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27 September 2013

To: Chairman – Councillor Robert Turner
Vice-Chairman – Councillor Lynda Harford
All Members of the Planning Committee - Councillors David Bard, Val Barrett,
Brian Burling, Tumi Hawkins, Caroline Hunt, Sebastian Kindersley,
David McCraith, Charles Nightingale, Deborah Roberts Hazel Smith and
Nick Wright

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 2 OCTOBER 2013 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully
JEAN HUNTER
Chief Executive

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.

AGENDA SUPPLEMENT – UPDATE REPORTS

		PAGES
4.	S/1020/13/FL - Bourn (Thyssen Krupp Tallent Ltd, The Airfield, Bourn)	1 - 2
7.	S/0767/13/FL- Cottenham (Units 13 to 22, The Maltings, Millfield)	3 - 6
10.	S/1246/13/FL - Meldreth (Tavern Yard & Station Yard, High Street)	7 - 10
12.	S/0645/13/FL - Waterbeach (Land to the west of Cody Road)	11 - 12

EXCLUSION OF PRESS AND PUBLIC

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

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

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to view it. There will be an explanation on the website however as to why the information is exempt.

Notes

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

Agenda Item 4

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 October 2013

AUTHOR/S: Planning and New Communities Director

S/1020/13/FL – BOURN

Proposed demolition and replacement of buildings to provide B1, B2 and B8 uses, Thyssen Krupp Tallent Ltd, The Airfield, for Gestamp Tallent Ltd

Recommendation: Delegated Approval

Date for Determination: 15 August 2013

Update to the report

Agenda report paragraph number 14 – Consultations – Updated comments from Bourn Parish Council

Bourn Parish Council recommends approval 'given that the conditions seem to be sufficient to meet with Caldecote Parish Council concerns, BUT that date monitoring equipment is installed to back up the issue of enforcement.

Agenda report paragraph number 25 – Consultations – Comments of Planning Policy Team

The **Planning Policy Team** comments that the Proposed Submission Local Plan policy SS/6 concerns the development of a new village at Bourn Airfield. The policy requires the new village to include employment development, 'to include the existing ThyssenKrupp site, appropriate to a residential area in Use Class B1. Where distant from residential areas the site could also include other employment uses. The Area Action Plan will consider how this site can be integrated with the new village'.

The policy clearly envisages a mix of uses including B2 and B8 type activities as well as B1, together with mitigation measures to protect future residents of development on the Airfield and existing village residents. These mitigation measures will include modern buildings with improved acoustic control performance, the disposition of land uses on the wider site and any necessary physical works such as the use of landscaped earth bunds to mitigate noise impact. On this basis and subject to appropriate conditions to the satisfaction of Environmental Health as are proposed, the redevelopment of this site could be permitted in advance of the more detailed site planning which would be established in an Area Action Plan.

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Agenda Item 7

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 October 2013

AUTHOR/S: Planning and New Communities Director

S/0767/13/FL - COTTENHAM

Retention of commercial building for Offices Class B1(a) and Storage Class B8 use (retrospective application) for Mr. Paul Ursell on behalf of H C Moss Ltd

Recommendation: Approval

Date for Determination: 19 August 2013

Update to the report

Amended drawings received 29 August 2013 and Applicant Statement received 5 September and Amended Transport Statement received 6 September 2013

Agenda report paragraph number 21 – Cottenham Parish Council

1. Cottenham Parish Council has submitted additional concerns in response to the amended submissions. The Parish Council's letter dated 24 September states:
2. 'The statement in the latest transport assessment indicated that the 2007 restriction of permission to HC Moss only was a breach of ministerial (Secretary of State) ruling. A key condition of the decision then is without substance and reflects a lack of understanding and attention to detail; this lack of attention to detail resulted in a "flawed" view of the traffic, road safety and over-development issues which were argued at that time. The fact is that such views on (traffic, road safety etc.) were based entirely upon the District Council's Officers intention that there would be:
 - just one occupant (HC Moss)
 - just one type of business (builder)
3. 'As such there could have been no assessment and no consideration of a development which:
 - a) incorporates a dozen or more different (offices/retail/wholesale) businesses and thereby;
 - b) creates an environment for a mixed combination of traffic generated from transit vans to 40 tonne LGV's;
 - c) creates a 24 hour timeframe for business activity (much like Tesco and the super stores) completely beyond any enforceable restrictions required to protecting domestic amenity;
 - d) introduces what is effectively an anti-social business culture in which local resident concerns for pedestrian safety, unhindered access & egress and the peaceful enjoyment of their homes are ignored in the interests of greed.
4. 'Whilst we accept that the site has been deemed appropriate for business use, the scale of that business should be proportionate to, and respect, the general nature of the neighbouring residential community.

5. 'Furthermore Policy DP/3 of the LDF states that a development must have:

'Appropriate access from the highway network that does not compromise safety, enhanced public and community transport and cycling and pedestrian infrastructure.'

6. 'In addition to Millfield, The Maltings is accessed via several roads which narrow considerably, therefore making access very difficult for the larger vans and lorries that currently use the site. This isn't referenced in the transport assessment provided by HC Moss and we also feel that this may have been overlooked by County Highways, at which point we would stress again that a functional 'in' & 'out' access to the site is impossible for anything larger than a transit van no matter what the transport assessment infers.'

7. The Parish Council has reiterated its view that the application should be assessed in a similar way to planning refusal S/1209/13/VC at 14 Ivatt Street, Cottenham. These comments were included in the main report at paragraph 23. The Parish Council makes the additional statement:

'There is no way to differentiate between the two applications; if it is deemed by SCDC that the increase of people accessing Ivatt Street by car would have an unacceptable adverse impact on residential amenity ergo the same must apply to Millfield'.

Agenda report paragraph number 32 – Representations from members of the public

8. A letter of objection in response to the applicant's statement has been received from the occupier of No.4 Millfield. The writer states:
- a) the intended hours of operation differ from those in the original application. Which is correct?
 - b) The historical photos show the low level, rural feel of the area.
 - c) The site already has a number of deliveries by lorry and large vans, not as cars as claimed in the report.
 - d) The application is for a completely different scheme to that previously approved, for a single occupant no multiple tenants. Permission should not previously have been granted, as the Secretary of State had stated in the 1976 appeal that an occupancy condition should not be used.
 - e) Lorries reverse up Rooks Street as well as Millfield.
 - f) Signage will not remove all these potential dangers. Do they really think this is the solution and that this will remove the risk of harm or injury? If not how many incidents causing harm or injury would be considered acceptable?
 - g) It seems inconceivable that the highways department think that this is an acceptable situation, visibility splays onto Rooks Street etc. This is a major consideration.
 - h) H C Moss seems to make the assessment that because it once had planning permission for something similar that there are no grounds for objection now.
 - i) The previous planning permission was granted by planning officers under delegated powers which leads him to seriously question how much these matters were taken into consideration.
 - j) The revised traffic statement is no more accurate than the original one and seems to be using words to try and give excuses for why the statistics show the vehicle movements are in excess of what should be allowed.

- k) H C Moss are actually telling residents that what they have got now is prettier, quieter, better than what was there before when it was a builder's yard behind a wall.
- l) The proposal to install a turning head and erect signage is inadequate and seeks to deal with only part of the problem. The proposal to restrict the working hours of tenants and to limit the hours for deliveries is unworkable and unenforceable. How is this intended to work?
- m) The statement to upkeep the road is entirely without substance and just means they will do what they want, when they want, if they want. This is their attitude to the whole planning process.
- n) Can anyone in their right mind think this is acceptable? It is wrong, wrong, wrong. Why will nobody do anything about it?

Further Information received after publication of the agenda report.

- 9. A revised layout drawing no. LP2 revision E has been received from the applicant. This shows the frontage to be fully enclosed by 2.0 metre high close boarded fencing and entrance gates. If Members are minded to grant planning approval, delegated authority is requested to seek further information about the proposal and to consult further with Cottenham Parish Council, local residents and the Local Highway Authority. Any comments arising from the amended proposal, when finalised, to be considered by Officers.

Officer comment

- 10. The concerns of Cottenham Parish Council are issues that have been raised previously. It is accepted that the consideration of the application S/1867/06/F was not supported by a Transport Statement at that time, and that the use of a personal occupancy condition was contrary to the guidance set out in Circular 11/95. The application was assessed on its merits.
- 11. The concerns of the occupier of 4 Millfield are noted. It is considered that the application, if subject to the recommended conditions, is appropriate for the issue of a planning approval.
- 12. Delegated authority is requested to resolve details of frontage treatment as indicated.

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Agenda Item 10

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 October 2013

AUTHOR/S: Planning and New Communities Director

S/1246/13 - MELDRETH

Erection of 4 bungalows (2 detached and 2 semi-detached), creation of access and parking - revised design to Planning Approval S/0029/11

Land adj. to The Tavern Yard & The Station Yard, Meldreth for Lodge House Ltd

Recommendation: Refuse

Date for Determination: 9 August 2013

Update to the report

Agenda report paragraph number 9 – Parish Council Comments

1. Meldreth Parish Council has updated their comments on the application as follows:
2. “Meldreth Parish Council recommended approval of the application for 4 bungalows adjacent to Tavern Yard (S/1346/13/FL) because we considered it better suited to the site than the approved application for houses (S/0029/11/FL) for which we had recommended refusal. However, in light of the continuing night noise issues from the adjacent industrial site if SCDC Planning Dept or the Planning Committee is minded to grant planning permission we would strongly recommend that a similar condition to condition 16 for S/0029/11/FL be put in place to deal with noise.
3. This should cover the adoption of a noise attenuation and insulation scheme to protect future occupants from both railway noise and noise from the adjacent industrial site currently occupied by Eden Farm Ltd. This should include a ventilation system to allow acceptable internal noise levels by keeping windows shut. However, we hope that SCDC will be able to resolve the problem of night noise using all their powers.”

Update to paragraph number 26 – Noise Impact Statement

4. The applicant has submitted a noise report by Noise Advisory Service Acoustic Consultants, dated 23 September 2013, which concludes the following:
5. “Calculations based on the measured noise level data have shown that satisfactory room levels in the proposed dwellings on the site can be achieved at night with conventional building techniques and materials. For the bedrooms it may be desirable to install mechanical ventilation to avoid having to open the windows for ventilation. A boundary fence to

the site would be beneficial in reducing the noise exposure of the properties and the communal area, gardens etc.”

Officers View

6. The Council’s Environmental Services has considered the submitted noise report and objects on the grounds that the information supplied is not sufficient to adequately assess the likely impacts that will be experienced by future occupiers of the new units. Due to the flaws and consequential inaccuracies in this report (outlined below) there is no option but **to maintain the recommendation of refusal at this time**. The reasons for this are highlighted below:
- a) It was noted that the on-site noise measurements were only taken over 1 night. This will only give a very restricted view of the noise environment that exists at this location. Information received by this department from local residents suggests the levels of noise fluctuate from day to day and one nights’ worth of readings is not sufficient to accurately represent noise levels experienced.
 - b) The measurements were taken during the night-time period i.e. 11pm to 7am and it is accepted that this is the most sensitive time however, the evening period between 7pm and 11pm has not been assessed, which is the time people could realistically be using outside areas during the summer months. The report states noise is only emitted from the industrial site at night. It is emitted during the day as well but is not as intrusive due to working patterns.
 - c) The LAeq s measured were captured over 1 hour periods on the night of the survey. The SCDC Design Guide SPD requires that the measurements are taken in accordance with the principles of BS 4142 and this requires LAeq s being measured over a 5 minute period at night. A 1 hour period will “even out” any impact type noise. This is especially important as the report appears to assume the refrigerated units on the delivery vehicles are the only source of noise and noise from yard activities and outside plant etc. is not taken into account. These noise sources are likely to include forklift truck movements, loading and unloading operations involving the use of wooden pallets.
 - d) Similarly the LA90 was taken over a 15min period rather than 5 mins although this may have less effect on the results. The position the measurements were taken is unclear from the report and a map detailing the location would be of help. The reason being is that BS4142 relates to noise levels predicted at the façade of the nearest noise sensitive premises. There does not seem to be any measurements or predictions as to the noise levels at the façade of the proposed development in the appropriate formats i.e. LAeq(5mins) during the night-time period and LAeq (1 hour) during the day.
 - e) During the day time period the noise levels should relate to the boundary of the property in order to protect outside areas i.e. gardens of the residential premises.
 - f) The results given in the report exclude the +5dB correction for characteristics of the noise source. The +5db correction should be added

as the noise is tonal and yard activities etc. produce intermittent and impulse noise. If this correction is added then the difference between background and source now becomes 11dB rather than the 6dB quoted. In terms of BS4142 this equates to a situation where complaints are highly likely.

- g) There is reference in the report to the inverse square law to predict a drop-off in noise levels with increasing distance. This only works when the noise is a point source under free field conditions. When the refrigerated vehicles are running in a line the situation becomes a "line source" and this inverse square law does not hold true.
- h) The buildings will also create reflections and reverberant fields that have not been represented by appropriate noise prediction software.
- i) Other considerations have not taken into account if the occupiers wish to have their bedroom windows open, particularly during the summer months, when noise levels from the industrial site are likely to be higher.
- j) The suggested noise attenuation due to the noise barrier states a reduction in levels of 5dB and 2Db whereas the measured results are in dB(A)

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Agenda Item 12

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

2 October 2013

AUTHOR/S: Planning and New Communities Director

S/0645/13/FL - WATERBEACH

Erection of 60 dwellings (Class C3) including affordable housing, access, car parking & associated works, open space, landscaping and a children's play area at land to the west of Cody Road, for Manor Oak Homes

Recommendation: Delegated Refusal

Date for Determination: 25 June 2013

Update to the report

Amended Flood Risk Assessment received 10 September 2013

Agenda report paragraph number 42 – Waterbeach Internal Drainage Board

1. Waterbeach IDB has commented on the revised Flood Risk Assessment. The IDB has concerns about the proposed routes of the drainage from the site to the Board's Main Drain, and the evidence that the culvert adjacent to the site has caused flooding in the past. However, the IDB notes that developer is working with the Council's Drainage Manager to survey the culvert.
2. The IDB has concerns with regard to the secondary route proposal. The receiving watercourse would have to be extensively improved to take the flow of water from the site. The developer would need to ensure that there is a positive system and that the water can flow down to the Board's system without causing flooding to downstream landowners. The developer in the last major development adjacent to this site expressed the opinion that these culverts and watercourses were not acceptable to take flows for a development run-off.
3. The Board will require detailed design of the attenuation system and flow control structure, details of adoption of the balancing facilities, and its own consents, before any building works take place.

Agenda report paragraph number 53– Representations from members of the public

4. A letter of objection in response to the revised Flood Risk Assessment has been received from the occupier of No.41 Bannold Road. The writer states:
 - a) Morris Homes also wanted to use the western ditch and culverted open ditch as their outfall, but this route was found to be unsuitable. Prior to the connection of the balancing pond the developers discharged some of the water to the open ditch in front of the surgery but this filled the ditch and overflowed on both sides. It did not connect to the IDB drain as there is no slope.
 - b) It is in Manor Oak Homes' interest to suggest this route as it is the cheapest and easiest rather than having to install a robust system.
 - c) If the proposed underground chambers get full or blocked the first that existing residents will know is when their properties get flooded.

- d) The ditch to the east of Cody Road does not connect with the ditch that runs along Bannold Road as there is a 200 years old oak tree growing from the bottom of the ditch.
- e) Residents will have to deal with the consequences of any failure in the proposed drainage. The ditches were designed to take the run-off from arable fields, not drains to cope with the water from a housing estate.
- f) Why should the riparian owners downstream have to maintain the ditches in order to take the flow from a housing estate when this is not what the ditches were designed for?
- g) The only acceptable solution is for a storm drain to be installed that links the site to the west of Cody Road with the Morris Homes storm drain.

Further Information received after publication of the agenda report.

- 5. The agent has reiterated in response to the above comments that these have been appropriately addressed and detailed discussions have been held with the Council's Drainage Manager regarding the adequacy and capacity of the downstream ditches and that these should be subject to further investigations
- 6. The applicant has indicated that a revised site area plan and suitable ownership certification will be provided to include the alternative drainage proposal within the submitted application.

Officer comment

- 7. The issues raised by Waterbeach IDB and the local resident are noted and have been brought to the attention of the agent. The recommendation remains that of further discussions with the applicant to establish an appropriate framework of draft conditions and draft planning obligations to ensure an adequate drainage regime for the proposed development.

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