

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Planning Committee

6<sup>th</sup> September 2006

**AUTHOR/S:** Executive Director / Head of Planning Services

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### **S/1348/06/F - OAKINGTON**

#### **Variation of Condition 5 of Planning Permission S/1745/02/F (Occupancy Condition) Site at Level Crossing, Station Road for South Cambridgeshire Primary Care Trust**

**Recommendation: Approval**

**Date for Determination: 29<sup>th</sup> August 2006**

#### **Site and Proposal**

1. The 0.4 ha linear site lies to the west and alongside the former Cambridge-St Ives railway line and was a former goods yard. A refurbished former warehouse building is set back from the road on its western boundary with car parking to the front and rear. The former railway line to Cambridge is located to the eastern boundary, this is to be the new Guided Bus route. The site access is just west of the level crossing.
2. The full application received on 4<sup>th</sup> July 2006 proposes to vary Condition 5 of planning permission S/1745/02/F. A copy of this permission is attached for information. The applicant is the South Cambridgeshire Primary Care Trust and would not be able to occupy the building as the condition restricts the occupation to research and development uses.

#### **Planning History**

3. Planning permission was granted in 1999 (**S/0739/99/F**) to change the use of the existing warehouse to a research and development use, subject to conditions including the limitation on type of use. The permission was implemented and the building modified. A change of use of the existing building from the permitted use of Class B1(B) research and development to Class B1(A) offices was granted in 2002 (**S/1745/02/F**). This permission has not been implemented but is still extant.

#### **Planning Policy**

*Cambridgeshire and Peterborough Structure Plan 2003:*

4. **Policy P2/4** supports small-scale employment development in rural areas where it contributes to one or more of the following objectives:
  - (a) Helping to achieve a balance of employment with the type and quantity of local housing;
  - (b) Supporting new and existing business and research and technology clusters (see **Policy P2/4**);
  - (c) Providing opportunities for home working, or making good use of new information and communication technologies;
  - (d) Enabling farm or rural diversification where appropriate to the local area, including appropriate rural tourism (see **Policies P4/1** and **P4/2**);
  - (e) Enabling the re-use of existing buildings;
  - (f) Enabling the re-use of vacant, derelict or under-used land within villages;

- (g) Helping to maintain or renew the vitality of rural areas.

Employment allocations in local plans for rural areas will be predominantly located in Rural Centres (see **Policy P1/1**).

*South Cambridgeshire Local Plan 2004:*

5. **Policy EM3** Development, including change of use, within Class B1 of the Town and Country Planning (Use Classes) Order 1995 will only be permitted if it is subject to a condition or Section 106 Agreement of the Town and Country Planning Act 1990 which, for a period of 10 years from the first date of occupation, limits:
1. Offices over 300 sq.m. to the provision of a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge Area excluding national or regional headquarters offices; or
  2. Research and development to those firms which can show a special need to be closely related to the universities or other research facilities established in the Cambridge Area is essential, in order to share staff, equipment or data, or to undertake joint collaborative projects with such organisations necessary for the investigation, design, and development of an idea, concept, instrument, product or process, up to and including production for testing, but excluding manufacture;
  3. Light industry to a maximum of 1,850 square metres (20,000 sq. ft.) or floorspace; large scale expansion of such firms will not be permitted.
6. **Policy EM4** Proposals for the development of new research establishments (and for the expansion of existing research establishments) will normally be permitted if it can be demonstrated that:
- (a) Such development is intended to provide accommodation for organisations whose primary purpose is to research or investigate ideas, theories and concepts and/or to design and develop instruments, processes or products, up to and including production for testing, but excluding manufacture; and
  - (b) That the organisations are required in the national interest to be located close to existing major establishments in related fields (such as the universities, the teaching hospital or private research establishments) in order to share staff, equipment or data, or to undertake joint collaborative working for the purposes specified in (a) above.

Where there is any conflict between such proposals and other policies and proposals in the development plan this must be outweighed by evidence of need in the national interest as referred to above.

Development under this policy will be regulated by way of a condition(s) or, where appropriate, a planning obligation, to restrict the future occupation and use of the premises for the purposes specified.

### **Consultation**

7. **Oakington and Westwick Parish Council** recommends refusal as they considered that the condition is right and proper and should be retained. The guided bus has been given the go ahead and the entrance to the site abuts the road crossing. There

would be traffic problems especially at peak times. The drivers from Cottenham will have to wait to cross the road to gain access which will create tailbacks across the Guided Busway. This would be unacceptable. The entrance to the site would provide a turning point compounding the road safety risks. Gallaghers are also proposing a new access in close proximity to the entrance.

However, subject to a legally binding agreement that would guarantee this condition would remain enforceable when present applicants vacate the premises, or they intend to use it for some other purpose than is specified in their application we would support the requested change. The proposed use is for a headquarters for staff only and not any form of facility that would attract members of the public (including patients). If the latter is proposed we would strongly oppose this application.

8. **Old West Internal Drainage Board** - no comments.

9. **Chief Environmental Health Officer** - no objection.

### **Representation**

10. None

### **Planning Comments – Key Issues**

11. The key issue is the acceptability of varying condition 5 of planning permission S/1745/02/F to allow the South Cambridgeshire Primary Care Trust to occupy the building. Condition 5 restricts the use of the office building to firms which need to be closely related to the universities or other research facilities in the Cambridge area. The reason for this condition was to ensure that there are a range of premises available to allow the continued expansion of the research and technological firms associated with the universities and other research facilities in the area. The Primary Care Trust (PCT) is looking for offices in the Oakington area in order to set up a base for district nurses and careworkers. This is in advance of permanent facilities, which are due to be built as part of the new settlement at Northstowe. There will be no clinical facilities and the site will not be open to members of the public. It will be purely an administrative function. It is likely that the PCT will occupy the building for at least 5 years.
12. Policy EM3 does allow the conversion of offices over 300 sq.m. to the provision of a local or sub regional service or administrative facility principally for persons resident or organisations situated in the Cambridge Area excluding national or regional headquarters offices. The building has not been occupied. The PCT would meet the criteria for policy EM3 and would be an acceptable occupier of this building. It is considered acceptable to vary Condition 5 of planning permission S/1745/02/F to allow the PCT to occupy the building.
13. The comments of the Parish Council are noted in relation to the highway concerns. However the use of the building is restricted to 10 employees. It is considered that there will be no more impact on the highway with the PCT using the building than a firm associated with the university or other research facilities. A legally binding agreement is not necessary as condition 5 as varied would be enforceable.

## Recommendation

14. Approval subject to the following condition:

1. Occupation of the building permitted by planning permission S/1745/02/F shall be restricted to those firms/organisations which, for a period of 10 years from the first date of occupation, are a local or sub-regional service or administrative facility principally for persons resident or organisations situated in the Cambridge Area excluding national or regional headquarters or firms which can demonstrate a special need to be closely related to the universities or other research facilities established in the Cambridge Area.  
(Reason - To comply with Policy EM3 of the South Cambridgeshire Local Plan 2004 which seeks to plan for the selective growth of employment in the Cambridge Area sufficient to meet the needs of the workforce.)

## Informatives

### Reasons for Approval

1. The development is considered generally to accord with the Development Plan and particularly the following policy:
  - **Cambridgeshire and Peterborough Structure Plan 2003: P2/4** (Small-scale Employment Development in Rural Areas)
2. The development is not considered to be significantly detrimental to the following material planning considerations which have been raised during the consultation exercise:
  - Highway safety

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref: S/1745/02/F and S/0739/99/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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