

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 September 2012

AUTHOR/S: Planning and New Communities Director

S/1306/12/FL - LANDBEACH

Local Authority Depot including secure compound for vehicle parking area and associated open storage and new office building (retrospective application) at Cambridge Waste Management Park, Ely Road for Frimstone Ltd

Recommendation: Delegated Approval

Date for Determination: 20 September 2012

This application has been reported to the Planning Committee for determination because the development is intended for occupation by South Cambridgeshire District Council.

Departure from the development plan

To be presented to the Committee by Ray McMurray

Site and Proposal

1. This application seeks retrospective planning permission for development which has commenced for the laying out of a replacement local authority depot on reclaimed land within an area in use for landfill and recycling purposes.
2. The site has an area of 1.2 hectares. It is located in the southern part of Cambridge Waste Management Park, a facility that takes waste from much of the county. To the north west of the site are various storage bays and stockpiles of aggregates and recycled waste and associated buildings and access road. To the north east the access road runs along the western side of Beach Ditch, a functioning open drainage channel. Across Beach Ditch to the south east are offices, buildings and depots associated with the industrial estate off Ely Road, including the existing depot of South Cambridgeshire District Council. To the south west are the offices and research establishments comprising IQ Cambridge (formerly Cambridge Research Park). To the south west there is a landscape bund adjacent to a small lake and open countryside.
3. Access to the site is via an internal road which runs along the western side of Beach Ditch through a weighbridge at the Amy Cespa premises adjacent to the A10. A separate wash bay building adjoins the access gates to the site.
4. The full application, dated 11 June 2012, proposes the formation of a surfaced car park for the provision of 116 car spaces and 4 disabled parking bays, 34 truck parking spaces, 19 van parking spaces, and cycle parking. Areas are shown for plant, equipment and bin storage, for shipping container storage, a sweeper discharge area and vehicle turning areas. The proposal includes a single-storey office to be faced in brick with a dual-pitched profiled metal roof, and having gross floorspace 511 square metres. Metal security fencing has been erected on the perimeters, together with seven 8-metre high lighting columns.

5. The site has been designed to accommodate South Cambridgeshire District Council Environmental Service's fleet of refuse collection vehicles and associated plant and equipment together with office and staff welfare facilities. The hours of operation are to be 06:00 to 18:00 Monday to Friday with occasional Saturdays.

Constraints

6. The site lies in the countryside outside the designated area of the adjacent Established Employment Area under policy ET/3. Cambridge Waste Management Park operates under planning permissions granted by Cambridgeshire County Council as minerals and waste planning authority. In the Cambridgeshire and Peterborough Minerals and Waste Development Plan: Minerals and Waste Site Specific Proposals Development Plan Document (2012) the site is designated as an Existing Minerals and Waste Site, and shown to be within a Waste Consultation Area and a Mineral Consultation Area.
7. The water body to the south west is Landbeach Pits and Willow Wood County Wildlife Site which contains a colony of Great Crested Newts. Beach Ditch is a County Wildlife Site known as Beach and Engine Drain. A Scheduled Monument, Car Dyke Roman Canal, is located 200 metres to the south west.
8. The site is underlain by the Cam and Ely Ouse Woburn Sands groundwater body, a Water Framework Directive protected area.

Planning History

9. Various planning applications relate to the Cambridge Waste Management Park and in particular:

S/1578/99	Recycling of wastes and aggregates, treatment of household waste, composting of waste, remediation of old landfill, restoration of land to agriculture and nature conservation (wetland habitat), tree and hedge planting.	Approved 21.12. 2001
Condition 3 Section 106 Agreement	Phased landscaping scheme Second Schedule Section 3: Construction and maintenance of a landscaping bund	Dated 14.12.2001

10. Planning permission has previously been granted (but not implemented) or a replacement depot and buildings to be occupied by SCDC and other parties on nearby land to the west of the site on land occupied by Frimstone Ltd, within the designated industrial park:

S/1985/10	Erection of replacement office and workshop building, refuelling facilities, storage areas and vehicle parking following demolition of existing office and workshop buildings	Approved 10.3.2011
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Planning Policy

11. National Planning Policy Framework (2012)

12. **Cambridgeshire and Peterborough Minerals and Waste Development Plan**
 - i) **Minerals and Waste Site Specific Proposals Development Plan Document (2012)**

Site is designated as 'Existing Minerals and Waste Site' and within a 'Waste Consultation Area' and 'Mineral Consultation Area'.

- ii) **Core Strategy (2011)**
CS27 Mineral Consultation Areas
CS30 Waste Consultation Areas

13. South Cambridgeshire Development Control Policies Development Plan Document (2007)

- DP/1 (Sustainable Development)
- DP/2 (Design of New Development)
- DP/3 (Development Criteria)
- DP/7 (Development Frameworks)
- ET/1 (Limitations on the Occupancy of New Premises in South Cambridgeshire)
- ET/3 (Development in Established Employment Areas in the Countryside)
- ET/5 (Development for the Expansion of Firms)
- NE/1 (Energy Efficiency)
- NE/3 (Renewable Energy Technologies in New Development)
- NE/4 (Landscape Character Areas)
- NE/6 (Biodiversity)
- NE/8 (Groundwater)
- NE/9 (Water and Drainage Infrastructure)
- NE/11 (Flood Risk)
- NE/12 (Water Conservation)
- NE/14 (Lighting Proposals)
- TR/1 (Planning for More Sustainable Travel)
- TR/2 (Car and Cycle Parking Standards)
- TR/3 (Mitigating Travel Impact)

14. South Cambridgeshire Local Development Framework Supplementary Planning Documents

- Biodiversity SPD (2009)
- District Design Guide SPD (2010)
- Landscape in New Developments SPD (2010)

15. Consultation by South Cambridgeshire District Council as Local Planning Authority

16. Waterbeach Parish Council – No objection.

17. Landbeach Parish Council – Recommendation of approval.

18. Cottenham Parish Council - No response received.

19. Scientific Officer – The site is adjacent to filled land which has known gassing issues, which should be investigated and mitigated or rendered harmless. Recommended condition for ground gas investigation before development of the office building commences.

20. Environmental Health Officer- Recommended conditions relating to the hours of operation of powered machinery during the construction period.

21. Contracts Manager, Environmental Services – The proposed provision for refuse collection is adequate.

22. **Ecology Officer** - The site has very low value for Great Crested Newts due to the presence of an amphibian barrier. The site does not appear to have an adverse effect upon the hydrology of the County Wildlife Sites. Enhanced planting and widening of the buffer zone should be secured by condition.
23. **Natural England**- The proposal does not appear to affect any statutorily protected sites or landscapes. Standing advice applies.
24. **Development Control, Cambridgeshire County Council** – The proposal will not impact upon either existing or future mineral extraction or waste management operations. No objection subject to access being taken only from the A10 roundabout.
25. **Environment Agency**- No objection to the proposal subject to the imposition of suitable conditions for the investigation of site contamination, together with a remediation strategy. A scheme of surface water disposal is required, as is a foundation works risk assessment report in the event of piling being proposed.
26. **Old West Internal Drainage Board** – No objection.
27. **Archaeology Unit, Cambridgeshire County Council** – No objection.
28. **English Heritage**- Further assessment is required on the potential impact of the proposal on the setting of Carr Dyke Scheduled Monument, to the south west.
29. **Highways Agency** – No objection. No adverse impact upon the A10.
30. **Local Highway Authority**- No objection.
31. **Representations by members of the public**
None received

Material Planning Considerations

Principal of development

32. The site lies outside the area designated for employment development and uses in the LDF, nor can the site said to be previously developed as defined in the NPPF. The development does not conform in principle to policies DP/7, ET/1 or ET/5 of the LDF. However, as discussed below, no significant harm to material considerations have been identified by consultees.

Traffic impact

33. The application has been supported by a Transport Assessment, which clarifies that all heavy commercial traffic from the site will access to A10 via the roundabout built to serve the Cambridge Waste Management Park. This will be an improvement over the existing situation where lorries from the depot access the A10 via a T-junction. It will also obviate the need for unladen collection lorries to return via this access at the end of the day to park overnight, amounting to a reduction of 64 lorry movements a day on the A10. Staff cars and vans will continue to access the site via the T-junction onto the A10, as existing.

Visual impact

34. The site is screened from the open countryside by substantial landscape bunds. There are no views of the site from the A10 or IQ Cambridge. The lighting columns are similar in height to others on this part of the Waste Management Park, and are seen in the context of substantial storage heaps. The proposed office building is single-storey in height.

There is considered to be no adverse impact to the appearance of the countryside from this development.

Habitat enhancement

35. In response to the comments of the Ecology Officer, the agent has advised that the applicant is willing to carry out additional planting and provide amphibian hibernation sites, but are not willing to relocate the Great Crested Newt fence because of the need to facilitate future site maintenance. The response of the Ecology Officer is awaited.

Other matters

36. The applicant has agreed to provide an assessment of the impact of the proposal upon the setting of Carr Dyke Scheduled Monument. The comments of English Heritage on this assessment, when received, should be taken into account prior to the application being determined.
37. The depot is intended as an alternative to that approved under planning permission S/1985/10. This earlier permission is unimplemented but will not expire until 10 March 2014. It is not considered necessary to seek to revoke this permission, as the current proposal is on different land and does not propose to use the same access for heavy goods traffic. As a result any cumulative impact would result primarily from the use of the T-junction onto the A10 by cars and vans from the development, which has been assessed as capable of accepting this traffic.

Conclusion

38. Consultation responses have revealed concerns relating to biodiversity habitat and the setting of a scheduled monument. Members will be provided with an officer update prior to Planning Committee.
39. Subject to resolution of these issues it is recommended that officers be granted delegated powers for planning permission to be issued for the development as a departure from the development plan.

Recommendation

40. It is recommended that the Planning Committee gives officers delegated powers to approve the application subject to the following conditions:

Conditions

1. The development hereby permitted shall be carried out in accordance with the following approved plans: CP/FRIM/WBVC/04; CP/FRIM/WBVC/06; CP/FRIM/WBVC/07; CP/FRIM/WBVC/08; CP/FRIM/WBVC/103; CP/FRIM/WBVC/109; CP/FRIM/WBVC/111 'Parking Plan'; CP/FRIM/WBVC/111 'Application Boundary'.
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
2. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be

planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

3. The development of the office building, hereby approved, shall not commence until there has been submitted in writing to and approved in writing by the Local Planning Authority
 - a) An appropriate scheme for the investigation and monitoring of the site for ground gas.
 - b) Where required, detailed proposals for the mitigation or otherwise rendering harmless of any ground gas found to be present on the site.

(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 water, 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 DP/1 of the adopted Local Development Framework 2007)

4. No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to controlled waters as we are not confident that the initial site investigation sampling and the results of the risk assessment provides sufficient evidence to prove that there is no risk to controlled waters on site

3) The results of the site investigation and detailed quantitative risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

(Reason: To protect and prevent the pollution of controlled waters (particularly the Beach Ditch of the Cam and Ely Ouse (including South Level) water body, a Nitrates Directive protected area) from potential pollutants in line with Environment Agency Groundwater Protection (GP3:2008) position statements P1-4, and P9-5 to P9-7.

(National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

(The Anglian river basin management plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. Without this condition, the impact of potential contamination from leaching of pollutants through the more permeable soils found within the superficial deposits, can cause deterioration of a quality element to a lower status class and prevent the recovery of the Cam and Ely Ouse Chalk (including South Level) water body, because it would:

- result in failure of the prevent or limit objective for groundwater
- cause rising trends in chemicals in the water body
- result in the release of priority hazardous substances (due to the unknown nature of contaminants present within the Made Ground on site

5. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

(Reason: To protect and prevent the pollution of controlled waters (particularly the Beach Ditch of the Cam and Ely Ouse (including South Level) water body, a Nitrates Directive protected area) from potential pollutants in line with Environment Agency Groundwater Protection (GP3:2008) position statements P9-6 and P9-7).

6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

(Reason: To protect and prevent the pollution of controlled waters (particularly the Beach Ditch of the Cam and Ely Ouse (including South Level) water body, a Nitrates Directive protected area) from potential pollutants in line with Environment Agency Groundwater Protection (GP3:2008) position statements P9-6 and P9-7.)

7. Prior to the use commencing a scheme for surface water disposal needs to be submitted to and approved by the local planning authority. The scheme shall be implemented as approved. Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality

(Reason: To protect and prevent the pollution of controlled waters in line with the Environment Agency Groundwater Protection (GP3:2008) position statements P4-1 to P4-12 inclusive. The water environment is potentially vulnerable and there is an increased potential from pollution from inappropriately located and/or designed

infiltration sustainable drainage systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.)

8. If piling foundations are proposed then the method selected should be presented in a "Foundation Works Risk Assessment Report" which should be submitted to and approved by the Local Planning Authority before development commences. The Environment Agency recommend that piling on contaminated sites is avoided where possible, and that non-invasive methods, such as rafts, should be used instead. Where there is no alternative to piling, a method should be selected that minimises the risks of groundwater pollution or gas migration. Mitigation measures and/or environmental monitoring may need to be incorporated into the design.
(Reason: To protect and prevent the pollution of controlled waters in line with Environment Agency Groundwater Protection (GP3:2008) position statement P10-3. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.)
9. Any material conditions recommended by the Ecology Officer, by the Scientific Officer or by English Heritage.

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

- National Planning Policy Framework (2012)
- Cambridgeshire and Peterborough Minerals and Waste Development Plan
- Minerals and Waste Site Specific Proposals Development Plan Document (2012) and Core Strategy (2011);
- South Cambridgeshire Development Control Policies Development Plan Document (2007)
- Planning files S/1306/12/FL; S/1985/10.

Case Officer: Ray McMurray – Principal Planning Officer
Telephone: (01954) 713259