

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

9th January 2008

AUTHOR/S: Executive Director / Corporate Manager - Planning and Sustainable Communities

S/2062/07/F – HARDWICK
Change of Use of Land to Motor Cycle Testing Centre and Erection of Building at 25 St Neots Road for Driving Standards Agency

Recommendation: Approval

Date for Determination: 4th February 2008

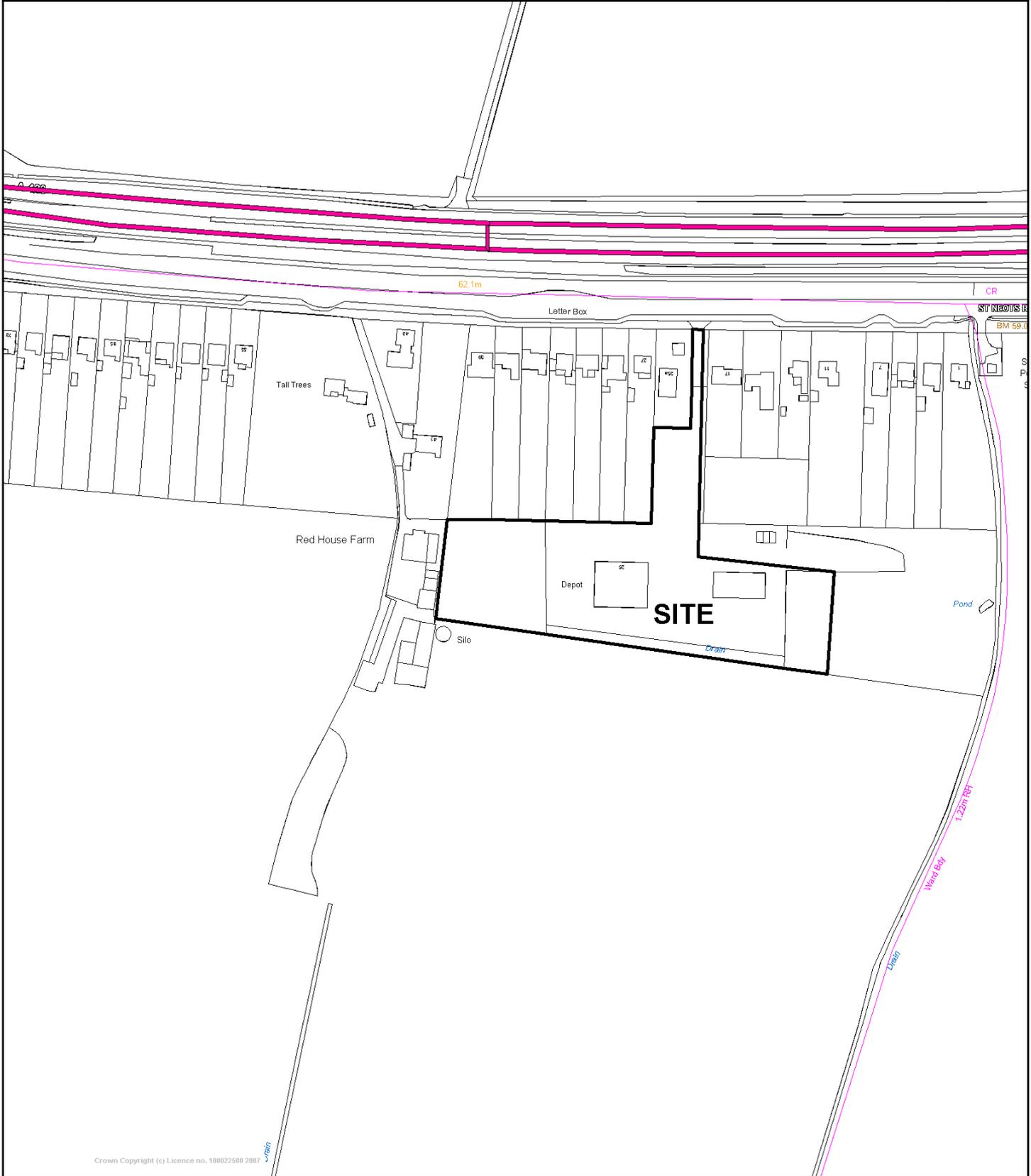
Notes:

This Application has been reported to the Planning Committee for determination because this departure application has attracted objections to the proposal.

Departure Application

Site and Proposal

1. St Neots Road largely consists of a ribbon of residential dwellings, with some business units interspersed. The section of St Neots Road located immediately adjacent to the application site consists of mostly frontage dwellings and is outside of the village framework for Hardwick and within the Cambridge Green Belt.
2. The 0.97 hectare vacant application site is a 't-shaped' parcel of land that is located behind the frontage dwellings which is accessed between the two dwellings at 17 and 25a St Neots Road. The site is currently gated at the point of access with the public highway. The entrance road into the site measures approximately 5.2m wide and is separated from the neighbouring dwellings by 2m high close board fencing.
3. At present the entrance road and main body of the site is set out with brick-paviors and contains two large brick and corrugated sheet roof structures that were used in association with the consented use of the site as a builders merchants. To the east and west of the hard-standing are areas of unkempt planting, some of which is significantly overgrown in places. To the south the site is separated from open fields by a mature, dense hedgerow, which varies in nature, but typically measures approximately 2m in height.
4. This full application, received on 31st October 2007 and amended on 10th December 2007, proposes the clearance of the two existing buildings and existing hard-standing from the site and the replacement of these structures and the existing surface material with a new tarmac hard surface and a single storey 12m x 8m examiners office to facilitate a change of use of the site to provide a motor cycle riders test facility. The proposed use would include the laying out of a test circuit on the tarmac to the rear of the building, for candidates to perform a number of controlled manoeuvres as part of the test.



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Scale 1/2500 Date 13/12/2007

Centre = 538242 E 259387 N

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5. The application is accompanied by a Design and Access Statement, Transport Statement, Planning Statement and Acoustics Report on potential noise impact.

Planning History

6. The site has an extensive planning history stretching back to 1962. The most relevant planning history for the site is as follows:
7. **S/0962/91/F** – approval for the use of the site for industrial purposes.
8. **S/0961/91/F** – approval for the use of the site as a building merchants. This use was implemented. Hours of operation were not restricted, although conditions prevented the use of power operated machinery at certain times of the day and restricted the noise to be emitted by the use. Changes of use that would otherwise have been permitted by legislation were also controlled to require prior planning permission.
9. **S/0960/91/F** – approval of the extension of one of the existing buildings on the site.
10. **S/0701/88/F** – approval of application to remove Condition 1 of S/1077/79/F relating to personal restriction of building material storage use.
11. **S/1077/79/F** – approval to allow personal change of use of part of the site from agricultural engineering purposes to storage of building materials.

Planning Policy

12. **Policy P1/3** of the Cambridgeshire and Peterborough Structure Plan 2003 ('the County Structure Plan') requires a high standard of design and sustainability for all new development and which provides a sense of place which responds to the local character of the built environment.
13. **Policy P9/2a** of the County Structure Plan states that a Green Belt will be maintained around Cambridge which will define the extent of urban growth. The purposes of this Green Belt are to: preserve the unique character of Cambridge as a compact, dynamic city with a thriving historic centre; maintain and enhance the quality of its setting; prevent communities in the environs of Cambridge from merging into one another and with the city. Within the Green Belt, new development, including change of use, will be limited to that required for agriculture and forestry, outdoor sport, cemeteries, or other uses appropriate to a rural area. The Local Planning Authorities will jointly draw up strategies for the active management of the Green Belt for biodiversity, outdoor recreation, and farm diversification appropriate to the Green Belt.
14. **Policy DP/1** of the South Cambridgeshire Local Development Framework 2007 ('the LDF') states that development will only be permitted where it is demonstrated that it is consistent with the principles of sustainable development, as appropriate to its location, scale and form. It should (inter alia): be consistent with the sequential approach to development, as set out in the Strategy chapter of the Core Strategy DPD; Minimise the need to travel and reduce car dependency; Make efficient and effective use of land by giving priority to the use of brownfield sites and achieve adaptable, compact forms of development through the use of higher densities; Minimise flood risk; Where practicable, use sustainable drainage systems (SuDS); and Conserve and wherever possible enhance local landscape character.

15. **Policy DP/2** of the LDF states that all new development must be of high quality design and, as appropriate to the scale and nature of the development, should (inter alia): Preserve or enhance the character of the local area; Be compatible with its location and appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area; and Include high quality landscaping compatible with the scale and character of the development and its surroundings.
16. **Policy DP/3** of the LDF states that all development proposals should provide, as appropriate to the nature, scale and economic viability (inter alia): Appropriate access from the highway network that does not compromise safety, enhanced public and community transport and cycling and pedestrian infrastructure; Car parking, with provision kept to a minimum; and Safe and convenient access for all to public buildings and spaces, and to public transport, including those with limited mobility or those with other impairment such as of sight or hearing. Planning permission will not be granted where the proposed development would have an unacceptable adverse impact: On residential amenity; From traffic generated; On village character; On the countryside, and landscape character;. From undue environmental disturbance such as noise, lighting, vibration, odour, noxious emissions or dust; On ecological, wildlife and archaeological interests; and On flooding and flood risk.
17. **Policy DP/7** of the LDF states that outside urban and village frameworks, only development for agriculture, horticulture, forestry, outdoor recreation and other uses which need to be located in the countryside will permitted.
18. **Policy GB/1** of the LDF states that there is a presumption against inappropriate development in the Cambridge Green Belt. Section 3 of PPG2: Green Belts defines The re-use of existing buildings as appropriate development, providing: “(a) the development does not result in a materially greater impact on the openness and purpose of the Green Belt; (b) strict control is exercised over any proposed extensions and associated uses of surrounding land; (c) the buildings are of permanent and substantial construction and capable of conversion without major or complete reconstruction; and (d) the form, bulk and general design of the buildings are in keeping with their surroundings...Any development considered appropriate within the Green Belt under the above criteria must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt”.
19. **Policy GB/2** of the LDF states that any development considered appropriate within the Green Belt must be located and designed so that it does not have an adverse effect on the rural character and openness of the Green Belt. Where development is permitted, landscaping conditions, together with a requirement that any planting is adequately maintained, will be attached to any planning permission in order to ensure that the impact on the Green Belt is mitigated.
20. **Policy ET/8** of the LDF states that when considering proposals for replacement buildings in the countryside for employment use, any increase in floor area will be strictly controlled, and must be for the benefit of the design, or in order to better integrate the development with its surroundings.
21. **Policy NE/9** of the LDF states that Planning permission will not be granted where there is inadequate water supply, sewerage or land drainage systems (including water sources, water and sewage treatment works) available to meet the demands of the development unless there is an agreed phasing agreement between the

developer and the relevant service provider to ensure the provision of the necessary infrastructure.

22. **Policy NE/11** of the LDF states that in relation to flood risk, applications for planning permission will be judged against national policy (currently in PPS25).
23. **Policy NE/15** of the LDF states that planning permission will not be granted for development which: a. Has an unacceptable adverse impact on the indoor and outdoor acoustic environment of existing or planned development; b. Has an unacceptable adverse impact on countryside areas of tranquility which are important for wildlife and countryside recreation; or c. Would be subject to unacceptable noise levels from existing noise sources, both ambient levels and having regard to noise impulses whether irregular or tone. 2. Conditions may be attached to any planning permission to ensure adequate attenuation of noise emissions or to control the noise at source. Consideration will be given to the increase in road traffic that may arise due to development and conditions or Section 106 agreements may be used to minimise such noise. The District Council will seek to ensure that noise from proposed commercial, industrial, recreational or transport use does not cause any significant increase in the background noise level of nearby existing noise sensitive property which includes dwellings, hospitals, residential institutions, nursing homes, hotels, guesthouses, and schools and other educational establishments.

Consultation

24. **Hardwick Parish Council** – makes no recommendation and raises no comments.
25. **Environment Agency** – comments that for operational developments of less than 1 hectare site size falling within Flood Zone1, the main flood risk issue to consider will usually be managing surface water run-off. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS).
26. **Trees and Landscapes Officer** – considers the landscape proposals to be appropriate. More detailed information on sizes and densities should be submitted in due course if the development proceeds. I would not require any additional planting as the existing proposals would give the necessary screening.
27. **Local Highway Authority** – raises no objection, in principle, to the proposed development, but initially requested that the applicants show the width of the access, which should be a minimum of 5m, the dimensions of the proposed parking spaces, the dimensions of reversing spaces to the car parking spaces, and for the entrance gates to be set back at least 5m from the back of the adopted public highway, with dimensions shown on the drawings. The amendment that has been received appears to address these comments, but any additional comments that are received will be reported to Members verbally at the committee meeting.
28. **Corporate Manager (Health and Environmental Services)** – comments are currently awaited and will be reported verbally to Members at the committee meeting.
29. Comments of **Cambridgeshire Fire and Rescue Service** will be reported verbally.

Representations

30. At the time of preparing this report representations have been received from 3 neighbouring owner/occupiers. The main comments/concerns raised are as follows:
- a) One representation raised support – benefit the general public in the surrounding area who require to take the motorcycle test. Existing local industry needs such a site to continue trading. The scheme is in aid of casualty prevention for motorcyclists. General location and access is good.
 - b) Two representations raised concerns – contest that use is of benefit to local area.
 - c) Fear that noise of motorcycles will be excessive.
 - d) Noise study measures distance to one house on the road – does not take into account that occupiers will hear noise of motorcycles whilst they make use of their gardens.
 - e) Activities will cause both high-pitched engine noise and gas forming air pollution.
 - f) A large embankment would form best screening – hedging and link fencing are inadequate
 - g) Use is not appropriate in this location which is residential/agricultural.
 - h) Query whether use should be elsewhere – example disused airfields. Would prefer rumoured use of site for old peoples home – quiet use.

Planning Comments – Key Issues

31. The key issues to consider in the determination of this application are:
- Impact Upon and Appropriateness in the Cambridge Green Belt
 - Impact upon Residential amenity;
 - Flood Risk
 - Highway Safety

Impact Upon and Appropriateness in the Cambridge Green Belt

32. The primary issue when considering the proposed change of use and erection of new building will be the impact of the development upon the Cambridge Green Belt. For clarification purposes, the replacement of existing buildings, other than dwellings, would be 'inappropriate' development under the terms of the Green Belt policy. Inappropriate development is, by definition, harmful to the Green Belt. Such development should not be approved, except in very special circumstances. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
33. In the case of the proposed scheme, there appears to be a significant material benefit to the Cambridge Green Belt on two counts.

34. First, the proposed scheme involves the removal of two large brick and corrugated sheet buildings from the centre of the site, which have a combined floor area of 788m². Although the applicants have not provided any details of the precise dimensions of these buildings, they are of a significant size and scale, capable of achieving headroom on two levels, should they contain mezzanine floors. They appear to be structurally sound from the case officer's site visit. These structures, by virtue of their size, scale and form, have a significant impact upon the character and openness of the Green Belt. The scheme proposes the replacement of these structures with an individual, single storey structure that would be positioned towards the front of the larger rectangular shaped section of the site, and would have a floor area of 96m² and height of 3.7m, at its highest point. It would therefore have a floor area approximately 12% of the size of the existing buildings, would be significantly lower in height and would also be located closer to the ribbon of housing, and so constituting a significantly lower degree of intrusion into the countryside. I am therefore of the opinion that their removal and replacement would represent a significant enhancement to the openness of the Green Belt.
35. Secondly, by virtue of the proposed change of use of the site from builders merchants to test facility, the scheme would replace the need to provide open storage of builders materials on site, which has the potential to be visually intrusive, with an open area of manoeuvring space. I am of the opinion, therefore that this change would serve to further increase and enhance the openness of the Green Belt, by introducing a more compatible land use, that would not require the erection of racking and other associated items that would typically be associated with a builders merchants.
36. These factors, together with the loss of significant traffic movements and fork lift trucks with reversing beepers, which have had an impact on the amenities of near neighbours, have been identified by the applicants as very special circumstances.

Impact on Residential Amenity

37. By virtue of the site being located to the rear of a number of existing residential properties, with the shared boundary forming the rear boundary of the gardens serving those dwellings, and by virtue of the potential for disturbance to those properties arising from any activity at the rear, the impact of any noise and disturbance arising from the use will be the most sensitive aspect of the proposal in respect of residential amenity. Although the use will bring members of the public into the land to the rear of the dwellings, and therefore affording a potential for loss of privacy, the existing use affords the same opportunity to members of the public and would therefore be no more or less harmful in this respect. Additionally the applicants are proposing that the circulation area within the estate would be fenced off from the nearest properties, creating an enhancement to residential privacy. This could potentially be enhanced further over time through the establishment of additional planting, with the landscape scheme proposing to replace declining elm with native hedge species along the shared boundary with the dwellings.
38. In respect of disturbance the applicants have submitted an extensive noise impact assessment, using evidence from an existing driver training facility at Cardington, which has been passed to the Corporate Manager (Health and Environmental Services) for comment. It concludes that, on the basis of correction for distance from the perimeter of the proposed site to the nearest residential facades and correction for the tonal quality of the noise, the use will have minimal impact on the surrounding area. Comments from the Corporate Manager (Health and Environmental Services) are awaited at the time of preparing the report and will be reported verbally at committee.

39. Notwithstanding the potential for noise generation from the proposal, the scheme must be assessed in comparison with the authorised use of the site and the potential for disturbance that arises from the site as existing. Although currently vacant, the builders merchants use had the potential for vehicles to be entering and leaving the site at unregulated intervals throughout the day, with no start and end time being within the control of the planning approval for when visitors may enter and leave the site. By contrast the applicants have stated that candidates would undertake tests on site one at a time, thus resulting in no more than one motorcycle being out on the track area at any one time. This should serve to minimise the degree of disturbance suffered by residents from movements into and out of the site.

Flood Risk

40. With regard to the issues of drainage and potential flood risk, the site is identified as being in Flood Zone 1 (low risk) area, as identified by the Environment Agency. As such, a flood risk assessment is not necessary. The applicants have stated that it is their intention for surface water to channel to a drainage ditch, using sustainable drainage systems, as advised by the Environment Agency, although no technical details are outlined at this stage. This form of drainage may prove to be acceptable as a method of water disposal. However, in order to ensure that any system is suitable and has the capacity to cope it would be appropriate to secure suitable drainage systems by condition, requiring details to be submitted prior to implementation.

Highway Safety

41. It is important to consider that the access as currently laid out has previously been considered adequate to serve a builders merchants use, which would have involved a significant number of vehicular movements daily, and the need to access the site, on occasion, by heavy goods vehicles. St Neots Road is subject to a 40mph speed limit, straight in nature, and affords good visibility splays in both directions, allowing for safe ingress and egress to the site.
42. An amendment has been received which seeks to address Local Highway Authority comments. The further comments of the Local Highway Authority are awaited in respect of those plans and will be reported verbally at committee. However, I note that the revised plans show the access to be wide enough for two cars to pass clear of the public highway, the gates appear to be located over 5m back from the back edge of the public highway and internal manoeuvring spaces appear to be as requested.
43. The development provides for 7 car parking spaces (including one disabled bay) and eight motorcycle bays on site. The car parking standards outlined in Appendix 1 of the Local Development Framework do not expressly address a use of the nature proposed. However, given the proposed method of operation, with one rider and one instructor on site by appointment per test, with 1-2 full-time staff being based on site, the provision would appear adequate for the use allowing for a number of candidates to wait on site for their test time alongside the requirement for parking generated by staff.

Conclusion

44. Subject to the comments of the Corporate Manager (Health and Environmental Services), I consider harm is limited to the inappropriateness of the development in

the Green Belt. However, this is outweighed by the very special circumstances which have been identified in this report, particularly in regard to a significant reduction in building floorspace on the site and increased openness of the Green Belt.

45. In view of the fact that the development, although inappropriate, would not 'significantly' impact on the openness of the Green Belt, I do not consider that it needs to be referred to the Secretary of State in accordance with The Town and Country Planning (Green Belt) Directive 2005.

Recommendation

46. Subject to the comments of the Corporate Manager (Health and Environmental Services) comments, APPROVE, subject to the following conditions:
1. SCA 3 years (RcA)
 2. Landscaping and implementation of landscaping (Rc51 & 52)
 3. Details of external materials (Rc5(a))
 4. Details of boundary treatment (Rc60)
 5. Details of surface water drainage (Rc5(b))
 6. The permanent space to be reserved on the site for parking shall be provided before the use commences and thereafter maintained. (Reason: In the interests of highway safety.)

+ any Environmental Health conditions, where applicable.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning Files Ref S/2062/07/F, S/0962/91/F, S/0961/91/F, S/0960/91/F, S/0701/88/F, and S/1077/79/F
- Documents referred to in the report including appendices on the website only and reports to previous meetings

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