**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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| **REPORT TO:** | Planning Committee | 3rd October 2007 |
| **AUTHOR/S:** | Executive Director / Corporate Manager - Planning and Sustainable Communities | |

**S/2307/06/F- HAUXTON**

**Demolition of Buildings (including Nos. 90, 92 & 96 Church Road) remediation of land and formation of a development platform**
**At land to the East of the A10 known as the former Bayer Cropscience Ltd site**

**Recommendation: Approval**

**Date for Determination: 2 March 2007 (Major Application)**

**Notes:**

**This Application has been reported to the Planning Committee for determination because there are outstanding objections to the scheme and the proposal is a departure from the development plan policies.**

**Site and Proposal**

1. The application site is the former agro chemicals plant known as Bayer CropScience, which carried out the production and testing of agricultural related chemicals for over 65 years until its closure in 2003. The full Bayer site is divided into two by the A10 with the factory site located to the east side and the west side providing a mix of uses including associated sports facilities and the waste water treatment facility.

2. This current application relates to the main factory site on the east side of the A10, which due to its previous use has pockets of high levels of contamination. The site currently contains a mix of buildings in a state of partial demolition/dismantling as well as large areas of hard standing in the form of a 276 space surface car park and areas of internal infrastructure. In terms of scale the remaining buildings include large warehouses, production buildings, a number of 4 storey office blocks, large-scale infrastructure including storage towers of up to 7 storeys in height and 3 detached 2 storey dwellings fronting Church Road.

3. In addition to the factory buildings, the site also contains two listed buildings known as Hauxton Mill and the Mill House both of which are grade II listed buildings while to the north of the Mill is the new Mill house which although not listed in its own right is located within the curtilage of the listed Mill. A public footpath (number 5) cuts across part of the site which provides a loop route with footpath number 4, from the A10 through the site over the Riddy Brook and the River Cam past the Mill House and the Mill to reappear further along the A10 at the access point serving Westfield Cottages. A second public footpath (number 1) links with footpath number 5 at the footbridge over the Riddy Brook and provides a route partly along the western bank of the Riddy Brook before crossing it to run along the western bank of the River Cam to then re-cross the Riddy Brook and continue along the eastern boundary of the application site and onto Church Road.

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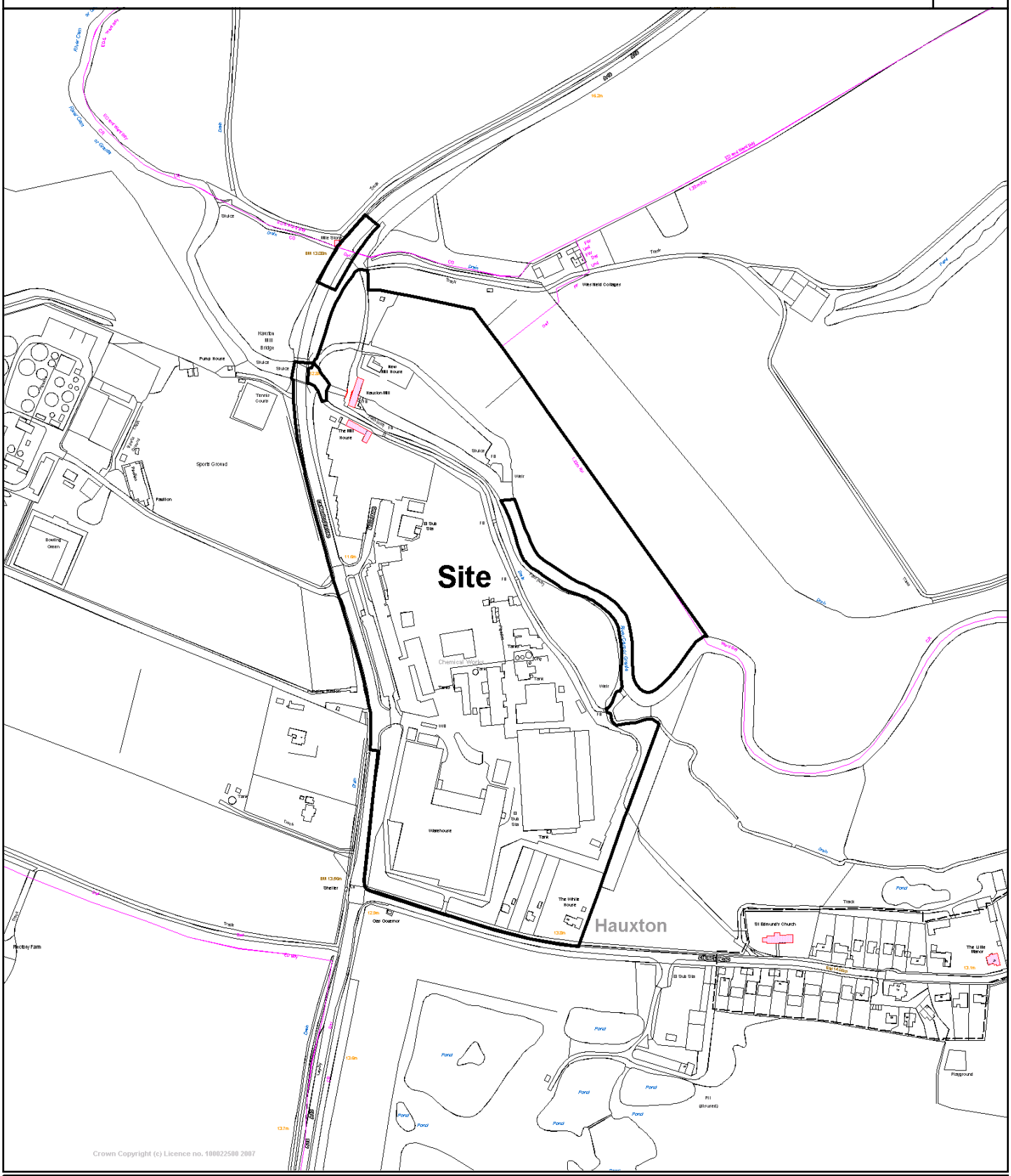


South Cambridgeshire District Council

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4. The site is bounded to the west by the A10, to the north and east by a 2.5 metre high boundary wall, also along this part of the site and below the ground level a bentonite wall installed around 1972, provides a structural barrier preventing contamination crossing from the site into the Riddy Brook. To the south the site boundary is formed by Church Road, which provides the main link into Hauxton village from the A10.

5. The application, registered in 1st December 2006, relates to two main issues the first being the demolition of the existing factory buildings, along with the three dwellings fronting Church Road but not the Mill House, Hauxton Mill or the New Mill House. The second part of the application relates to the necessary remediation measures required to provide a platform for the redevelopment of 380 dwellings, employment units and open space provision. Details of the proposed redevelopment of the site are the subject of a second application S2308/06/O considered elsewhere in this committee report, but in short relate to the provision of 380 dwellings, new employment buildings of up to 4,000 sq metres (Class B1), area of retail development (Class A1), new access points, areas of open space and internal infrastructure.

6. The applicant on both applications represents a specialist company, which acquires this type of site, obtains outline planning permission for redevelopment carries out the remediation work and then sells the 'cleaned' site to a developer.

**Planning History**

7. This site has a very long planning history with numerous planning applications for development.

**Planning Policy**

8. Until recently, the adopted Local Plan 2004 formed part of the development Plan for South Cambridgeshire, setting out the planning policy framework for development within the District. With the introduction of the new planning system in 2004 the Council has to produce a suite of Development Plan Documents (DPD), known collectively as a Local Development Framework (LDF), which will replace the Local Plan.

9. The Core Strategy DPD was adopted in January 2007 with the Development Control Polices DPD adopted in July 2007 and as such a number of the Local Plan 2004 policies have now been superseded. However the Site Specific Policies DPD is currently in a draft form dated January 2006 with the hearings for this Examination expected to start on 27 November 2007. As such and until this DPD is formally adopted there are still some of the Local Plan 2004 policies which remain in force.

10. Core Strategy DPD (January 2007) policies relevant to this application: **ST/1 Green Belt; ST/3 Re-Using Developed Land and Buildings; ST/6 Group Villages. The site is a pocket of land excluded from the Green Belt.**

11. Development Control Polices DPD (July 2007) policies relevant to this application: **DP/1 Sustainable Development; DP/5 Cumulative development; SF/8 Lord's Bridge Radio Telescope; SF/9 Protection of Existing Recreation Areas; SF/12 River Cam; NE/4 Landscape Character Areas; NE/6 Biodiversity; NE/7 Sites of Biodiversity or Geological Importance; NE/8 Groundwater; NE/9 Water and Drainage Infrastructure; NE/11 Flood Risk; NE/12 Water Conservation; NE/15 Noise Pollution; NE/16 Emissions; CH/1 Historic Landscapes; CH/2 Archaeological Sites; CH/3 Listed Buildings; CH/4 Development within the Curtilage or setting of a Listed Building;**

12. **Site Specific Policies DPD** (January 2006) policies relevant to this application: **Policies SP/7 Bayer CropScience;**

13. South Cambridgeshire Local Plan 2004 ("The Local Plan 2004") **Policies GB1 boundaries of the Green Belt; GB2 Green Belt General Principles; GB3 Location of Development; GB4 Major Developed Sites; GB5 Recreational role of the Green Belt; GB6 Access to the Countryside – Footpaths, Bridleways and cycle ways; GB7 Decline of the landscape.**

14. Cambridgeshire and Peterborough Structure Plan 2003 ("The County Structure Plan") **Policies P1/1 Approach to development; P1/2 Environmental restrictions on development; P5/2 Re-using previously developed land and buildings; P6/3 Flood defence; P/6/4 Drainage; P7/1 Sites of natural and heritage interest; P7/2 Biodiversity; P7/3 Countryside enhancement areas; P7/4 Landscape; P7/6 Historic built environment; P7/8 Safe and healthy air, land and water; P8/9 Provision of public rights of way; P9/2a Green belt.**

15. Government Policies **PPS1 Delivering sustainable development; PPG2 Green belts; PPS7 Sustainable development in rural areas; PPS9 Biodiversity and Geological conservation; PPS11 Regional spatial strategies; PPG15 Planning and the historic environment; PPG16 Archaeology and planning; PPS23 planning and pollution control; PPG24 Planning and noise; PPS25 Development and flood risk.**

**Consultation**

16. **Hauxton Parish Council** supports the application subject to resolution of a number of significant issues involving the developer, statutory consultees and Local Authorities and subject to satisfactory benefit to the village of Hauxton. The Parish Council identifies the Bayer Site (East and West of the A10) as a major complex problem requiring (i) remediation of the whole Bayer site and the surroundings that is effective in perpetuity and (ii) sustainable redevelopment that both funds the remediation and enhances the southern entrance to Cambridge City. The two planning applications (S/2307/06/F & S/2308/06/O) are for the largest developments of Hauxton in its entire history, doubling the number of households. Hauxton Parish Council requests close participation in the deliberations of the planning authorities and the Environment Agency (for the remediation and the flood risk management) to ensure the complexity and extent of the remediation and development achieves suitable outcomes.

17. **Hauxton Parish Council** is seeking assurances that the Demolition and Remediation Strategy of the former Bayer CropScience site that is designated Contaminated Land under part 2a of the Environment Protection Act 1990 will be:

    1. **Robust in terms of Health, Safety and the Environment** using best practice to limit the impact of noise, dust and smells on the Village and the Environment.
    2. **Carried out using the "best practice"** remediation methods especially if house building starts before the whole East site and/or West site (not part of this application) and surrounding ground water outside the site is remediated.
    3. **Quantifiable for pollutants** by location and type sufficient to cover the full extent of the known pollution including groundwater beyond the site boundaries.
    4. **Sustainable long term** with a proper exit strategy that includes monitoring and continued treatment if necessary.
    5. **Carried out to a standard** that reflects the ultimate use of the site for residential development.

7. **Indemnifies owners and local stakeholders**, who may take on responsibility for part of the land, against future problems relating to or arising from the pollution and remediation.

**KEY ISSUES**

18. **Hauxton Parish Council is seeking dialogue with the Environment Agency on the criteria by which the remediation will be judged satisfactory by the Environment Agency so that it is released for development.** The criteria for success have yet to be provided or considered. The documents just state that chemistry and bacteria will be used to reduce the concentrations but to what levels?

19. **Hauxton Parish Council requests clarification from South Cambs District Council (SCDC) and the Environment Agency (EA) whether the lack of Stage 3 assessment is consistent with planning policy and procedures. The Parish Council wishes to have full information on the Stage 3 assessment once available.** The document **Remediation Strategy Summary For Planning** is just 24 pages and contains no data. Page 3 states "Stage 3 assessments are in development" and as the Stage 3 Assessment comprises exactly what remediation method will be used on precisely what location this document says precisely nothing. As the Stage 3 assessment also provides information as to "whether the remediation strategy will meet all the site specific objectives" the document is totally uninformative.

20. **Hauxton Parish Council is seeking dialogue with the Environment Agency to remove ambiguity and imprecision at present in the planning documents so as to arrive at a robust, effective remediation programme under effective scrutiny by the Environment Agency under Part 2a of the Environment Protection Act 1990.**

21. **Hauxton Parish Council urges both South Cambs District Council and the Environment Agency to have the remediation plan account for the 'worst case'.** Hauxton Parish Council notes that the whole site (both East and West of the A10) is officially designated Contaminated Land under part 2a of the Environment Protection Act 1990. The application documents refer to substance that could *potentially* require remediation; this is ambiguous. (Example: references in the documents to DDT and dieldrin). The Parish Council is seeking dialogue with the EA to remove this imprecision. Likewise the application apparently relates the degree of remediation to the end-use. Hauxton Parish Council urges both SCDC and the EA to recognize the stated complexity of the geological sequence and the complex groundwater flow and so have the remediation plan account for the 'worst case'. For example the documents identify hotspots under structures that may well be mobilized by demolition work.

22. **Hauxton Parish Council: urges both South Cambs District Council and the Environment Agency to accept that remediation plans must not assume natural spontaneous processes will complete the clean up of the site after remediation work halts.** Measured levels of key pollutants are reported in the documents to vary over time. The Parish Council is of the view that evidence of natural reduction in soil and groundwater pollution by natural degradation has not yet been demonstrated.

23. **Hauxton Parish Council is concerned that redevelopment of part of the East Site prior to completion of remediation of the whole East Site could compromise remediation to a satisfactory standard.** Clean cover applied before completion of remediation of the whole east site runs a risk of being contaminated by migration up to the time the site is declared fit for purpose by the EA.

24. **Hauxton Parish Council requests best practices throughout the remediation and strongly objects to any use of the imprecise weaker term 'reasonable measures'.** There is only a single opportunity for remediation (i.e. when the factory is demolished thereby providing access and while there is funding for the remediation). Therefore the clean up has to be effective in perpetuity and there must be no prospect of an adverse legacy falling on owners of the properties created, SCDC or Hauxton Parish Council.

25. **Hauxton Parish Council is seeking dialogue with the Environment Agency on the extent of groundwater contamination outside the Bayer site (both East and West of the A10). It also requires assurances from the Environment Agency that responsibility for this rests with those who caused the pollution or their successors either severally or jointly.** The document **Preliminary Conceptual Model Report** gives a full history of the site, site maps since 1886 and much data on the contamination levels as measured. The maps showing levels of individual chemicals seem to show groundwater contamination beyond the boundaries of the site. Furthermore there are some remarkably big numbers for pollutant levels i.e. >100,000 µg/kg. Figure 28a for example in the Preliminary Conceptual Model Report appears to show the herbicide ethofumesate in groundwater at 1000µg/L reaching under Church Road to the South and into the gravel pits South of Church Road and 250µg/L reaching into the garden of the house West of the A10 opposite the works. The ground water at Hauxton Gap A10 bus stop apparently has some interesting components including copper at 6,000µg/L (Figure 38) (See also Figure 29a for MCPA; Figure 31a for 2,3,6 TBA at 20,000µg/L). On the West Site (waste water treatment works) trichlorethylene in groundwater apparently is >100,000µg/L at the edge of the field along the farm track. The xylene 3,000µg/L concentration line apparently runs through Rectory Farm to the West at the top of the hill from the A10 Hauxton Gap (Figure 35).

26. **Hauxton Parish Council would like to have seen an estimate in the documentation of how many tonnes of soil/subsoil they expect to remediate, how deep the remediation is expected to go and just how much (mass) of each chemical they are going to have to destroy.** The amount (mass) of material that has to be destroyed to remediate the site has not been estimated in the planning application. (Such mass balance calculations are commonplace in the chemical industry.) Simple arithmetic suggests depth 5metres x width 50 metres x length 100 metres = 25,000 cubic metres which is about 25,000 metric tonnes or 25,000,000 kg of land to clean up. As an example take 5,000µg/kg of ethofumesate herbicide in some of the soil (see Figure 15 & Figure 28a)) so *conservatively* that is up to around 100kg ethofumesate to remove/destroy and quite possibly much more than twice that amount. Then add mecoprop (Figure 17), MCPA (Figure 16), TBA (Figure 18), DDT (Figure 19), organic solvents etc. and then there is copper (Figure 27) (mean 438mg/kg concentration in some spots.) With the copper comes arsenic, cadmium and chromium that the documents note as a bit of a problem (p99)).

27. **Hauxton Parish Council seeks assurances that clean covering with a layer of unpolluted soil is not an acceptable substitute for remediation.** Hauxton Parish Council interpret the documents to say the remediation and redevelopment will include scraping soil off the north meadow to provide flood relief and putting that clean soil down on part of the factory site to raise the land as protection from floods - and raising the ground level one metre. It should be for that purpose alone and not a barrier layer.

28. **Hauxton Parish Council is seeking dialogue with the Environment Agency on the long-term ground water remediation including outside the Bayer site and on the monitoring programme short and long term.** Clarification is sought as to what will the remediation do precisely to which parts of the site and to what depth and what

will success be defined as in terms of measurements over a period of time in specified places at properly agreed depths for soil/substrate AND groundwater. The Parish Council notes the rebound phenomena and notes that remediation procedures will temporarily drop the ground water levels but once the remediation stops the remaining reservoir of chemicals in the soil/substrate could rebuild the levels in the groundwater back up and perpetuate their spread. Hauxton Parish Council also note that the two deep boreholes on the Site are or will no longer be used to abstract water and would like the EA and the appropriate water authority to ascertain that this will not have a long term adverse effect on the hydrology of the Site and surrounding area.

29. **The River Valleys - Hauxton Parish Council was mindful that POLICY EN2 should also be a factor for the Developers and South Cambs District Council in their considerations. Extract from POLICY EN2: The District Council will not permit development which has an adverse effect upon the wildlife, landscape and the countryside character of the River Valleys of South Cambridgeshire. Where appropriate the District Council will consider the use of Article 4 Directions to protect this setting.)** 10.15 The District Council is concerned about the river valley environments within South Cambridgeshire. The most important of these are the River Cam north of Cambridge, the River Rhee to the south and west, the River Great Ouse, the Granta to the south-east and the smaller tributary valley of the Bourn Brook.

30. These rivers are important elements within the rural landscape and also form an important part of the setting of many of the villages within South Cambridgeshire. They make attractive water features in the landscape and their associated valleys also add interest with trees and meadows. In addition to having amenity and recreational value the river valleys are also areas of importance as wildlife habitats, often in areas, which are intensively farmed. It is essential to maintain the quality of these environments particularly where public footpaths or bridleways follow the river, such as alongside the Cam to the north of Cambridge. The protected areas of river valleys, which are the subject of this policy, are indicated diagrammatically on the District–Wide Proposals Map.

31. Development, which could be harmful to riversides, includes fencing which is obtrusive because of its inappropriate scale or materials or the construction of outhouses, boathouses, gazebos or sheds which introduce buildings into an open part of the landscape. This may also include the development of mooring or marina facilities (see also the Recreation Chapter). In particularly sensitive areas such as within the Green Belt or within Conservation Areas, the District Council will consider the use of Article 4 Directions of the Town and Country Planning (General Permitted Development) Order 1995, which remove, permitted development rights.

32. **Dialogue with the Developers and South Cambs District Council Planners.** Hauxton Parish Council will continue to maintain the very valuable dialogue they have established with Harrow Estates, their Agents and SCDC Planning and will work to resolve any problems and issues that arise wherever possible

33. **Great Shelford Parish Council:** No objections to demolition of the buildings as long as suitable measures are put in place for bats or owls using them as a roost. The remediation is obviously a complex process, which we are happy to leave to the consideration of the experts of the Environment Agency (EA). No objection to the development platform as long as the E.A. is satisfied the soil can be cleared of all contaminants to make it safe for residential use.

34. **Haslingfield Parish Council:** raise no recommendation but have concerns about increased volume of traffic spilling out onto on the A10.

35. **Highways Agency:** has issued Article 14 holding direction and raise a number of concerns relating to the transport assessment submitted with the application.

36. **Environment Agency:** the application, as submitted, does not consider sufficiently the following issues: pollution control & effects of development within floodplain. A detailed report to consider these issues has been provided by the applicant and a verbal report of any additional comments by the Environment Agency will be provided at this committee meeting.

37. The application relates to a site that has been formally designated as a Special Site, as defined in the Contaminated Land Regulations. The Agency will require the Significant Pollution Linkages that have been identified, to be dealt with under the above Regulations, unless any development of the site permitted by the Local Planning Authority addresses these issues satisfactorily.

38. As the site delineated is within an area of environmental concern and flood risk (the flood risk assessment makes no reference to the proposals for this application). We therefore recommend a number of conditions be appended to any approval given. These conditions relate to:
    1. No spoil or materials deposited or stored in the floodplain
    2. Submission of site investigation of pollution risk
    3. Details of piling foundations
    4. Submission of statement to verify remediation works in accordance with Method Statement.

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

40. Fisheries, Recreation & Biodiversity comments as follows:

    In line with The Governments Planning Policy Statement 9: "Biological and Geological Diversity" the diversity of wildlife should be conserved, enhanced and restored. During the ecological survey carried out on the site in 2006 it was found that bats and barn owls were present on the site. Before removal of the present buildings commences long term mitigation should be provided for the loss of the habitat used by the bats and barn owls. This should take the form of alternative roosting and nesting sites. Further surveys may be required before work commences if there is some time between the previous survey and work starting on the site. The drains and ditches may be more suitable habitat for water voles than the main river so they should be surveyed for water voles if this has not already been carried out. Any habitat already present on the site should be retained, such as trees and grassland. The botanical surveys indicated areas of grassland where bee orchids and cowslips grow, these areas should be

protected. Important trees should also be protected - the black poplar is only found in wetland areas of lowland England and is becoming increasingly rare. Habitat enhancements and creation should be included in the overall site plans. A long-term environmental management plan for the site will be needed. This should include how the site will be managed for the benefit of wildlife.

41. **Environmental Health SCDC:** confirms that the noise impact assessment has addressed the key noise related issues associated with the development site. The air quality assessment for the proposed development is considered acceptable. The development should be designed to encourage the use of suitable measures to mitigate the impacts of the proposed development on air quality. The development is close to the M11 and adjacent to the A10, which are both busy roads. PPS23 confirms that air quality is a material consideration both in introducing receptors to areas of poor air quality and introducing new emission sources.

42. **Ecologist SCDC:** Whilst no objection in principle further habitat restoration and enhancement must be secured.

43. Aware of habitat creation measures, it is felt that they are all primarily flood defence driven and that the habitat works are merely provided to off-set the engineering works associated with the measures. Additionally, whilst the Riddy Brook is to be partially cleared of shading vegetation the drive is again flood defence.

44. Disappointing that the main degraded features of the application site (i.e. the dredged River Cam following creation of the back weir pool in the 1980's and the concrete walled Riddy channel) are not being restored through this application. Whilst useful discussion has taken place in the last two months the project appears to have been flood defence driven and has not sought to fully investigate the opportunities for habitat restoration and enhancement of the river habitats that the site provides. The River Cam will be an incredibly important feature of this development and one would expect an appropriate level of habitat restoration and enhancement of the riverside environment. Modelling of flood flows incorporating in-channel habitat improvements is possible but has time-delay implications. Following its dredging in the mid 1980's the river now lacks the natural pool and riffle sequence. It could be enhanced to provide an important fish nursery habitat in addition to making it safer.

45. It is requested that should the application be approved then a suitably worded condition be used to secure the further investigation of appropriate river-based habitat restoration and enhancement works.

46. Further discussions with the applicant have considered the following:
    1) Concern that the meadow north of the Cam will be subject to intense people pressure and will not provide for wildlife sensitive to disturbance. Applicant agrees in principle to enlarge ditch to provide "wet fencing" to the area but agrees that "no-access" will be hard to enforce.

    2) Policy NE/6 and SCDC Biodiversity Strategy seek to secure biodiversity enhancement, the application at present does not provide river-based enhancement appropriate to the scale of the development. However, a suitable condition may facilitate further progress on this issue. Enhancement of off-site land, such as the meadow to the west of the A10 and north of the Cam, should also be considered.

    3) Closer liaison is required between the engineers and the Ecology Officer with respect to the design of the flood defence measures for the Riddy and the

channel over the north meadow. The EA Fisheries and Biodiversity team should also be included within the discussions otherwise enhancement measures will be missed.

4) It is acknowledged that the potential for pollution of the Riddy exists if proper remediation works are not undertaken. However, once the remediation works have been completed it would appear right to seek the restoration of the Riddy's banks so that the concrete wall is removed or replaced with a softer and more ecologically sensitive edge treatment. A time or event related condition could be attached to seek restoration once appropriate.

5) Concern remains at the level of siltation that is present behind the mill. The diversion of flows in the 1980's over the back weir resulted in silt settling behind the mill. The movement of further flood flows over the north meadow will carry more potentially high flows away from the mill thus reducing further the potential for natural scouring of the silt. The silt is smothering the riverbed leading the build-up of anaerobic gases. The mill head should be desilted as the current practice of simply opening the mill sluice does not appear to have achieved much and it would result in degradation of habitats downstream if large amounts of silt were released at once.

6) It is accepted that no lighting should be provided along the footpaths adjacent to the River Cam and Riddy. Increased lighting would upset the diurnal patterns of flora and fauna.

7) The development has the potential to cause disturbance to the water environment through chemical and sediment pollution. The application should provide a suitable scheme of ecological monitoring that extends to an agreed distance downstream (with EA input). Aquatic invertebrates, fish stocks and riparian plants should be recorded. Should any pollution event occur then baseline information would be present, furthermore the information may show future biodiversity gain (such as fish returning to the Riddy). (The EA letter 5 June 07 supports the need for an ecological monitoring.)

8) The applicant has agreed in principle to provide the re-pollarding of willow trees, the creation of an otter holt, erection of bird and bat boxes. Further measures such as restoration of the old orchard that was once associated with the mill should be explored and secured by means of a condition requiring a Biodiversity Enhancement and Management Plan to be submitted and approved.

9) Appropriate measures will need to be included with the S106 to secure the long-term management of features such as the north meadow, sensitive management of the Riddy, willow pollarding and ecological monitoring (list not all inclusive).

47. **Cambridgeshire County Council Countryside Access Team** confirms that 3 public footpaths cross the site. Applicant makes reference to possible need to divert or extinguish them to allow development but no information is provided to indicate the current or proposed routes of the footpaths. It is likely that some of the existing legal lines of these paths would be obstructed by some of the new properties, which constitute an offence under s137 of the Highways Act 1980. The developer should consider redesigning the development so current lines are unaffected or apply to divert the footpaths under the Town and Country Planning Act 1990. Furthermore due to the increased use of public footpaths as a result of the development, the developers should upgrade the paths to a segregated cycleway/bridleway with appropriate changes in

surface. Installation of Pegasus crossing on A10 to serve needs of future residents of the site would create a link to cycle route negotiated through Trumpington Meadows.

48. **Cambridgeshire County Archaeology** confirms that in view of the varied and particular circumstances prevailing in this brown field site, it is considered appropriate to release the proposed development from any archaeological requirements.

49. **Cambridgeshire County Development Control (Minerals and Waste)** confirms that this development will involve considerable demolition and removal of waste material from site. In the light of this the County Council as waste planning authority will require any waste material being removed from this site for disposal i.e. landfill to be taken to an authorised site. It is also necessary for a temporary waste management facility to be established on site, to maximise the recycling /reuse of waste arising from demolition/construction on site, as the development takes place. This site, which would involve the separation, storage, recycling and re-use of waste, should be in place when development commences and throughout construction. The emerging Minerals and Waste LDF highlights the need for major developments to be accompanied by a Waste Audit/Strategy addressing such factors as location of waste; types and volumes of waste; strategy for dealing with each waste stream; strategy for dealing with residues off and on site. These recommendations are considered consistent with the emerging County Council's Minerals and Waste Plan, and the District Council's own LDF, encouraging recycling of demolition material and sustainable re-use of spoil and disposal at authorised treatment and disposal sites of on-recyclable waste. The County would also like to point out that the Cambridgeshire and Peterborough Minerals and Waste Plan preferred Options (Nov 2006) policy SSP10 of the site specific plan, identifies land to the west of this site as a site for a Household Waste Recycling Centre (HWRC). Whilst the land identified in the Plan also includes a Safeguarding Area, which extends onto the eastern Former Bayer site (this application area), it is not envisaged that development of the Eastern site for the uses proposed would prejudice the proposal for an HWRC on the western site.

50. **Cambridge City Council:** confirms no comments on remediation.

**Representations**

51. **Cambridgeshire Local Access Forum:** notes the proposal to create area of land with "public access to open space" around the River Cam and this area appears to incorporate the existing public footpath. This proposal is welcomed but more detail is required such as how the land is to be managed to ensure unfettered public access in perpetuity.

52. **Cam Valley Forum:** Raise concerns about the impact of storage of agrochemical production to the River Cam and subsequent impact on soil contamination deriving from pollution events on the site previously. Proposals to undertake thorough remediation of the site is welcomed, but concern about the possible risks, to the Riddy Brook, River Cam, and quality of the river downstream and even within Cambridge City itself if remediation schemes were to go wrong or not be carried out sufficiently.

53. Have considered two reports regarding remediation strategies; the first produced by Atkins submitted as part of the planning application and the second the Enviros report, which was produced following a request from the Environment Agency. The Atkins report considers remediation for a developed site and the Enviros report considers remediation if the site as used by Bayer ceased. In terms of site contamination concerned that the Atkins report clearly indicates a wide range of noxious chemicals, harmful to human health present on the main site, and evidence that the levels of

pollutants has declined since the factory production ceased is not convincing. Therefore conclude that it will be necessary to remediate every part of the site in order to maximise the whole site and that targets for remediation should be included. Once development starts there would be no further opportunity to tackle problems on site and that there should be no reliance on “natural processes” to complete the work.

54. With respect to ground contamination, understand previous owners denied any risk of groundwater contamination to either the Riddy Brook or the River Cam, explaining the contamination events due to surface waters occasionally overtopping the bentonite wall. However remain concerned as the Atkins report indicates that contamination has migrated from other parts of the main site and that contamination flows from the wastewater treatment site towards the River Cam or Granta. Note that both reports highlight the importance of the bentonite wall, which separate the site from the Riddy Brook and protects the river system. Remain concerned that the Atkins report relied on higher water levels of the factory side, which does not reflect the changeable nature of this Brook. Concerned that Atkins report fails to include borehole data to the north and north-east of the factory site, which will show significant concentrations of pollutants.

55. To summarise the Cam Valley Forum has the following concerns:
    a. The proximity of vulnerable watercourses adds a further dimension to the remediation problems;
    b. The risk assessment procedures outlined in the “Remediation Strategy Summary for Planning” document have not been given sufficient weight;
    c. No attention has been paid to the worse-case scenario in which the changes to the hydrology of the site or breach of the cut-off wall might lead to a major pollution event of neighbouring water courses;

56. In terms of the off-site contamination, concerned that although the Atkins report and maps show high amount of specific pollutants present or likely to be present to the west of the main site. No data on potentially vulnerable sites to the north and east of the main site is provided. Areas should be surveyed and remediation procedures extended if necessary.

57. Whilst accept the need for remediation on this site and recognise that it will be complex for a number of reasons, remain concerned that even at this stage there are no definite plans for precise remediation methods to be used on which parts of the site. The lack of information suggests that the applicant is struggling to find an adequate, secure and economically viable solutions to this problem and that they do not yet know the full extent of the contamination. In terms of the timing of the medium remediation proposals expressed in the Enviros report, concerned that the applicant may try to achieve this in a much shorter time period to accelerate the development. In terms of the options put forward Cam Valley Forum objects strongly to Option C as the wholesale disturbance of the ground on a site this size with such as heavy and varied contamination load could well lead to a major environmental disaster. Likewise Option D, which involves essentially burying the contaminants more deeply, does not control the groundwater pollution. To conclude would suggest that:-
    a. Continuous monitoring takes place to progress the effectiveness and side impacts of the remediation processes by the Environment Agency; and that
    b. No development on the southern part of the site prior to the completion of the remediation of the whole of the main site.

58. With respect to flood protection, not satisfied with the proposal to “quarry” the water meadow to the north of the site to create a ‘flood relief channel’ as this work is simply to obtain cheap local source of material to raise ground levels on the site therefore limit

flooding hazards and to conceal unremeditated pollutants. This excavation should not be allowed for the following reasons:-

a. Water meadows are officially recognised as an increasingly rare habitat;
b. The proposal is contrary to policy EN2 of the South Cambridgeshire Local Plan;
c. The excavation of a deep channel beside the River Cam and on the floodplain would lead to influxes of raw sediment into the river and transporting material off the site would lead to damage to the floodplain environment;
d. The geological material is not suitable for raising ground levels;
e. The need and effectiveness of such a channel is unclear;
f. There is a possibility of low-level contamination of the sediments to be excavated as the vegetation between the Riddy Brook and River Cam shows evidence of chemical contamination.

59. To conclude due to the conflicting priorities of PPS23 and PPS25, the developers should not extend housing to the edge of the main site, along the Riddy Brook, but instead create a green corridor at least 40-50m wide from which development would be excluded. This would reduce the risk of flooding and reduce the need for unspecified volumes of fill that would need to be imported to raise ground levels over the rest of the site for flood protection. Would also like developers to address the impact of flood protection measures on the surrounding land in other ownership.

**Ramblers Association:** raise the following concerns/issues:

60. The 'connectivity' of the footpath network is important, and particularly so in helping people to get out of Cambridge itself, or from the Trumpington Park and Ride facility. It is therefore vital that the Trumpington Meadows development of footpaths connect through to Hauxton Mill, to reach fp Hauxton 1 on the eastern side of the A10. You may know that Great Shelford Parish Council has put forward a proposal to Cambridgeshire County Council to designate the farm track which runs from just north of Hauxton Mill through to Rectory Farm, Great Shelford as a Right of Way, on the grounds of usage by the public over many years. The Southern Fringe Development Plan gave a broad indication that it too would like to investigate the possibility of such a link. The former Bayer site is clearly adjacent to this possible development, and a positive attitude to it might be helpful. When the development of the western site is considered, would suggest that a connection is made down the western side of that site to the bridleway Hauxton 2, to lead westward towards Haslingfield, and the wider network of paths. The safeguarding of all the public footpaths during construction is important, and welcome the improvements, so long as it does not become attractive to cyclists. During construction work care should be taken to deal with adequate signposting; ensure that the surface of the path/diversion is suitable for pedestrians whatever the weather and stage of construction; materials and waste from the site should not be stored or dumped on the fps or the diversions; and there should be adequate warning signs for both vehicles and pedestrians about their mutual proximity.

61. The status of any new paths is a matter of concern, and in general we would hope to see new paths given the legal status of Rights of Way, rather than Permissive Paths. Agree that the footpath and cycle networks are to be kept separate, and this should be re-inforced not only by their legal status, but also by appropriate signing and street furniture. Safe crossing of the A10 from the western side to the eastern at Hauxton Mill is vital to the 'connectivity' to Hauxton 1. Understand that going under the road-bridge is not possible, and that a 'village gateway', with central refuge and a new speed restriction of 30mph are proposed. Would suggest that the 30 mph restriction should be placed further towards Cambridge, in an attempt to slow the traffic before they reach the refuge at which people would be trying to cross. This is particularly important

because of the bend, which would make the refuge etc virtually invisible to traffic coming from the Cambridge direction until they were right up to it.

62. **Cambridge Preservation Society** supports the overall redevelopment of the site, however there are a number of concerns and issues which the Society objects to and requires addressing at the appropriate stage to ensure long-term scheme. In terms of the Riddy Island it is welcomed that there is the retention of designated footpath and integration of recreational routes and bridges and retaining such as open/green space. Long-term maintenance should have some built-in ability for redress if any significant pollution issues arise. With regards to the Mill Island and green areas linked with A10 it is questioned on the future public access to this area. Would suggest that in the first instance the future needs of the Mill building and disused Mill House are secured prior to making this green area accessible, as permitting public access at this stage may significantly limit usage of these buildings and potential management/user partnerships and reduce long-term conservation and sympathetic usage of the listed buildings and their setting. Potential future uses of the two buildings could be a combined café/ restaurant and gallery, office or possibly some form of community village provisions. It is paramount that adequate access infrastructure for all potential needs to be retained and the commercial viability strengthened where possible.

63. Vision of spaces very limited and unimaginative a full feasibility study needs to be undertaken. Although not high nature conservation value it is welcomed that the area known as the north meadow will have no public access to act as a sanctuary for local wildlife. More features should be incorporated which support and improve wildlife values. It is important to retain character of meadow and setting of River Cam corridor and listed buildings within the Green Belt. Future public access along River Cam should link with the Shelfords and identified in the Green Infrastructure Strategy.

64. **Natural England** confirms no objection subject to the inclusion of conditions.

65. Consider that the proposal is unlikely to have a significant direct effect in the interest features of nearby SSSIs and that mitigation is sufficient to counter likely impacts to protected species. Natural England is satisfied with the outline mitigation and enhancement measure in the Environmental Statement, however in order to ensure the long term maintenance and enhancement of the wildlife value at the site, it is advised that these proposals be detailed further and agreed with the Local Planning Authority (LPA) prior to construction works taking place. The following points should be assured through planning conditions/obligations:

66. Prior to works on site, an Ecological Management Plan for the entire site will be agreed with the LPA, including details of:
    a. Mitigation during construction to ensure minimal impacts to habitats and wildlife, such as timing and methodology;
    b. Management measures including a work programme to maintain and enhance the value of the site for wildlife once the development is completed;
    c. Sensitive planting plans including appropriate locally native species that will be of benefit to wildlife. To include details for providing plants of a local governance, ideally from seed collection from suitable habitats in the surrounding area;
    d. A monitoring program to ensure that mitigation and enhancement is successful and to guide future management of the site;
    e. Details of commuted funds to enable the site to be managed to benefit in the long-term, and detail who will be responsible for carrying out this work.

67. The plan would safeguard the short, medium and long-term wildlife interest and enhance that the development takes place with the confines of national and local planning policy and ensure that nature conservation legislation is adhered to by any developers at the site. This would help ensure there is no net loss of wildlife interests as a result of the proposal and the use of development to achieve enhancement of habitats for wildlife interests.

68. The extended Phase 1 habitat survey indicates that that there are several areas of potential botanical value, most notably the southwest field appears to be significant in the context of the application site, and has potential to be managed in a way to provide biodiversity enhancement as a result of the development. The EMP should include specific details of this and how it will be protected from negative impacts that will arise from increased human activity in the area.

69. Given that the aquatic habitats of the River Cam and Riddy Stream are of high importance, the protection of these habitats should be fully considered at the earliest stage in the design process. Buffering of the river corridor is welcome however; further measures should be taken to ensure existing interest is maintained. Wish to see further details as to how human disturbance will be minimised and biodiversity enhanced along this corridor. The potential for the development to provide nature conservation enhancements should be clearly distinguished from measures to mitigate or compensate for harm as set out in PPS9.

70. Natural England is satisfied with the species survey methodology and notes that protected and notable species are resident on the site, however further details should be included with the EMP:

    a. Support in principle the creation of a bat barn and the provision of bat boxes across the site, however the bat barn should be in place prior to any works taking place at the site and that it is monitored to ensure that bats are using it. Specific details should be provided in the EMP and agreed in writing with LPA prior to works starting on site;
    b. Works to any mature trees with bat potential which may need surgery or felling should be conducted in presence of, or following a survey by a licensed expert to ensure that works do not impact upon bats;
    c. Although there does not appear to be a badger sett on the site, they are likely to use the site for foraging. The loss of the foraging area does not appear to have been fully investigated. Further information should be submitted regarding how any impact will be mitigated prior to works being carried out. Periodic site surveys should be undertaken to ensure that badgers have not colonised the site;
    d. The EMP should include enhancement plans to encourage bird species present based on their habitat requirements. No vegetation clearance should take place in the main bird breeding season, unless agreement has been made in writing to the LPA and the area has been searched and no nesting birds located by a competent ecologist prior to clearance. A further survey for barn owls should be carried out as it is thought that they may use the site for nesting.
    e. If development is delayed or phased, periodic reviews for protected species should take place, especially in the period immediately before operations are carried out on any potentially suitable parts of the site for protected species. Given that may protected species are mobile, occurrence in an area can change rapidly.
    f. All contractors should be briefed by the applicant's ecologist regarding sensitive issues on site. Information should also be posted for reference in communal areas.
    g. The applicants should be informed that planning permission would not absolve them from complying with the relevant law, including obtaining and complying

with the terms and conditions of any licenses required as described in Part IV B of Circular 06/2005.

71. Regarding hydrology, it is essential that the groundwater resource is fully protected from pollution in the short and long term. This is particularly important due to its location to the River Cam. The value of this site to wildlife is derived from the flow of a high quality, unpolluted water system, and therefore it is essential that the proposed development does not interfere with this. Natural England advises the applicant to obtain specialist hydrological advice to determine the best approach to working at the site to ensure that the quality of local hydrology is maintained. In terms of the biodiversity interests regarding the redesigning of the flood management scheme, any negative effects should be identified with details setting out how the impacts will be remedied to protect aquatic habitats as described in the Local Development Plan.

72. Natural England would look to the Environment Agency to ensure that the proposals follow their pollution prevention guidance and any mitigation will act as a sufficient effective safeguard. The applicant should incorporate Sustainable Urban Drainage (SUDs) into any detailed scheme and future schemes should combine ecological enhancements with reducing flood risk and direct or discrete aquatic pollution events.

73. Light pollution and inappropriate positioned lighting should be minimised both during construction and in the long term to ensure that sensitive lighting arrangements are used in areas that may be a roosting, feeding or commuting corridor for bats.

74. Sufficient open space for the estimated increase in the population should be provided on or in close proximity to the development site and made easily accessible. This will be necessary to reduce additional visitor pressure on natural conservation sites in the locality. The applicant should be directed towards meeting Natural England's standards as set out in 'Accessible Natural Greenspace Standards' that acknowledge and encourage the use of natural green areas within new developments.

75. **The Wildlife Trusts** raise no objections but request that the following points be taken into account:
    (1) Proposed site is severely contaminated with a bentonite wall providing a barrier between Riddy Brook and River Cam. Wildlife Trust would highlight ecological importance of these waters and the serious impact, which could be caused by contaminants entering them. Require reassurance that bentonite wall is still effective barrier to movements of contaminants and will remain so until remediation is complete.
    (2) Generally welcome buffering of River Cam, retention of riverside habitat features and proposed creation of flood meadow, but more needs to be done to preserve existing interest. Section of river corridor has good water quality, has a valuable biodiversity and a residential development would increase disturbance with many people using the footpaths. Proposals should therefore be further improved to mitigate for this impact on river corridor and deliver greater ecological benefits.
    (3) The following biodiversity enhancements should be considered:
        (a) re-design flood management system to promote greater flow through the Mill Race and Riddy Brook channels during normal flow conditions.
        (b) Design of North meadow spillway should take ecological considerations into account.
        (c) Significant benefit could accrue with the right hydrological design could be the restoration of the flood meadow immediately upstream of the development and south of the river. Meadow previously

supported breeding waders so desirable to try and re-create suitable flood conditions for passage and wintering warders.

(4) Landscape and ecological enhancements in the ecological assessment report are supported. All enhancements must be delivered by appropriately worded conditions and/or planning agreement.

(5) With regards to the flood meadow (north meadow), concern is expressed that the natural regeneration alone will not provide the best ecological outcome or ensure the creation of a high quality Biodiversity Action Plan habitat, as there are very few upstream semi-natural meadows that could provide a seed source.

(6) The creation of a flood meadow (north meadow) should include seeding with a native wildflower and grass mix (ideally a locally native mix), rather than being left natural regeneration.

76. Three letters of comments from two local residents have been received. Two letters support the principle of the site remediation but also raise a number of concerns, but third letter objects to demolition of properties along Church Road:

77. Welcome opportunity for site to be remediated as well as surrounding land, but concerned that decision on remediation of site by members will be swayed by either a view that site needs remediation at all cost or alternatively that from the view of appeasing Government policy or satisfying current financial goals that development at all cost would be the right policy. The long-term sustainable future of the site and the maintenance of the River Cam and its immediate environment in a good condition, together with its biodiversity, as a special asset of South Cambridgeshire needs to be taken into account. Firm principles have to be laid down to protect the environment and that the public interest in long-term environmental protection and sustainability are absolutes and developers should not be permitted to cut corners.

78. Concerned about continued uncertainties about actual extent of contamination and methods to be used to tackle the wide range of contaminants. Particularly concerned that applicant intends to remediate full extent of polluted land both on and off the sites they control. SCDC and EA believe there is only groundwater pollution but our investigations made clear soil and subsoil itself had absorbed pollutant residues and these are unlikely to be remediated simply by treating groundwater's on factory site. Land to west of A10 poorly maintained corroding effluent pipes within 3 metres of our boundary leaking contaminated liquids.

79. As successors in title present developers have clear responsibility for remediation of whole area. More extensive history of pollution events, particularly via Riddy stream, than has been admitted. Bentonite wall protecting Riddy and River Cam is failing, any remediation or changes to operations of the pumping system taking contaminated waters to the waste water treatment plant were to affect either groundwater levels and pressures or the direction of groundwater flow, there could be a highly damaging pollution event affecting River Cam and Cambridge City. Against excavation of floodplain meadow to north of River Cam to provide material to raise land levels on site would inevitably involve pumping and greatly increase lateral groundwater flow putting further pressure on bentonite wall.

80. Insidious effects of highly toxic groundwater contamination from factory site led to part of our land being taken out of agricultural production on the orders of ADAS. Groundwater flowing through factory site constantly contaminated, given widespread sources of contamination and complex patterns of flow it would be impossible to restrict groundwater flow to just half site.

81. Strongly object to request to demolish dwellings on Church Road. Despite objections from local residents factory site expanded to the total destruction of that end of the village, which is the oldest part of the village, very attractive in appearance and important historically and archeologically. Dwellings are considerable interest and value to villages being the only pre-war dwellings remaining to west of Church Road, other than Mill house and new Mill House. Important archaeological aspect within this part of site with the gardens of these dwellings being cleared as areas where a moderate archaeological potential services.

**Comments still awaited from:**

**Drainage Engineer:**

**Design Officer**:

**Planning Comments – Key Issues**

***Demolition***

82. The main areas of demolition on the site relate to the former factory buildings in the form of office blocks, warehouses and production buildings. In addition to this there are large areas of hard standing across the site, ancillary structures such as water tanks and small-scale infrastructure as well as the three detached dwellings fronting onto Church Road. A large amount of demolition has already been carried out in the form of production buildings and small scale storage tanks in order to remove any asbestos material from the site and to allow for bore holes to test ground conditions. The remaining office buildings are prominent features when viewed from outside the site, while the relatively recent warehouse buildings are more low level and screened by existing landscaping. None of the factory buildings make a positive contribution towards the character of the area appearing more as an anomaly within the rural landscape. In terms of the three detached dwellings these properties do contribute towards the rural character of Church Road being relatively simple in design and appearance with mature and spacious gardens.

83. The loss of the factory buildings is not considered to be unacceptable and will provide the opportunity to consider a more appropriate development on the site. The removal of large areas of hard standing around the curtilage of the Mill House will help to improve the setting of this grade II listed building. With regards to the dwellings on Church Road, their removal will have some affect upon the character of the area but not to the detriment of the townscape or the entrance to the village of Hauxton and as they are not listed buildings are not subject to any special control. As with the removal of the factory buildings the area of the dwellings will allow for further development of the site the design of which will be a consideration under reserved matters approval.

***Remediation***

84. Due to the contamination on this site the applicant will need to ensure that the site is fit for use for development prior to any work commencing on site and this forms the second element of the application. Government Policies on Planning and Pollution Control within PPS23 (Planning And Pollution Control) states in paragraph 8 “any consideration of the quality of land, air or water and potential impacts arising from development, possibly leading to an impact on health, is capable of being a material planning consideration, in so far as it arises or may arise from any land use.” Paragraph 15 continues by stating “Development control decisions can have a

significant effect on the environment, in some cases not only locally but also over considerable distances. Local Planning Authority's must be satisfied that planning permission can be granted on land taking full account of environmental impacts." In the determination of individual planning applications, the potential for contamination to be present must be considered in relation to the existing or previous use and circumstances of the land. As part of this consideration the Council should satisfy itself that the potential for contamination and any risks arising are properly assessed and that the development incorporates any necessary remediation and subsequent management measures to deal with unacceptable risks, including those covered by Part IIA of the EPA 1990. Furthermore it is also the advice from Central Government that developers should be able to assure the Local Authority that they have the expertise, or access to it, to make such assessments.

85. In considering this application the applicant acknowledges that this is a contaminated site and that in certain areas the level of contamination is of significant amounts. Furthermore by their own admission the applicant states that they represent a specialist company, which acquires this type of site across the Country, obtains outline planning permission for redevelopment carries out the remediation work and then sells the 'cleaned' site to a developer.

86. The applicant has carried out a number of surveys of the site to establish the level and amount of contamination on the site. From this information the applicant states that it is clear that the southern part of the site provides the least amount of contamination and that the most heavily contaminated areas are to the centre and northern parts of the site. To address the contamination the applicant has put forward a detailed remediation strategy following consultation with specialist remediation contractors. Bench trials were carried out to investigate the suitability of various remediation approaches to the contamination. Following these trails further field trails were carried out to establish whether the proposed remediation methods would achieve the required remedial targets required on the site. The trials comprised of three components, namely chemical oxidant injection test; pump test – local hydraulic conductivity; and finally a biosparge test – air sparge radius of influence. In detail the chemical oxidation method is to inject an oxidising reagent into the area of contamination, the oxidising solution reacts with the contamination to reduce the pesticides in the ground to an acceptable condition. The pump test involves the installation of wells across the site and injecting water at pressure, the water is extracted from the site using the existing waste water treatment plant located on the west side of the A10. To a certain degree this method is being used at present as the applicant is continuing to use the waste water treatment plant to take groundwater from the factory site and clean it prior to the water being discharged into the River Cam. The third method of a Biosparge test comprises an injection of air under various pressures and flow rates into an injection well screened at the base of the contamination area. This last method allows and encourages the natural bacteria to react with the contamination to reduce it to an acceptable condition. From the field tests the applicant's consultant has recommended that the preferred option for the site is to incorporate a combination of the following methods:
    a. Pump and treat
    b. Chemical Oxidation
    c. Biotreatment of soils and groundwater.

87. At the time of writing this report the applicants consultant is providing a detailed hydrological and contamination assessment of the site in order to confirm the wide range of remedial targets which will be appropriate to the contamination profile and development objectives for the site. These remedial targets will be provided to both the environmental health officers of this Council and officers at the Environment Agency before being accepted as the targets for the cleaning of the site. Overall the applicant

has set aside a period of 12-18 months to allow for the remediation and regular monitoring of the site. During this period the verification of the works will include sampling of soil and a period of ground water quality monitoring, all of which will aim to demonstrate the effectiveness of the remediation works and to confirm that no 'rebound effect' has occurred.

88. As part of the remediation process the applicant has confirmed that site levels across the site will be changed with the use of 'clean' cover over the development site. This material, which is likely to be sourced from the provision of the shallow swale and removal of the artificial levee, both within the north meadow, is not however viewed by the applicant as the primary methods of remediation for the site but as a consequence of the requirement to undertake land raise to accommodate the flood risk issue. The applicant continues by explaining that the use of a layer of 'clean' material is an accepted form of remediation for particular receptors and for certain situations as the cover can provide the necessary break in the source-pathway-receptor linkage by breaking the pathway for potential end users. Furthermore it is explained that previous schemes have seen the inclusion of a clean cover capping of 1.0m as an accepted remedial approach to remove human health impact. With regards to this aspect of the development the applicants flood risk assessment has demonstrated that the site will be raised as part of the flood risk mitigation measures. In considering this information it would appear that the increase in levels is centred on the footpath over the Riddy Brook and the weir located at the split in the River Cam and the Mill Race. The increase in heights at this point will vary between 1.11 metres at the footbridge and 0.514 metres at the weir. The increase in height will have an impact upon the setting of the listed buildings which is located to the east of the footbridge. Furthermore it is not clear what the levels increase for the rest of the site will be although there are references to a suggested 1.0 metres increase across the whole site. As with the listed buildings this increase is likely to have an impact upon the appearance of the site within the townscape which need to be taken into account and as such it is suggested that a condition be attached to any decision notice issued which requires details of site levels prior to the commencement of development.

89. The applicant has demonstrated a commitment to monitor the site to ensure the remediation works are carried out and, as required under paragraphs 24 and 25 of PPS23 where the potential for contamination is confirmed, further studies by the intending developer to assess the risks and identify and appraise the options for remediation should be required to allow for a full seasonal variation in groundwater, and the remediation of land should secure the removal of unacceptable risk and make the site suitable for its new use. However to ensure that the works are carried out in line with the measures/methods specified it is suggested that a condition be attached to any decision notice issued which requires no development to commence until the remediation works are carried out on the site subject to the satisfaction of both the Council and the Environment Agency.

***FLOOD RISK***

90. As the application site is located within an identified area of flooding due to a common boundary with the Riddy Brook and the River Cam the applicant has submitted a detailed flood risk assessment. The Environment Agency has considered this assessment but at the time of writing this report has not agreed the details and as such there is an outstanding objection from the agency. However discussions with the Environment Agency are continuing and it is anticipated that an agreement on the Flood Risk assessment will shortly be reached.

91. The site has some history of flooding which the applicant states has been located within parts of the surface car park in the north of the site. The applicant's information advises that this flooding was due to high water levels in the River Cam upstream of the main weir elevating the water level in the Mill Race and increasing the volume of flow into the Riddy Brook. The construction of the main weir in the River Cam has also resulted in the flood storage capacity of the field to the north of the river being under utilised. Furthermore the field to the north east of the River Cam is currently fallow and floods as a result of the high levels in the River Cam but due to the artificial rising of the riverbanks this has restricted access for floodwater into the field from the river.

92. In order to improve the situation the applicant proposes to create a shallow swale in the field to the north of the site to act as a flood relief channel and hence why the applicant has restricted this north meadow as an area of ecological enhancement with no public access. Any floodwater will enter the field area via an engineered breach in the levee, to be located within the channel of the River Cam upstream of the main weir. This will ensure that in the event of high water levels within the River Cam the excess water will breach the levee to allow the weir to the Riddy Brook to function as normal but limiting the amount of upstream water levels by allowing this excess flow to be stored within the field. The applicant is of the opinion that these proposals will minimise the risk of flooding to the development and in other areas in accordance with policy NE/11 of the Core Strategy. However until the Environment Agency confirms that the objection to the flood risk assessment is removed the issue of flooding is still outstanding.

93. Under the current situation all ground water and surface water from the site is collected and pumped to the waste water treatment facility located on the west side of the A10 where it is treated prior to the discharge into the River Cam. As part of the remediation measures on the clean-up of this site the applicant proposes to retain this method in order to clear any contaminates out of the ground and surface water on the site. As noted in the section on remediation there is the suggestion that part of the remediation measurers proposed the site levels will be changed although details of by how much are not clear from the information provided. As such it is suggested that a condition be attached to any decision notice issued which requires details of site levels prior to the commencement of development.

***LISTED BUILDING***

94. The Mill House was previously used by Bayer Cropscience as an office building and as such the interior has been significantly altered with partition walls, false ceilings and fire regulation doors although the wooden frames on the windows have been retained. With regards to Hauxton Mill, this has not been used for many years and the interior retains a number of original features. Unfortunately due to the lack of use the interior is in poor state of repair with many of the floorboards and staircases unsafe for use. The building does however have a large area of floor space and occupies a prominent position at the head of the River Cam, Riddy Brook and the North Channel as well as being clearly visible from the River Cam Road Bridge.

95. The applicant has confirmed that they understand the importance of securing an appropriate use to secure the long-term future of the buildings but they state that they will not rush into any agreements that would jeopardise the long-term future of the site or the listed buildings. As explained in the previous section of this report there are planed changes to the site levels and in particular to the levels of the footbridge located close to the Mill House linking the main site with that of the Mill Island. Although full details of the work around the listed buildings have not been provided the applicant has advised that, in the interim period, they will continue to maintain the properties to acceptable standards as statutorily required. For the Mill House the applicant proposes

to improve the setting by removing the tarmacadam surface to replace it with areas of public open space and ensuring that new buildings are sympathetic in mass and scale. With regards to Hauxton Mill the applicant has agreed that this building should form part of the neighbourhood development as part of the redevelopment application. Although not an ideal situation the applicant has demonstrated an understanding of the importance of the two listed buildings on the site and as such their future should be protected by the use of a condition requiring their use to form part of the second phase of development.

**Conclusion**

96. The case provided by the applicant in support of this application has demonstrated that with the removal of the industrial use and the cleaning of the site the proposal would represent an improvement to this part of Hauxton. The removal of the dwellings along Church Road is unlikely to result in a detrimental impact upon the character of the area or to the entrance to Hauxton village. Furthermore this improvement works would also allow for further ecological enhancements within the area and allow for the opportunity to provide an enhanced appearance to the edge of the Green Belt and the approach to Cambridge. The application site has been allocated as a potential site for a mixed-use redevelopment in the draft Site Specific policies, which although not formally adopted, are a material consideration.

97. Due to the level and type of contamination on the site this application represents a real opportunity to not only improve the site but also the appearance of the immediate area. This improvement work to the site will therefore allow for the provision of up to 380 dwellings on the site, which would contribute towards the Councils housing provision for the District. For these reasons it is considered that a case has been made to justify a departure to the adopted local plan. However it must be noted that the development could only proceed on the basis that the site is cleaned to a satisfactory level with the removal of unacceptable risks to allow the redevelopment.

98. Furthermore this will require additional works by the applicant in consultation with the Environment Agency and the Council's Environmental Health Officers.

**Recommendation**

99. At the time of writing this report the issue relating to flooding remained unresolved. Discussions with the applicants and their agents are continuing and a verbal report will be made at the meeting on the latest position.

100. If, by the time of the Committee meeting, the majority of the outstanding issues have been satisfactorily resolved or appear capable of being resolved quickly, I shall recommend Approval subject to suitable conditions, including the objections from the Environment Agency and Highways Agency.

**Conditions:**

1. Standard Condition - Time limited consent - Reason A

2. Prior to the commencement of development a methodology statement shall be submitted to cover the remediation works and approved in writing by the Local Planning Authority which shall include; drainage details, location of dust, odour and noise monitoring equipment, type of equipment to be used, frequency of monitoring, and details of an action plan to be implemented should monitoring

indicate conditions likely to cause disamenity to local residents.

3. Prior to the development hereby approved commencing, a scheme to protect the Riddy Brook and River Cam/Granta from materials during remediation and demolition shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall be implemented in accordance with the details approved.

4. During the implementation of the works hereby approved, should any unforeseen contamination be encountered during the development, the Local Planning Authority shall be informed immediately. Any further investigation remedial, or protective works shall be carried out to agreed timescales and approved by the Local Planning Authority.

5. No development shall commence until a Method Statement detailing the remediation requirements using the information obtained from the site investigation and refined conceptual site model and proposals for monitoring and verification of the remediation process has been submitted to the Local Planning Authority and approved in writing by the Local Planning Authority.

6. Upon completion of the remediation process a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination has been carried out in accordance with the approved Method Statement including post remediation sampling and monitoring results.

7. Details of site levels before development commences.

8. Conditions requiring habitat restoration and enhancement.

9. Provision of a temporary waste management facility on site and a waste audit/strategy.

**Reasons:**

1. Standard A
2. To safeguard the amenities of nearby residents during development
3. To ensure satisfactory means of drainage and prevent pollution of nearby watercourses.
4. To ensure that the presence of contamination is detected and appropriate remedial action is taken in the interests of environmental and public safety.
5. To ensure that appropriate steps are taken to remediate the site in the interests of environmental and public safety.
6. To ensure that appropriate steps have been taken in respect of remediation and the appropriate levels have been achieved in the interests of environmental and public safety.
7. To protect the appearance of the site, the setting of Listed Buildings and adjoining land from flood risk.
8. To ensure ecological enhancement of the adjoining river valleys.
9. To maximise recycling/reuse of waste arising from demolition on site.

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

- Government Policy Guidance referred to in Para 15.
- Local Development Framework Core Strategy and Development Control Policies 2007.
- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003 Ref: S/2307/06/F Planning Application

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