends and constraints on site that might influence management.
 - c. Aims and objectives of management.
 - d. Appropriate management options for achieving aims and objectives.
 - e. Prescriptions for management actions.
 - f. Prescription of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g. Details of the body or organisation responsible for implementation of the plan.
 - h. Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results form monitoring show that conservation aims and objectives of the LEMP are not being met) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details

(Reason - To provide habitat for wildlife and enhance the site for biodiversity in accordance with the NPPF, the NERC Act 2006 and Policy NH/4 of the South Cambridgeshire Local Plan 2018.)

Contamination

- v) No development shall commence, unless otherwise agreed in writing by the Local Planning Authority, until:
 - a. The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed

in writing by the Local Planning Authority.

- b. Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority

(Reason – To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018.)

- w) No development shall commence, unless otherwise agreed in writing by the Local Planning Authority, until the works specified in the remediation method statement have been completed, and a Verification report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.

(Reason – To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018.)

- x) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this material should be agreed in writing by the Local Planning Authority.

(Reason – To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018.)

Archaeology

- y) No development shall take place on the application site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The WSI shall include:

- a. the statement of significance and research objectives;
- b. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c. The programme for the analysis, publication & dissemination, and deposition of resulting material. Part (c) of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.

(Reason - To secure the provision of archaeological excavation and the subsequent recording of the remains in accordance with Policy NH/14 of the South Cambridgeshire Local Plan September 2018.)

Sustainability

- z) No development above slab level shall take place until a scheme has been submitted that demonstrates a minimum of 10% of carbon emissions (to be calculated by reference to a baseline for the anticipated carbon emissions for the property as defined by Building Regulations) can be reduced through the use of on-site renewable energy and low carbon technologies. The scheme shall be implemented and maintained in accordance with the approved details prior to the occupation of the development.
(Reason – In accordance with policy CC/3 of the South Cambridgeshire Local Plan 2018 and paragraphs 148, 151 and 153 of the National Planning Policy Framework 2018 that seek to improve the sustainability of the development, support the transition to a low carbon future and promote a decentralised, renewable form of energy generation.)
- aa) The development hereby approved shall not be occupied a water conservation strategy, which demonstrates a minimum water efficiency standard equivalent to the BREEAM standard for 2 credits for water use levels unless demonstrated not practicable, has been submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with the approved details.
(Reason – To improve the sustainability of the development and reduce the usage of a finite and reducing key resource, in accordance with policy CC/4 of the south Cambridgeshire Local Plan 2018.)
- bb) The office building hereby approved shall not be occupied until the office has been made capable of accommodating Wi-Fi and suitable ducting (in accordance with the Data Ducting Infrastructure for New Homes Guidance Note) has been provided to the public highway that can accommodate fibre optic cabling or other emerging technology, unless otherwise agreed in writing with the Local Planning Authority.
(Reason – To ensure sufficient infrastructure is provided that would be able to accommodate a range of persons within the development, in accordance with policy TI/10 of the South Cambridgeshire Local Plan 2018.)

144. **Informatives**

Legal Agreement

- a) This permission is subject to an Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) dated

Drainage

- b) This site falls within the Old West Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any work staking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

It should be noted that the IDB has stated they will only accept flows at a maximum of 1.1 l/s/ha. At present the proposal is to discharge at a much higher rate than this. Agreement must be sought from the IDB or the drainage

strategy should be amended to reflect the reduced rate.

- c) This application for development is within the Old West Internal Drainage District.

Surface water from the site will discharge into the Board's District. The Board's surface water receiving system has no residual capacity to accept flows over the Board's greenfield run-off rate of 1.1l/s/ha. Any discharge will require the prior consent of the board.

The site and access track is adjacent to a Board's Main Drain. No works can take place in, over, under or within nine metres of the Drain without the prior consent of this Board.

- d) Environment Agency:

Surface Water Drainage

All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used.

Surface Water Drainage and Infiltration Sustainable Drainage Systems (SuDs). The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration (SuDS). We consider any infiltration (SuDS) greater than 2.0 m below ground level to be a deep system and are generally not acceptable. All infiltration SuDS require a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. All need to meet the criteria in our Groundwater Protection: Principles and Practice (GP3) position statements G1 to G13 which can be found here: <https://www.gov.uk/government/collections/groundwater-protection>. In addition, drainage systems must not be constructed in ground affected by contamination and if the use of deep bore soakaways is proposed, would wish to be re-consulted. The proposals will need to comply with our Groundwater protection position statements G1 and G9 to G13.

Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

Pollution Prevention:

Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drainage. Roof water shall not pass through the interceptor.

Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001.

Site operations should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

General:

Any culverting or works affecting the flow of a watercourse requires the prior written consent of the Lead Local Flood Authority (LLFA). The LLFA seeks to avoid culverting, and its consent for such works will not normally be granted except as a means of access.

The granting of planning approval must not be taken to imply that consent has been given in respect of the above.

Environmental Health

- e) The applicant should take all relevant precautions to minimise the potential for disturbance to neighbouring residents in terms of noise and dust during the construction phases of development. This should include the use of water suppression for any stone or brick cutting and advising neighbours in advance of any particularly noisy works. The granting of this planning permission does not indemnify against statutory nuisance action being taken should substantiated noise or dust complaints be received. For further information please contact the Environmental Health Service.
- f) Before the existing buildings are demolished, a Demolition Notice will be required from the Building Control section of the council's planning department establishing the way in which they will be dismantled, including any asbestos present, the removal of waste, minimisation of dust, capping of drains and establishing hours of working.

Highways

- g) The granting of planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway; a separate permission must be sought from the Highway Authority for such works.

Background Papers:

The following list contains links to the documents on the Council's website and / or an indication as to where hard copies can be inspected.

- South Cambridgeshire Local Plan 2018
- South Cambridgeshire Local Development Framework Supplementary Planning Documents (SPD's)
- Planning File References: S/4747/18/OL, S/4698/18/OL and S/1352/16/LD

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