

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

4<sup>th</sup> February 2009

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

---

### **S/1771/08/O - GAMLINGAY**

**Mixed Residential and Employment Use including Construction of Access Road,  
Provision of Open Space, Landscaping and Balancing Pond,  
Land South of Station Road for Merton College**

**Recommendation: Delegated Approval**

**Date for Determination: 7<sup>th</sup> January 2009 (Major Application)**

#### **Notes:**

**This Application has been reported to the Planning Committee for determination because the proposal represents a departure from the development plan to which objections have been received.**

**Members will visit this site on Wednesday 4<sup>th</sup> February 2009**

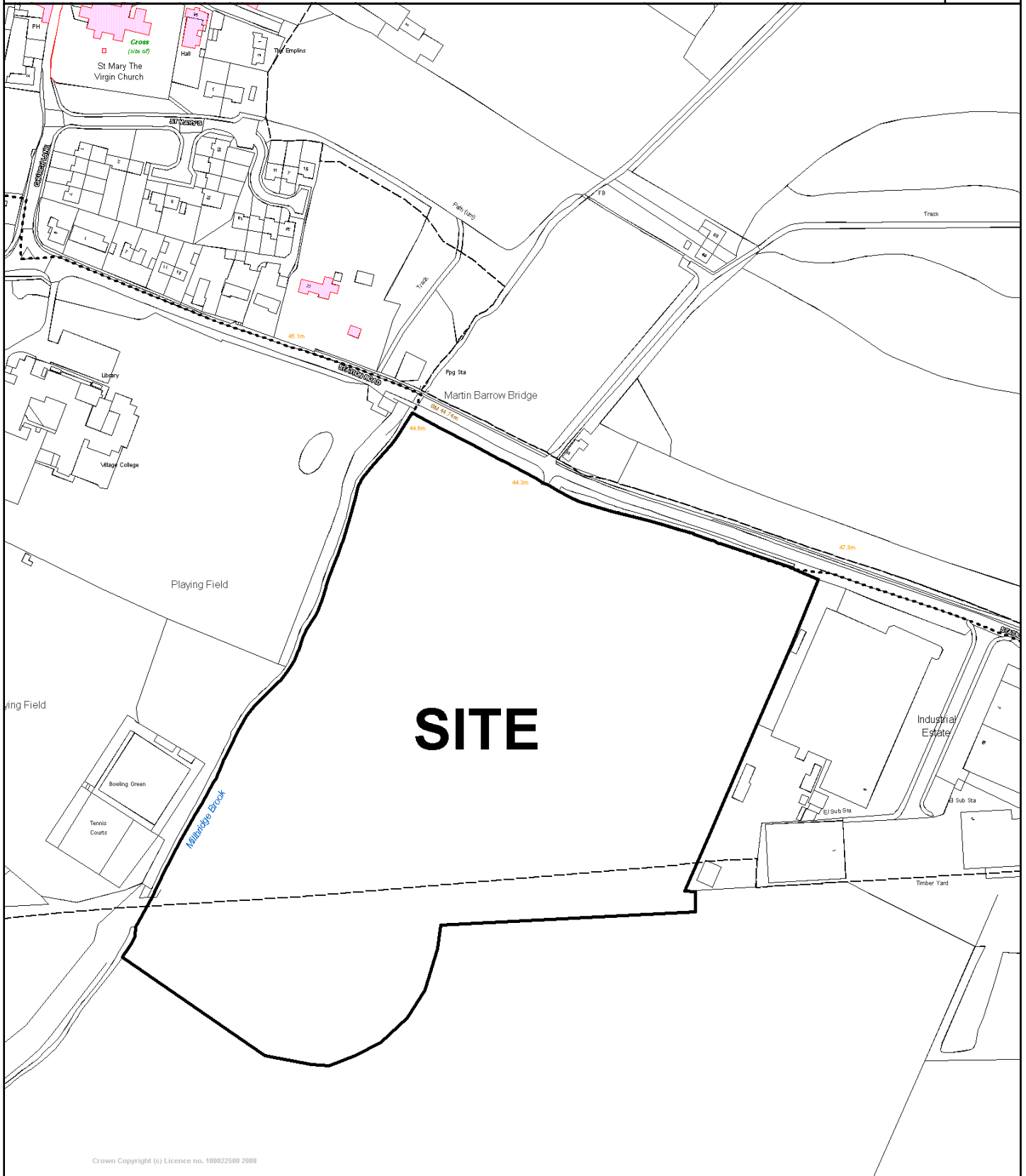
#### **Opposite Conservation Area**

#### **Departure Application**

##### **Site and Proposal**

1. This outline application, as amended by letter and drawings received 18 December 2008 and 13 January 2009 proposes development of a 7.18ha of land to the south of Station Road for mixed residential and employment purposes, including the construction of an access road, the provision of open space, landscaping and balancing pond.
2. All matters are reserved for consideration at the reserved matters.
3. The site, which is currently in agricultural use, is immediately to the west of the existing Station Road Industrial Estate. To the west the site is bounded by Millbridge Brook, beyond which is the Village College. To the south is agricultural land. The land to the north, on the opposite side of Station Road, is within the Conservation Area and is open fronted at the western end but well treed along the eastern end of its frontage. Midway along the frontage is a small Grade II listed cottage.
4. The site itself is open on its frontage to Station Road, although the land is banked. The western end of the site is fairly flat but then rises steeply one-third of the way along before levelling out for the remainder of the site. The land at the western end of the site, to be used for recreational purposes, is within the flood plain. This land is already in recreational use and has been transferred to Gamlingay Parish Council on a 99 year lease.

S-1771-08--0



Reproduced from the 2008 Ordnance Survey mapping with the permission of the controller of Her Majesty's stationary office (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Scale 1/3000 Date 10/12/2008

Centre = 524341 E 251973 N

February 2009 Planning Committee

5. The application indicates the provision of approximately 85 dwellings incorporating 40% affordable housing and employment providing around 3,270 sq.m of floor area suitable to accommodate light industrial, office and research and development premises suited to accommodate the needs of small 'start-up' and developing businesses.
6. An indicative layout plan shows the employment floor space located at the east end of the site, adjacent the existing industrial estate, with the recreational land at the western end with the housing development between the two. The application states that 85 dwellings will equate to a density of 34 dwellings per hectare, with a mix being provided in line with the requirement of Policy HG/2. In the Design and Access Statement it is indicated that the ridge height of the proposed dwellings will be between 6m and 9m and the ridge height of the employment buildings will be between 8m and 8.5m.
7. A single point of access is to be provided to Station Road in the same position, and to the same specifications, as an existing entrance which benefits from an extant planning consent in connection with the allocated use of the site for employment purposes (See History below).
8. The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Foul Drainage Assessment, Environmental Noise Impact Assessment, Environmental Desk Study, Transport Assessment, Workplace Travel Plan and Ecological Assessment.
9. As part of the application the applicants have put forward heads of terms for a legal agreement and includes a contribution towards improving education facilities and bus stops (as required by Cambridgeshire County Council); the provision of 40% affordable housing, a sum towards the maintenance of public open space and public art as required by LDF policies); the transfer of up to 4 acres of land in Dutter End on a 99 year lease for allotment use, the transfer of freehold ownership of land at St Mary's Field, including the land fronting Station Road, the transfer of the freehold ownership of the Millbridge Brook recreation land, allow permissible footpath routes; the payment of financial contributions in respect of the establishment of a cemetery/recreation area on St Mary's Field, towards establishing allotments at Dutter End, towards establishing the Millbridge Brook recreation area, a sum towards the Phase 3 community centre improvements, a sum towards the youth pavilion, a sum towards street lighting improvements and a sum towards assisting parking improvements in Church Street.

### **Planning History**

10. The main body of the site is currently allocated for employment use in the South Cambridgeshire Local Development Framework 2007, having been first allocated for this use in the 1993 Local Plan. The comments of the Planning Policy Team below give a detailed breakdown of the history of the site in relation to the Development Plan.
11. Outline consent was granted in 1996 for the use of the site for industrial development (Class B1 and B2) (Ref: S/1479/95/F). That consent was subsequently renewed in 1998 (Ref: S/1768/08/O), in 2001 (Ref: 1737/01/O) and in April 2005 for a further 3 year period (Ref: S/1302/04/F).
12. In 2002 planning consent was granted for the construction of an access road to serve industrial development, use of land in connection with industrial development,

associated landscaping and engineering works involving the construction of a balancing pond, and the use of land for recreational purposes (**Ref: S/1467/97/F**).

13. That consent has been implemented by virtue of the use of land for recreational purposes, which has commenced.
14. There is a current planning application on land to the east of the application site, as amended, for an extension to the KMG factory building. That application is yet to be determined (**Ref: S/1830/08/F**).

### **Planning Policy**

15. *South Cambridgeshire Local Development Framework (LDF) Core Strategy, January 2007*

### **Policy ST/5 – Minor Rural Centres**

16. *South Cambridgeshire Local Development Framework – Development Control Policies 2007*

**Policy DP/1** - Sustainable Development

**Policy DP/2** - Design of New Development

**Policy DP/3** - Development Criteria

**Policy DP/4** - Infrastructure and New Developments

**Policy HG/1** - Housing Density

**Policy HG/2** - Housing Mix

**Policy HG/3** - Affordable Housing

**Policy NE/1** - Energy Efficiency

**Policy NE/6** - Biodiversity

**Policy NE/9** - Water and Drainage Infrastructure

**Policy NE/12** - Water Conservation

**Policy TR/1** - Planning for More Sustainable Travel

**Policy TR/2** - Car and Cycle Parking Standards

**Policy TR/3** - Mitigating Travel Impact

**Policy TR/4** - Non-motorised modes

**Policy SF/10** - Outdoor Play Space, Informal Open Space and New Developments

**Policy SF/11** - Open Space Standards

**Policy NE/15** – Noise Pollution

### **Consultation**

17. **Gamlingay Parish Council** recommends refusal:

“The Council has resolved on 22<sup>nd</sup> July 2008 to consider a proposal to submit a planning application for change of use to part industrial part residential on this site, subject to the normal planning process. The Council recognize that this is a departure from current planning policy framework.

It was proposed that Gamlingay Parish Council (GPC) recommend refusal of the current planning application as it fails to satisfactorily address the major concerns of traffic, safety, and the range of community benefits. These benefits specified in the application do not seem to fit the longer term aims of the Parish Council and the community as discussed in closed session.

In determining the application the Planning Committee demanded that if SCDC were minded to approve the planning application the following conditions and obligations be provided:

- (a) that GPC be party to the Section106 negotiations;
- (b) that if the Section106 agreement is not to the satisfaction of GPC the application be referred back to the District Councils Planning department;
- (c) The specifics relating to these major concerns are as follows:-

If SCDC were minded to approve the following issues need to be addressed:

- 1) Traffic and safety
  - i) A form of traffic flow control to address speeding and congestion along Station Road
  - ii) Remodelling of Church lane/Stocks Lane junction to cope with lorry turnings, dedicated pedestrian walkway (protected) and safe crossing point/zebra crossing.
  - iii) Provision of 2 metre wide pathway from development to Stocks Lane junction on side of the development, incorporating pedestrian bridge over brook if necessary to address pinch point/width restriction, or incorporation of a solution through the Millbridge brook open space.
  - iv) Provision of suitable footway and highway lights along entire length of Station Road from the site to Stocks Lane junction.
  - v) Realignment/redesign of road frontage in front of middle school in terms of pathways and vehicular access, increasing visibility splays and drop off/pick up bays to reduce congestion/on street parking.
  - vi) No through road- Church Lane to Church Street/Wheatsheaf pub to prevent a rat run.
  - vii) Movement of 30mph limit to village entry point on other side of railway bridge on Hatley Road from 40mph.
- 2) Community benefits
  - i) Requirement for all affordable housing to have a local restrictive covenant to ensure that the housing needs of the village are able to be accommodated here in perpetuity.
  - ii) A satisfactory range of community benefits be delivered via a s.106 agreement, and a satisfactory mechanism to ensure benefits being derived for the village by separate/ private agreement between the Parish Council and the applicant are recognized.

- iii) Millbridge brook is to provide informal recreation space only-ground is not suitable for formal equipment, and provision of equipment/contributions by the developer should be provided for the Butts Play area for older children. Provision should be provided within the housing development itself for smaller children."

18. The **Planning Policy Team** comments that the application site has a long history as an employment site in successive plans since the early 1990's. Despite being an allocated site for 17 years, the only development that has taken place is the expansion of a neighbouring employer onto a small part of the site. An understanding of the planning policy history does however assist with the determination of this planning application where the objective remains to secure some additional employment in Gamlingay for which there is an identified demand in the District as a whole but requires some assistance to be secured in Gamlingay.

(a) 1993 Local Plan

The Deposit version of the 1993 Local Plan contained a package of linked proposals for Gamlingay comprising:

- (a) the redevelopment of the R & H Wale site in Green End for housing;
- (b) the allocation of land owned by Trinity College on Honey Hill for housing, a site created by a proposed link road (see (d) below);
- (c) the allocation of land owned by Merton College on Station Road for employment relocating from the R & H Wale site; and
- (d) a link road from Potton Road to the employment area on Station Road funded by the Honey Hill and Station Road allocations.

Whilst the Inspector who considered the objections to the Local Plan was supportive of this strategy in his report, his changes 'unpicked' the strategy as follows:

- (i) the removal of the link road;
- (ii) the allocation of the Trinity site for housing development in its own right and;
- (iii) severing any policy link between the redevelopment of the R & H Wale site for housing and the Merton College site for employment but noting in the supporting text "This site is capable of accommodating the uses on the R H Wale site. Such a move would enhance the village centre by removing commercial traffic and reducing noise and other disturbance in residential parks."

In his 1992 report the Inspector commented "Although circumstances may not be propitious at present, it is reasonable to hope and to expect that they will become so during the next nine years or so. I therefore see no good reason to doubt that the proposals would be likely to be implemented during the life of the Plan."

(b) 2004 Local Plan

Twelve years later, the 2004 Local Plan retained the employment allocation on Station Road but dropped the housing allocation on the R & H Wale site.

The deposit version of this Local Plan retained the housing allocation on the R & H Wale site but responding to representations the Council agreed to the deletion of this allocation. The Inspector's report records "A number of objectors opposed residential allocation of the R & H Wale site, mainly on the basis that there was little likelihood of it being implemented during the plan period. The District Council now recognises this point and acknowledges the sustainability benefits of retaining a local employment site in the centre of the village. The Pre-Inquiry changes thus replace the allocation with a new housing allocation, i.e. 1.75ha of land off Wootton Field to the south of West Street.

The removal of the Green End allocation was welcomed by the Parish Council and others but they consider that the change did not go as far as it should. In their view industrial use of the site is no longer the problem that it once was; consequently the land should be more positively safeguarded for continuing employment use in the interests of maintaining the overall sustainability levels of the village".

The R & H Wale site was subsequently covered by Local Plan 2004 policy EM8 which sought to restrict the loss of employment sites in villages to other forms of non-employment generating development such as housing.

Responding to objections from Merton College, the Inspector saw the continued allocation of the Station Road site served a planning purpose, as it would enable more employment development within the village making it more sustainable.

(c) Site Specific Policies DPD

Submitted to the Secretary of State in January 2006, the Site Specific Policies DPD retains the 2004 employment allocation to help make the village more sustainable.

(d) Core Strategy Review

In preparing for the review of the Core Strategy, the District Council followed the advice in Planning Policy Statement (PPS) 3 "Housing", which at paragraph 44 advises local planning authorities to consider whether sites that are currently allocated for industrial or commercial use could be more appropriately re-allocated for housing development.

Jointly with Cambridge City, the Council followed this advice and carried out an Employment land review of all employment land (allocated and with planning permission) in South Cambridgeshire following guidance set out in Employment Land Reviews: Guidance Note, ODPM, 2004.

That study concluded that South Cambridgeshire had a substantial oversupply of employment land and of particular relevance to the current planning application that there was a lack of demand for the Station Road Gamlingay site. This lack of market demand is evidenced by the granting and renewal of outline planning permission in 1996, 1998 and 2001 with the normal submission of reserved matters being amended in 2004 to add a further 3 years.

A mixed housing and employment development

Subsequent discussions with Merton over the future use of the land have included ways of bringing forward some employment use on the site to improve the job balance in Gamlingay as part of a mixed housing and employment development. This now appears to be the best way forward to secure the policy objective of providing additional employment in Gamlingay.

A report commissioned by the Greater Cambridge Partnership (Economic Interventions for the Greater Cambridge Sub-region, Roger Tym & Partners 2006) included in its findings market evidence to suggest that, whilst there is an availability of specialist supported hi-tech start-up accommodation, there is a lack of supported small incubator space for small business start-ups and unsupported space for both general and hi-tech start-ups, which would underpin new business growth in high value added sectors. They also identified an unmet demand for move-on space.

In order to ensure that small business units are provided as part of this development to help increase employment opportunities in Gamlingay, any planning permission for residential development of the application site should be tied by a Section 106 Agreement to the provision of the proposed business space. This should take the form of a phasing agreement linking the commencement of stages of the housing development to the completion and marketing of stages of the employment development if necessary with start-up funds being made available for managing the units, which, to be successful, are likely to have a frequent turnover of occupiers.

19. The **Urban Design Team** makes detailed comments on the illustrative layout and highlights that further consideration should be given to key focal/gateway buildings, improved legibility, position of green spaces, visual permeability and built relationship. It concludes that the indicative layout is helpful in achieving the fixes on the parameters for the proposed development at this stage with an understanding that design concerns raised over street layout, parking and other areas will be resolved in a future detailed application. A view is also given on what level of information should be shown in order that this plan, along with other parameter plans and associated text form a sound basis for the consideration of a reserved matters application. Overall the applicant still needs to revise the entire illustrative plan so that all the information is shown relating to the proposed application in a series of 'parameter plans'. The applicant is required to submit a series of parameter plans justifying the proposed layout, covering issues like Access, Landscape, Density and Urban Design in further stages.
20. The **Local Highway Authority** requests that visibility splays of 2.4m x 120.0m are provided prior to the commencement of development. No dwellings should be served from the industrial access road, which affects plots 24, 25 and 26. The size of the parking courts should be reduced; there should be no more than eight to a parking court. Dimensions should be shown for the access, kerb radii, internal access roads and footways

In respect of the industrial section of the scheme a plan should be required showing the tracking of an HGV to demonstrate that turning areas provided will work satisfactorily. Cycle parking provision should be made.

It comments that it will seek the provision of a footway link to the village along Station Road from the development to provide a link to Stocks Lane.



21. **Cambridgeshire County Council**, in commenting on the Traffic Assessment, has confirmed that, following further discussions with the applicants agent and the submission of additional information concerning vehicular trip generation for the B1 use; daily trip generation of the B1 use; vehicular trip distribution; A1198/A603/B1042 junction modelling capacity assessment; and traffic growth, that the submission is acceptable.

It notes SCDC policies ST/5, DP/1 and TR/1, which are considered relevant in the determination of the application. Mindful of these policies it is noted that the current public transport provision serving Gamlingay is significantly less than the level of transport needed to support housing growth of the scale proposed and that existing public transport services struggle in terms of financial viability, with no prospect of any significant improvement in the foreseeable future. Gamlingay is relatively remote from key generators of travel such as major employment centres. It is very unlikely that the size of development proposed would generate sufficient demand to financially support any increase in the service level of any of the bus services serving Gamlingay on a commercial basis. If developer funding were secured for a limited time it would necessitate a decision in due course as to whether the County Council would continue to support those. In the light of this, if the District Council were minded to permit the application the County Council would not require a contribution from the developer towards the enhancement of bus services serving Gamlingay. Whilst the County Council considers that such improvements would be necessary to support the development to meet policy objectives they could not be sustained commercially without a much greater increase in population than the proposals would bring.

The County Council therefore has significant concerns regarding the suitability of the development in terms of meeting national, regional and local sustainable transport objectives. While there is no transport objection to the proposals on the grounds of highway capacity or safety, residential development of this scale would be contrary to SCDC LDF policy as it relates to location of development and minimising the need to travel, minimising distance travelled, and reducing car dependency.

Noting the above if the District Council is minded to grant consent contributions should be sought to fund the upgrade and enhancement of bus stops in Gamlingay that residents associated and employed with the development would be likely to use. The Transport Assessment describes 5 bus stops, 2 in Stocks Lane/Blythe Way, 2 in Church Street/Waresley Road and one Grays Road. Waresley Road. The indicative cost per bus stop is £15,000 and therefore a total contribution of £75,000 is sought from the developer. The figure includes the potential to provide real-time passenger information, raised kerbs to enable level boarding, new shelter and commuted sums to the Parish Council for maintenance.

It comments that whilst the village of Gamlingay has a number of services contained within its confines there are a number of key services, which residents of Gamlingay have to travel further afield to access, such as major areas of employment, major areas of retail, leisure centres, secondary and upper schools and sixth form colleges.

Given the above and the following points –

The applicant has acknowledged that the development is located in a poorly accessible location by virtue of the fact that it is proposing 2 car parking spaces per dwelling, which SCDC parking standards state should only be considered for developments in 'poorly accessible areas';

There is currently no footpath on the south side of Station Road that links the development with the centre of the village;

Relevant national and local policies require new developments to be sufficiently accessible by sustainable modes of transport and to encourage the use of walking, cycling and public transport;

- (a) Gamlingay is poorly served by public transport - in terms of am peak bus services it has only one 80 minute bus service during term time to Cambridge, one bus service to S Neots and one bus service to Biggleswade;
- (b) Nearest bus stops are located 700m from proposed development;
- (c) the County Council does not consider the applicant has demonstrated the proposed development is sufficiently accessible by walking, cycling and public transport to key services or sufficiently encourages these sustainable modes to be considered acceptable.
- (d) The County Council therefore requires the applicant to provide a mitigation package that includes the following:
- (e) Path on the southern side of Station Road that links the development to the village;
- (f) Provision of bus stops located within 400m of development;
- (g) Contribution towards enhancement of bus services serving Gamlingay;
- (h) Other public rights of way requirements

Comments have been made in respect of the Residential Travel Plan which can be addressed by condition/agreement.

With regard to the Workplace Travel Plan the section on public transport should be clearer that at present there is only one bus available for employees commuting to work during the am peak hours that has Gamlingay as its destination. It should also be made clearer that all other services mentioned will only be of limited value in terms of commuting to work and may only be of use for employees undertaking work related trips during off-peak hours. The question of how often the demand for cycle parking be monitored should be addressed.

The County Council would expect to see both Travel Plans secured by means of a Section 106 Agreement should the District Council be minded to accept the application.

22. The **Environment Agency** comments that the site is adjacent to the Bedford Group of Internal Drainage Board's (IDB) area and the Board's engineer should be consulted in respect of Floodrisk Assessment, flood risk and surface water drainage.

The adjacent watercourse is under the jurisdiction of the Bedfordshire and River Ivel IDB and the Board should be reviewing the model to ensure it is appropriate for this reach of their watercourse.

The principle that the proposed development has been identified as being outside the 1% probability floodplain with climate change allowance is accepted.

If the Board accepts the model and flood levels as produced then the Agency would not object to the proposed development on flood risk grounds.

The modelled floodplain area is within land associated with the public open space and any landscaping and planting works will need to be agreed with the Drainage Board to avoid detriment to the floodplain regime. It would be prudent to review the use of the space at an early stage, for instance would warning signs be erected or are there deep-water shelf areas that need to be isolated or improved by landscaping?

Surface water drainage proposals will also need to be agreed by the Board if discharging to the Brook. However, the Agency will need to agree any on-site infiltration drainage, as the impermeable areas of the built development are outside the Board's area.

Conditions are requested in respect of ground contamination, surface water disposal and pollution control. The Agency requests that a number of informatives are attached to the decision notice.

23. The **Corporate Manager (Health and Environmental Services)** has commented, in respect of contaminated land issues, that the Environmental Desk Study has highlighted the need for further investigation and requests that this is covered by condition.

In respect of noise issues it is noted that the site is adjacent to an industrial estate and the most critical material consideration will be noise from KMG (metal fabrication) and Pinewood (wood fabrication). It is understood that these units have unrestricted use and both businesses can operate 24 hours.

The site is typically rural, with extremely low background noise levels and there are numerous existing noise sources at the industrial units which have the potential to be detrimental to amenity of future residential premises and may cause statutory noise nuisance. For example it appears that some of the processes can generate noise levels in the order of 117 to 120 dB(A). There is serious concern that the proposals are incompatible with the existing industrial units.

The following environmental health issues need to be carefully considered and appropriately controlled to protect the amenity/health of future occupiers and minimise disturbance to existing premises:

- (a) Construction noise/dust
- (b) Impact of noise from adjacent Industrial Estate on proposed residential
- (c) Noise from proposed office and B1 light industrial use
- (d) Contaminated land
- (e) Health Impact Assessment
- (f) Residential Waste/Recycling Provision

There is concern that the noise assessment undertaken, reliance on noise modelling and the fact that the sustainability of the site appears to rely wholly on noise mitigation/attenuation measures off-site. It is recommended that the application is not determined until further detailed information as detailed below is received.

Conditions should be attached to any consent covering the construction phase restricting the hours of work and construction collections/deliveries, and a scheme to minimise airbourn dust.

The Memorandum, which can be viewed as part of the background papers, sets out very detailed issues and concerns.

It concludes that there are serious concerns about noise associated with the industrial units adjacent to the site and adverse impact on the proposed residential premises.

The information provided regarding noise assessment is inadequate to fully assess and evaluate the ongoing long-term noise impact. There are concerns regarding the reliance on predictive noise modelling that has not been validated/verified, the fact that noise mitigation measures to achieve a suitable noise environment are all off-site at both KMG and Pinewood and whether they can actually be delivered and secured. It would be preferable that noise mitigation measures are fully implemented and checked by detailed noise assessment under a worst-case scenario when both KMG and Pinewood are operating at night time at full capacity.

The application is not felt to be in accordance with PPS1: Delivering sustainable development: Protection and enhancement of the environment, PPS 3: Housing: environmental constraint inadequately considered, Planning Policy Guidance (PPG) 24: Planning and Noise and LDF Policy NE/15 Noise Protection.

On balance, based on the information submitted he recommends that the application is not determined until the further information/clarifications regarding noise as requested, are submitted for consideration and conformation that conditions and or S106 obligations or similar can deliver/achieve an acceptable residential noise environment prior to occupation of residential premises. If the information is not forthcoming the application should be refused.

If approved, conditions should be attached to any consent in respect of noise boundary limits; noise insulation; plant noise scheme; noise management plan; restriction on vehicle types, numbers etc; restrict hours of use for class uses; restrict units to specific class uses; S106 to secure noise mitigation off-site.

In a further memorandum dated 21 January he comments that concerns were originally expressed about the suitability of the proposed site for residential development, due to the impact of noise from the adjacent Station Road Industrial Estate and in particular the operation of KMG Fabrication and Pinewood. Both of these businesses can operate 24 hours a day, seven days a week should demand necessitate

Clarifications and or further information were requested on various issues and assumptions made in the noise impact assessment. Since the initial comments there have been further discussions/correspondence with the applicant's acoustic consultant and two site visits.

Additional information has now been submitted in respect of:

1. The interpretation of PPG24 – most appropriate assessment criterion; dominant noise source affecting proposed site and use of Noise Exposure Categories (NECs) for traffic and or BS4142: "Method for rating industrial noise affecting mixed residential areas" for industrial noise. Existing noise from Station Road Industrial Estate affecting current open and clear development site.
2. Maximum peak noise levels from industrial sources

3. The noise insulation scheme for bedrooms
4. Use of noise prediction model clarifications including validation or verification is provided to support the modelling and facilitate checking/uncertainty analysis
5. Update of progress since the previous assessment was prepared
6. Other factors affecting the predicted noise levels in the noise impact assessment
7. The ability for the Local Planning Authority to control noise levels that are outside the area of the development proposals
8. Issues of concern raised/representation by Pinewood
9. Acoustic feature correction factor in BS 4142 assessment.

The additional information is satisfactory and allows full assessment and evaluation of the ongoing long-term noise impact of the industrial estate. The main information addresses the original concerns regarding the suitability of the site for residential development.

However the following specific concerns and uncertainties remain.

Noise modelling – although the noise modelling used in the acoustic assessment is acceptable and in accordance with the relevant British Standards, as with all predictive modelling, due to the complexity of the real world the actual acoustic environment is inherently variable in both time and space. Whilst the modelling undertaken by the consultant is robust and a useful decision making tool, a precautionary approach is recommended in terms of variability. Will the actual noise predictions/sound propagation be in agreement with actual noise that will be experienced by future residents?

Securing Noise Insulation Measures – ensuring that all noise mitigation measures both on and off site can be fully implemented prior to residential occupation. This is particularly relevant to the off-site noise mitigation measures to the Station Road Industrial Estate, which is outside the control of the development site. Can they actually be delivered and secured?

Boundary acoustic/noise barrier. There is some confusion regarding the actual specification of the proposed boundary acoustic / noise barrier along the boundary between KMG at Station Road Industrial Estate and the development site. The Spectrum Acoustic *“KMG Systems Gamlingay, Noise Control Feasibility Report”* dated November 2008 (Report ref: PJB5157/28271) details a 2m high boundary barrier between the proposed garage and factory extension at KMG. However, it is understood that it may be KMGs intention to install 3m high full acoustic / noise barrier along the boundary between KMG at Station Road Industrial Estate and the development site, the boundary between KMG and Pinewood and between KMG and the Agricultural Land. This appears to conflict with the submitted plans both for this application and KMGs application S/1830/08/F for extension to existing factory, which detail a combination of an acoustic and security type fencing. The higher specification is welcomed. It should be noted that during the site visit to Pinewood on the 19 January 2008 it was observed that three new sound generating pieces of plant

had been relocated / installed on the external façade of Pinewoods Auxiliary Unit adjacent to KMGs rear yard. A partially enclosed plant for local ventilation / dust extract system at a height of approximately of 2-3 metres generates noise that may impact on the proposed residential. A noise barrier at the boundary between KMG and Pinewood and between KMG should provide some additional noise mitigation. This should be clarified with the applicant.

These are minor outstanding issues that are not sufficient to warrant refusal. However they are relevant and require consideration and clarification by the applicant or agent.

Having discussed some of these concerns, it is understood that there are controls or mechanisms within the planning system such as a combination of conditions and or 106 obligations, to ensure the required noise mitigation / insulation measures and or similar are fully implemented including approval of the final detailed layout and orientation design of residential uses to ensure an acceptable residential noise environment prior to occupation of residential premises.

It is the view of the Corporate Manager (Health and Environmental Services) that the full implementation of noise mitigation / insulation measures, confirmation that predicted noise modelling is reasonably achieved and approval of the final detailed layout and orientation design of residential uses are paramount and a prerequisite if this application is to be approved.

There are no objections to residential use on the proposed site and with regard to securing an acceptable noise environment for residential environment and a number of conditions and or section 106 planning obligations have been drafted for inclusion in any decision notice.

These are very much draft conditions and section 106 planning obligations that will require careful consideration and legal advice before finalising. However, if agreeable in principle, the opportunity should be afforded to agree the exact / precise wording and format.

24. The **Housing Development and Enabling Manager** comments that there is a large need for affordable housing in South Cambridgeshire and as this scheme is not an exceptions site, it would not be restricted to those only with a local connection to Gamlingay. The principle of affordable housing on this site is supported provided that the policy of requiring 40% or more on the site can be achieved. The Housing Strategy and Development Team would wish to undertake more detailed discussions with the applicant prior to any submission for detailed permission to ensure that the correct mix and tenure is achieved on this site.
25. The **Trees and Landscapes Officer** comments that the land rises quite sharply from the west and then flattens out. Trees planted at the top of the slope would have maximum impact in screening the new buildings from the west on this rising land. If the public open spaces are aligned along this roughly north-south line they could provide the space necessary for trees of a significant scale. Additional trees could be associated with the residential road which could form the backbone of this housing part of the site

Detailed comments are made about the site layout.

The enclosure of the development within the suggested planting screen is acceptable, replicating the sense of small field enclosures that are still common in some villages. Detailed guidance is given on the form this should take. There should be a minimum amount of incidental open space in the layout for maintenance by the Parish Council other than the main open spaces. Such land should be incorporated into individual gardens.

There should be a hedge at least 5m wide along the boundary with Station Road, with hedgerow trees to reinforce rural character of the road. There should be no access points to individual dwellings.

There should be additional tree planting in the space between the industrial areas and housing.

Open spaces should be designed for increased biodiversity.

26. The **Bedfordshire and River Ivel Internal Drainage Board** comments that the proposed rate of surface water discharge from this site into the adjacent watercourse under the statutory control of the Board is too high and has not been agreed. In accordance with the Board's byelaws no development should take place within 7 metres of bank top, without the Board's prior consent, this includes any planting, fencing or other landscaping.

Planning permission should not be granted without conditions requiring that the applicant's storm water design and construction proposals are adequate before any development commences.

27. The **Ecology Officer** has no objection to the principle of this development although there are still some issues that need resolving. He is aware that the agricultural land had been previously assessed for its arable plant value and was found to be low. He accepts the findings of the Ecological Assessment by Green Environmental.

He is pleased to see the general layout of the public open space and the fact that its transfer is supported by funds in the order of £90K but information on how this figure was arrived at should be supplied in order to assess whether or not it is appropriate.

The application has the potential to deliver biodiversity gain to what was previously agricultural land. However the application appears to have missed the consideration of Millbridge Brook in any detail. This feature has much potential for habitat and amenity enhancement. The brook will form a wildlife corridor running through the village and as such should not be ignored. In this respect it is felt that Policy NE/6 has not been fully met and further negotiations should be sought on the matter.

Furthermore the application proposes an off-site access to Gamlingay Wood and the Wildlife Trust should be fully consulted on the matter as the balance between public access and habitat protection will need to be carefully considered. This issue will require further negotiations and S106 funding to ensure its proper delivery. At present the application cannot be supported when the view of the Wildlife Trust has not been formally obtained.

At the present time a holding objection is submitted until these two issues are discussed in more detail.

28. **Cambridgeshire County Council**, as Education Authority, is concerned that there is not adequate education capacity in the area to support the proposed development.

The development is likely to generate 8.5 pre-school children, 21.25 primary aged children and 17 secondary aged children.

There is sufficient capacity at Gamlingay First Primary but the development is likely to exceed the capacity of the Village College by 7 places.

If permission is granted a contribution of £158,900 is requested to be applied to education facilities serving Gamlingay.

29. The **Conservation Manager** recommends that the application is refused. The proposal is adjacent to the south-eastern edge of the Gamlingay Conservation Area and Listed Buildings at Merton Farm and the Lodge, 55 Station Road. The land slopes significantly down to the west to face the eastern slopes of the village. The site has a rural character and is very prominent in views to and from the village and Conservation Area. Visually the site is unconnected with the built-up village due to the open lands around and to the east of the Village College which separate them and will be further separated by the area indicated as recreation land.

Concerns about the application in principle are:

1. This proposed housing development on a rural agricultural site in the open countryside would appear isolated within the countryside and in the longer term is likely to increase pressure on important open spaces at Merton Manor Farm and the Village School. It is likely to be a precedent for the redevelopment of the playing fields at the Village school, which are between this site and the village, and the area indicated as recreation land.
2. Because of the lack of continuity with the existing settlement and the opposing contours of the land, a substantial housing development on this site will fail to 'knit' into the built framework of the village, but instead would appear in competition with the historic village.
3. The proposed houses would be prominent on the approach to the historic village and Conservation Area and the first indication of the character of the village, but there is insufficient information on the proposed buildings and the character of the development and its impact.
4. Because of the sloping land the houses could not be adequately screened from the village and the approach to the Conservation Area and Listed Buildings.
5. The development would incorporate significant excavation and ground works (especially around the access) because the site is much higher than the road, and there is insufficient information to determine the impact of this on the village and its heritage. Also, whilst an access road has been approved as part of an industrial scheme that gained approval in 2002. The requirements of a residential scheme are likely to be different and a new residential access would compete with the nearest existing residential access at the Listed lodge.
6. The rural context and views of the Listed lodge would be obscured and damaged by the proposed urban development.



7. Substantial historic hedges are characteristic of the approach to the village, but the proposed entrance and landscaping show the continuity interrupted and the hedging replaced in a less substantial and estate manner.
8. The indicative buildings are laid out in a random manner uncharacteristic of the orderly and contained character of the village; and because of larger spans, the houses are likely to dominate the modest Listed lodge building adjacent.

The proposal in principle would therefore have a significant and potentially harmful impact on the interest of Listed buildings and the Conservation Area and refusal is therefore recommended. The information submitted with the application is insufficient to determine the full impact of the scheme on these sensitive historic assets and therefore any application for housing on this site should have full details and be a full application rather than outline.

30. **Anglian Water** does not object to the application. It comments that the foul flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity. Foul drainage from the development will be treated at Gamlingay Sewage Treatment Works that at present has available capacity for these flows. It requests that an informative is attached to any consent advising of the need to make an application to Anglian Water for the discharge of trade effluent.
31. The comment of the **Environment Operations Manager**, the **Primary Care Trust**, and **The Wildlife Trust** will be reported to the meeting

### **Representations**

32. The occupier of **4 Charnocks Close** objects on the grounds that Gamlingay has suffered from gross over development and if enlarged even further will no longer be a village. The volume of traffic in the village is now incredible and to add further to this congestion seems to be illogical.
33. The occupier of **55 Station Road**, which is the cottage opposite the site in Station Road objects, although is aware of the planning permission for industrial development on the land.
  - (a) The development site is considerably higher than the surrounding land and the land on which No 55 and its garden are sited. As a result any houses built at the front of the site will overlook resulting in a loss of privacy. The proposed planting of trees is not sufficient to prevent this or to blend the new development into its surroundings. Lowering of the land level and thicker planting of screening plants may help to merge this development into the Conservation Area and go some way to preserving privacy.
  - (b) The development will dominate the landscape when exiting the village along Station Road due to its elevated position and remoteness. The style of houses is not in keeping and the developers have not tried very hard to screen or blend the development into its surroundings.
  - (c) Station Road is already very busy with the majority of traffic ignoring the 40mph speed limit. This development will increase traffic levels and new users will experience the dangerous manoeuvre of trying to get onto Station Road. Visibility is poor due to the incline. Are there any provisions to address

these issues? If not what could be done by the Parish Council to address them?

- (d) There should be provision of adequate street lighting and footpaths to connect this area with the rest of the village. At present the only footpath is on the opposite side of the road and any adult or child wishing to walk to school or into the village will have to cross this dangerous stretch of Station Road. If no footpath is to be provided then there should be crossing.
- (e) The general increase in traffic in the village, which already suffers badly from heavy traffic and poor visibility is not acceptable.

34. The occupier of **The Emplins** objects. It is pointed out that the applicants state that 'despite active marketing sufficient interest has failed to emerge...to bring the site forward'. It is fundamental to the application that Merton College has tried to market the site for a period of years but failed to find purchasers. The application further states that 'despite active marketing the site has failed to come forward to justify the required infrastructure'. Within SCDC's document entitled Employment Land Review it states 'Land Values: The substantial difference between the value of employment land and housing may result in employment land being held vacant in the hope of change of use to housing'.

- (a) There is a body of evidence that this is what has happened in this case Merton made its position quite clear when the Local Plan was considered in 2004 for they sought the land to be designated for 100 houses and the College has apparently sought to confuse the Authority. Applicants have been met with a demand price so far above the appropriate land value that no developer or industrialist has been prepared to take the enquiry further and it is known for certain that Merton College refused to convey the land at a proper price to three different firms.
- (b) KMG has been seeking land over many years to expand its business for at least another 25 workers and went so far as to request the Parish Council to see if a letter to Merton could help them in their need. It is only in 2008 that Merton agreed to convey the land to KMG and even then the agreement was conditional upon the application for 85 dwellings being successful. It is understood that the Council has made no enquiries to see if the Merton College assertion has any foundation in fact, and in spite of the 2004 Local Plan Inspectors finding that 'active marketing does not appear to have taken place for some time'.
- (c) The development of 85 dwelling is a significant breach of Policy ST/5. The 2004 Local Plan Inspector commented 'that for a relatively large village in South Cambridgeshire terms Gamlingay has a comparatively poor ratio of jobs to economically active residents (about 0.5) and eventual development providing up to 300 jobs here could result in an increase in self sufficiency'. The Inspector concluded 'I do not consider it necessary to plan for further 'balancing' residential growth in the village'. The Merton proposals increase the inhabitants of Gamlingay but remove the necessary work area.
- (d) Policy ET/6 states that employment site in villages are a scarce resource which should be retained to provide local employment. This site represents some 33% of all undeveloped B2 employment areas in South Cambridgeshire.

- (e) Gamlingay is situated at the very edge of the County and there are no more than 5 buses a day in any direction. The journey to Cambridge takes some 75 minutes. The last buses leave before 17.45pm making it impossible to undertake any activity after that time in any area outside the village. By private transport the journey is 18 miles and takes 35 minutes. The transport assessment accompanying the application clearly demonstrates that it is expected that the development will be used by those working to the south of Cambridgeshire, which is in direct contravention of the first strategy of the Core Strategy. The use of the Station Road site for houses produces quite different demands upon the users compared with employment. Young mothers with children regard distances quite differently to fit employed workers and therefore what is a sensible site for employment is often not so for residential. The nearest bus stop is some 700m away and only serves Pottton and Biggleswade. To walk to the bus stops for Cambridge or St Neots the distance is 0.9km and 1.2km and is not consistent with the consultants' conclusion that the proximity of bus stops providing connections to the wider area enhances the site's overall accessibility. Policy DP/1 requires that development should minimise the need to travel and reduce car dependency.
- (f) The consultants have submitted a travel assessment which has numerous errors and contains a table which shows that the shops, main bus stops and pre and first schools and the Post Office are all more than 900m away, well beyond the walking distance for the elderly or mothers with small children.
- (g) Policy DP/2 states that development should enhance the character of the local area and provide a sense of place responding to the local context and respecting local distinctiveness. The Merton site is detached from the village and will always be separated from it by the flood plain. It will be a small residential development set against an industrial complex and will not enhance the character of the village. The 2004 Local Plan Inspector commented 'it has the appearance of a classic edge of village green field site. I have no necessity to allocate much additional land for residential development ...and in any case this site is on the outermost edge of the village in relation to the cross roads at the centre. It is also somewhat isolated in a semi-rural position with farmland to the north and south, extensive school grounds to the west and an industrial estate including B2 use to the eastern boundary'. The site for houses is clearly piecemeal when compared to the compact nature of the rest of the village and development would be contrary to Policy DP/5.
- (h) The placing of houses on the site is very likely to prejudice the development of the adjacent KMG site because of the proposed restrictions on the operating methods on that site. The application is accompanied by a noise assessment but close reading shows that there is a potentially serious bias as the microphone for the road noise measurement was not even on the residential site and readings were taken from a Friday to Monday in the holiday period when the road is at its least busy.
- (i) To achieve a satisfactory reduction in the noise levels at KMG three requirements need to be met – the construction of a soundproofing fence; the building of the light industrial units; and a reduction of noise levels at source. There is however no legal obligation on the part of KMG to restrict their workings by sound reductions. Even if there were restrictive covenants placed upon KMG any future sale would make such covenants very difficult to enforce.

- (j) The noise levels indicated are too high to fulfil the consultants conclusion that 'a satisfactory residential environment for occupiers of the site'.
  - (k) If planning consent is given all three requirements must be fully met before any residential units are constructed and that the gap in the light industrial units is closed.
  - (l) Policy NE/f gives the objective 'to minimise light pollution'. The Merton site stands above the flood plain and the application makes it clear that this commanding position is regarded as a positive benefit. There is however a serious problem in that part of Gamlingay on the other side of the valley will suffer from both street and domestic lighting from the new settlement. If the site remains in employment use this problem could be prevented by simple engineering or by tree planting.
  - (m) The letter is also accompanied by two appendices – one commenting on various statements made by the applicant and the other setting out various conditions that should be imposed if consent were to be granted.
35. A letter on behalf of **KMG Systems**, commenting on points raised by a Gamlingay resident, states that it is not aware of any proposed restrictions on the operating methods of the Company nor can it be seen how the proposed development could prejudice future development of KMG. The applicant consulted KMG prior to submitting the application and full agreement has been reached to ensure that the rights of both parties are preserved. There is a current planning application for the expansion of KMG on land that is to be purchased from Merton College. Regarding noise restriction KMG has recently undertaken independent noise surveys of both occupational exposure and environmental impact and continue to implement noise abatement measures for the benefit of employees and the environment, regardless of this application.
36. **Pinewood Structures Ltd** comments that overall it supports the application but has two primary areas of concern which will need to be addressed. Firstly it is concerned about any restrictive requirements for noise from its operations, which might affect its ability to trade. It states that although it currently operates a single shift it does see the need to be able to operate a double shift working for up to 7 days a week, which will enable it to deal with the expected increase in demand once the housing market recovers. A housing development so close may restrict the ability to trade. Secondly it is concerned with the security of its premises which will need to be improved to prevent theft but also to ensure safety.
- (a) The letter states that Pinewood occupies all three industrial units for the design and manufacture of timber framed structures. Although it operates from another site in the village it is currently in the process of consolidating operations at Station Road. There is concern that when noise tests were carried out by the noise consultant as part of this application, operations were being relocated to the unit closest to the application site from its other premises and that as a consequence there will have been little or no manufacturing activity being carried out at the time. The results would therefore not be representative of the noise generated during normal operations.
  - (b) It is also concerned that the noise report fails to reflect the full impact of the Companys operations outside of the normal daily shift. It is anticipated that in

the future there will be a full second shift, and not a reduced shift as indicated in the report.

- (c) It is therefore requested that in assessing the application the two shift system, which it is anticipated would run from 6.00am through to 2.00am daily, including work over weekends, is taken into account. Measures such as a noise barrier, to be funded by the applicant, should be considered to reduce the noise transmitted from the manufacturing facilities.
  - (d) The letter points out that the southern boundary of Pinewoods site is currently insecure as it backs onto fields. With the planned housing so close there is concern that children may enter the factory and facilities and put themselves in danger. The security of the industrial estate should be considered as part of the planning process and it would expect the cost of fencing the southern boundary to be met by the applicant.
37. The occupier of **29 Green Acres** is concerned as the proposed development would cause severe disruption to the village in terms of increased traffic density, already a problem in the village centre, with delays of several minutes. There is concern that as this application is a Departure, policies concerning a limited growth centre will not be considered. In view of the fact that an Inspector decided the planning policy for Gamlingay with due consideration to the facilities and nature of the village, it seems strange that such policies can be overridden. There is no point in having planning policies if they can be overridden at District level if it suits its objective of meeting a housing shortfall.
38. The occupier of **9 Church Lane** supports the Parish Council's current objection to the application. He states that the arguments that support the application appear to come down to the need to make up a housing shortfall; offering a parcel of land to KMG in order for them to expand ensuring jobs are maintained in the Parish; and providing 40% of the dwellings as affordable homes. It is believed that any other points are inducements which should not be taken into account as part of the planning process.
- (a) It is believed that there is a planning obligation that must be fairly and reasonably related in scale and kind to the proposed development. To convert the use of the Station Road industrial site to part industrial, mainly residential is unreasonable since it will imbalance the local employment/resident ratio to an unacceptable level particularly when the Green End site closes. It is far better that places of work are found first and then homes will follow.
  - (b) What is being proposed is a parcel of industrial land for KMG in exchange for a whole site of industrial land for Gamlingay, which seems a very poor trade of jobs for local people are being considered. There is no formal agreement between KMG and Merton College on the table and if this arrangement is to be used as an argument in favour of the application it is suggested that a formal legal agreement between the two parties is reached before any approval is given.
  - (c) The term affordable housing is a misnomer. There seems little point in availing affordable housing if the cost, in terms of time and money is exorbitant, travelling to and from a place of employment such as Cambridge, Bedford and Stevenage, or even more locally to Biggleswade.

- (d) There is also concern about the traffic that will be entering Stocks Lane, Church Lane and Church Street. The site is sufficiently distant from both the first school and shops to encourage an increase in traffic on these roads.
39. A letter received from **RPS Planning and Development Ltd** on behalf of clients, objects to the application and considers that there are factual errors and inconsistency in the application.
- (a) It comments that the use of the non-residential part of the proposed development is not clear – the application form appears to propose 3 different uses in 3 different places.
  - (b) The application form and application drawings appear to propose up to 2,400 – 2,900sqm of banks, building societies, estate agents, professional and financial services and betting offices. In addition to the proposed residential use the application form appears to propose either employment (i.e. B1, B2 and B8); employment and financial and professional services (i.e. B1 or B2) or; employment and restaurants and cafes (i.e. B1 and A3). The application drawings appear to propose employment, financial and professional services and general industry (i.e. B1, A2 and B2). The Design and Access Statement appears to describe the proposal as either employment (i.e. B1, B2 and B8) or; employment and general industry (i.e. B1 and B2). Finally the Traffic Assessment appears to describe the proposal as employment in the form of starter units (i.e. B1)
  - (c) It would appear that the proposed extension to the existing KMG factory cannot be delivered as it is partly located off-site (the extension straddles the site boundary) and the remainder is owned by a third party, on whom notice of the application appears not to have been served. The illustrative site layout appears to show an 'extended factory – proposed'. No such extension has been granted planning permission and with it being shown on the drawing it would appear to be part of this application, although no reference is made to a proposed B2 use. The Design and Access Statement confirms the factory extension to be part of the development. Only part of the proposed factory extension appears to be within the application site, with the remainder being located on land owned by another party. The Traffic Assessment makes no reference to the proposed extension and therefore no assessment of the potential impact of the proposed increase in floorspace on the existing Station Road Industrial Estate. No information has been provided on the vertical height of the proposed extension, as is required in an outline application.
  - (d) Whilst being shown on the application drawings it would appear that the proposed factory extension is not contained within the uses applied for on the application form.
  - (e) It appears that the Transport Assessment (TA) does not assess the proposed use(s) that is/are shown on the application form and drawings. It also appears that the traffic calculations in the TA are wrong and should show a potential increase of approximately 14 vehicles in the peak hours rather than a decrease of 311 vehicles, compared to the existing employment allocation.
  - (f) For an outline application to be valid, it should contain certain information on the scale parameters for each building proposed. It would appear that no height information is provided for the proposed factory extension, light

industrial development or the majority of the residential development, and is only implied in relation to three-quarters of the commercial development.

40. The occupier of **61 Mill Street** objects and does not believe that the benefit it delivers to a relatively small group outweigh the significant damage it will do to large numbers of people and to the community as a whole. Traffic is likely to increase in the village to unsustainable and dangerous levels. At the very least a traffic study should be completed before making a judgement which quantifies the frequency, type and pattern of vehicle movement that would result from the development. Any consent should only be granted if a short access road is constructed linking Station Road directly to Mill Hill, to the South of Gamlingay, to avoid even more traffic passing through the village itself.
- (a) The only justification heard for the proposed change of use is that a mixed industrial and residential use is not as bad as purely industrial. The lesser of two evils is the weakest possible argument for development and neither form should be accepted if they damage the public interest. The various compensatory measures proposed are nowhere near adequate to compensate for the damage that would be done.
  - (b) There are already serious public planning issues to do with the type, location and size of industrial facilities in Gamlingay, most of which manifest themselves as unsustainable levels of HGV traffic. The industrial element of this proposal would make this worse. Much of the industrial development in the village is based on manufacturing, warehousing, storage and distribution – all requiring the movement of large vehicles that are unsuitable for a small village. If further industrial use is permitted can it be restricted to services that will not increase HGV traffic?
  - (c) Gamlingay is far from a main trunk road. Surely heavy industry and warehousing should be located in areas with better trunk road access. Gamlingay has four industrial sites and lorries and tractors are constantly moving between them, and HGV drivers are constantly getting lost and driving around looking for the right site. Can consideration be given to consolidating the sites before expanding them?
  - (d) Between them the four sites have capacity that already exceeds demand. Why build more?
  - (e) The main concern about significant increases in housing in the village relate to support infrastructure – schools, shops, libraries, medical, roads etc and the recent trend has been to close such services. The compensatory measures proposed come nowhere near to making up for what has been lost and for what additional facilities will be needed.
  - (f) New houses are not needed at the moment as it is not economic to construct them and Government targets are out of date. For the same reason new industrial facilities are likely to be even more uneconomic.
41. The occupier of **17 Station Road** objects. Although there is residential development in the vicinity of the site, the houses all relate, in one way and another, to the former railway station. The proposal to build up to 87 houses would be an almost fourteen fold increase in the number of houses. The existing industrial area would not be there had it not been for the railway station and the existing industrial site is poorly located as regards road connections and already causes congestion in the village.

- (a) The junction between Church Lane and Stocks Lane is completely incompatible with the HGV's which are forced to use it, and the bollards on the junction, placed to provide the children a safe path to school are frequently knocked over.
- (b) The site, although poorly located, has permission for industrial use so that the industry could move from the centre of the village, freeing up the then brownfield site for more appropriate residential development. In order to sell the scheme it contained a proposal to build a new road to take traffic from the centre of the village but this was subsequently dropped due to cost.
- (c) If permission was granted for industrial use of this site more than 5 years ago it should have expired by now and the designation should have returned to agricultural land to ensure that any future applications for development in the area will not be prejudiced by permissions which have not been acted upon. It is understood that leases on the Wale's site are coming up for renewal and may not be renewed, in which case employment in the village will be lost unless alternative industrial sites are found.
- (d) A mixed commercial/industrial development is completely inappropriate. There will be noise disturbance and the residential community will always have to remain a satellite community as land to the west of the site cannot be built upon as it is in a flood plain. That area does flood.
- (e) The new development would have no shops or other facilities and residents would either have to walk to the centre of the village (although this would be too far in most circumstances and the existing footpath is inadequate and dangerous); drive to the centre of the village (which would increase traffic congestion in Church Street due to even more parked cars); or drive further afield (which would lead to wider congestion on the village).
- (f) In order to make Station Road more serviceable for this community both the carriageway and footpath would need to be widened and this would degrade the character of the environment.
- (g) The village schools do not have sufficient capacity to cater for the proposed development and will need to be enlarged or children transported to schools outside the village, either way an additional cost to the village.
- (h) The doctors' surgery will need to be expanded.
- (i) The existing water, electricity, sewerage and gas utilities will need to be extended and increased in capacity. The existing gas main stops between 19 Station Road and The Manor House and would need to be extended and increased in capacity. It is assumed that this would apply to the other services.
- (j) Converting the use of this site from employment to mostly residential will ultimately reduce employment opportunities in the village, ensuring that these additional people will have to work outside the village, increasing the traffic through the village.
- (k) The compensation package offered by Merton College consists of the three additional footpaths which, whilst welcomed, is of little commercial value and



costs the applicants nothing; Merton has already granted a 99 year lease to the Parish Council on the flood plain between the site and Millbridge Brook, this will be converted to freehold and again will cost Merton virtually nothing and is of no immediate value to the village; the freehold of St Mary's field which is being considered for use as a cemetery and again is of little value to Merton and had fallen fallow and clearly has little value even as agricultural land; unspecified road amelioration schemes to attempt to resolve the traffic problems caused; a payment of £1,250,000.

- (l) This compensation package is insufficient to correct the damage the proposed residential development would cause and £3,000,000 would be required to construct the link road which would be required to properly solve traffic problems.
- (m) A petition containing 456 signatures has been received objecting to the application on the following grounds. The residential units are separated from the village and will inevitably increase traffic flow past the Village College; the new residential units will be closely associated with the Industrial Site and will suffer from noise pollution. Existing housing will be subjected to substantial light pollution; the village infrastructure today, schools and medical facilities are entirely inadequate to support the application e.g. it can take up to 2 weeks to get a doctor's appointment and children may need to be bused to other schools; Gamlingay village roads, except the B1040 are entirely inappropriate for carrying traffic associated with this residential development particularly through the rush hours. More traffic flowing out of and into the village is a contradiction with the Government's stated aim to reduce pollution and road traffic congestion. Traffic noise and parking problems in the village would become worse if this application is approved.

### **Applicant's Representations**

- 42. The applicant's agent has commented on several of the matters raised during the consultation process.

The comments have been attached as an electronic appendix.

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

- 43. This application is a departure from the Development Plan as the development of the site for a mixed residential and employment would be contrary to its existing allocation for employment use and the scale of the proposed residential development (85 dwellings) exceeds the maximum number of 30 permitted in a Minor Rural Centre.
- 44. The scale of the scheme will mean that it will be necessary to refer the application to the Government Regional Office if Members are minded to grant consent.

### ***Loss of Employment Allocation***

- 45. The site has been allocated for employment purposes since the 1993 Local Plan. Although the outline consents which existed for the site for the site have now expired, the 2002 consent for the construction of an access road to serve industrial development, use of land in connection with industrial development, associated landscaping and engineering works involving and construction of a balancing pond, and the use of land for recreational purposes has been implemented as the

recreational use of the land to the east of Millbridge Brook has commenced. This land has been transferred to Gamlingay Parish Council on leasehold.

46. The allocation for employment use is retained in the Local Development Framework and therefore the Council would have to accept a further application for employment use on the site. The land cannot be considered to have lost its employment potential as suggested by one of the letters of representation.
47. Although the owners of the land have previously requested that Development Plan Inspectors consider allocating the land for residential purposes these have been prior to the publication of PPS3 Housing and the statement it contains which suggests that Local Planning Authorities should consider reviewing its employment allocations to see whether they could be more appropriately re-allocated for housing development.
48. The Planning Policy Team has pointed out that the Employment Land review concluded that South Cambridgeshire had a substantial oversupply of employment land and of particular relevance that there was a lack of demand for the Station Road site.
49. Although there have been representations regarding how the land has been marketed I do not have any conclusive evidence in this respect. As a mixed use development the proposal includes 3.270 sq.m of employment floorspace. The Planning Policy Team has suggested that a phasing scheme for the development is put on place to ensure that the small business units are provided as part of the development, rather than just the residential element. Such an agreement can be secured through the planning process.
50. The applicant has confirmed that the application seeks a B1 use for the commercial units.

#### ***Scale of Development***

51. As a Minor Rural Centre residential development in Gamlingay is restricted to schemes of an indicative maximum size of 30 dwellings. Gamlingay was given this status as it performed less well against the criteria set out in the Structure Plan than those villages identified as Rural Centres but nevertheless performs a role in terms of providing services and facilities for a rural hinterland.
52. Although the applicants agent has suggested that larger schemes, which might place a burden on existing village services and facilities could be provided if suitable financial contributions can be secured at an appropriate level towards their development or improvement, this appears to relate to developments between 9 and 30 dwellings and not higher.
53. Policy ST/4 states that Rural Centres are the larger, more sustainable villages, which generally have a population of more than 3000 (Gamlingay exceeds this number), has good access to a secondary school (Gamlingay has a Village College), employment opportunities with at least a ratio of one job for every village resident economically active, contain a primary school, food shops (including a small supermarket), post office and surgery (Gamlingay contains all of these), and has good public transport services to Cambridge or a market town.
54. Whilst Gamlingay meets the majority of the above criteria it fails the required employment ratio and has limitations in the public transport systems.

55. Members will note the comment received from the County Council that it is concerned about the lack of an adequate bus service in particular and that it does not feel that a contribution from the developer to secure an improvement to the services is sustainable by the level of development proposed, and certainly not so in the longer term. It has suggested that if Members are minded to approve the development a contribution should be sought towards the improvement of existing bus stops in the village which might be used by occupiers of the development.
56. In order to help address the issue of sustainability I have asked the applicants agent to consider including a percentage of the proposed dwellings as live-work units.
57. Although the applicant has indicated that measures will be incorporated in the detailed scheme with regard to water conservation, energy efficiency and renewable energy (LDF target of at least 10% for the latter two) I am of the view that to address sustainability concerns this application should seek to go well beyond the minimum requirements and I will seek an undertaking from the applicant on this point.
58. If approved the additional housing would count as a windfall site for housing land supply purposes.

***Impact on services***

59. Cambridgeshire County Council, as Education Authority, has requested appropriate contributions towards educational facilities within the village. The applicant is prepared to comply with this request.
60. I will report the comment of the Bedfordshire PCT at the meeting but I anticipate that there will be a request for a contribution towards the improvement of health services in the village.

***Impact on Conservation Area and setting of Listed Building***

61. The site is opposite the Gamlingay Conservation Area. Whilst I note the comments of the Conservation Manager I am of the view that the proposed development of this site for a mixed residential and employment use need not have any greater impact than the development of the site in line with its existing allocation for employment use.
62. The application has been submitted in outline, with all matters reserved. In my view the potential impact on the Conservation Area can be addressed by appropriate revisions to the indicative layout plan and the sensitive use of landscaping.
63. The engineering operations required for the formation of the access are identical to those already approved in respect of the employment allocation of the site.
64. Development at the north west corner of the site will need to be carefully considered to ensure the preservation of the setting of the listed cottage at 55 Station Road, and also to ensure that the amenities of its occupiers are not unduly compromised.
65. Comments have been made that the site is physically separate from the village and that a housing scheme will look out of place in this location. This point was referred to by the Inspector in considering the request to allocate the site for housing purposes, when he stated that the site was in a semi-rural position.

Although the site is not necessarily one where one would expect to see a large residential development I am of the view that with an appropriate approach to the

layout, scale of housing and landscaping that a mixed development can be adequately assimilated into the area.

66. The input of the Conservation Manager, Trees and Landscapes Officer and Urban Design Team will be important prior to the submission of any reserved matters application and there may be competing issues which will need to be addressed in terms of layout approach.

### ***Affordable Housing***

67. The applicant accepts the need to provide 40% affordable housing on the site. The Housing Development and Enabling Manager has commented that the housing could not be secured for local people as the site is within the village framework. However I am of the view that, as this application is a departure, it would be reasonable to consider it as an exception site for the purposes of affordable housing and therefore priority of allocation could be given to qualifying local persons.

### ***Drainage***

68. Anglian Water has no objection to the proposal and has confirmed that foul sewage provision is adequate and there has been no objection from the Environment Agency or Bedfordshire and River Ivel IDB.

### ***Highway Matters***

69. The Local Highway Authority has not objected to the proposal on ground of highway safety or capacity. It has considered the comments of the Parish Council in coming to this view. The applicant has accepted the need to provide a footpath from the development along the south side of Station Road, to link into the existing footpath network. A meeting has been held on site with the Parish Council, Local Members, the Highway Authority and Planning Officers (on a without prejudice basis) to look at the way this can be best achieved. Discussions are still taking place between the applicant and Highway Authority but I am confident that a satisfactory scheme can be produced. Members will be able to see this issue on site.
70. Adequate visibility splays can be achieved at the junction of the new roadway with Station Road. A right-turn facility will be provided at the new junction as detailed in the 2002 consent.
71. The Traffic Assessment has been revised following initial comments received about it. The County Council is now content with its conclusions.
72. The outstanding issues regarding the Workplace and Residential Travel Plans can be addressed through any planning consent.
73. Although the idea of a new link road around the south side of the village has been suggested by objectors such a provision could not be supported by this development and is not required by the Highway Authority.

### ***Noise Issues***

74. The Corporate Manager (Health and Environmental Services) has quite rightly been concerned about the relationship of residential development on this site to existing and proposed industrial uses. A copy of the letter from Pinewood was forwarded to him for consideration.

75. He is content that a satisfactory relationship between the proposed residential and proposed employment development on the site can be achieved through conditions attached to any consent.
76. Initially he was concerned about the approach adopted by the applicants' consultants regarding noise issues from the adjacent existing employment sites, operated by KMG and Pinewood, and that this was not the appropriate approach as advocated under PPG24. The working hours of the Companies are not controlled under the existing planning consents and therefore there is a danger of disturbance being caused to any new residents from the existing operations.
77. Following detailed discussions between the Corporate Manager (Health and Environmental Services) and the applicants acoustic consultants, including site visits to take further noise readings the earlier concerns have now been substantially addressed, although further clarification is being sought as identified in the comments received.
78. My understanding that some of the works required at KMG have already taken place and the applicant will enter into an agreement with the applicant which will ensure that all necessary noise attenuation works are provided and maintained. This can also be secured through the planning consent and a scheme which can be both monitored and enforced should be submitted as part of any agreement.
79. It would appear that any issues relating to the operations of Pinewood can be addressed by works within the application site in the form of acoustic fencing. Precise details of this will need to be submitted to ensure that it does not have a visually adverse impact on the area.
80. The works should be carried out prior to occupation of any of the residential dwellings.

### ***Public Open Space***

81. The application makes provision for adequate public open space within the scheme and on the adjacent land between the proposed residential development and Millbridge Brook. The recreation land adjacent to Millbridge Brook has already been transferred to the Parish Council by leasehold and is in use for those purposes. This application will result in the freehold for the land transferring to the Parish Council. The applicant is prepared to provide the required contribution to the Parish Council for maintenance of this land, a scheme for which can be secured through the planning consent.

### ***Ecology***

82. It would be appropriate to include a condition on any consent regarding the ecological enhancement of the area and Millbridge Brook in particular. I am aware that the Parish Council may have its own thoughts on the treatment of this area but I will suggest that the Ecology Officer contacts the Parish Council to discuss this matter further.
83. The Wildlife Trust has been consulted on the application as it proposes a new footpath link to Gamlingay Wood. Its comments will be reported at the meeting. Any works required to secure the new footpath link should be at the expense of the applicant.

### ***Draft Heads of Terms for Section 106 Agreement***

84. As part of the application the applicant has submitted draft heads of terms for a Section 106 Agreement which would accompany any consent. Meetings have been held with the Section 106 Officer, the Parish Council and applicants, and are ongoing.
85. Policy DP/4 states that planning permission will only be granted for proposals that have made suitable arrangements for the improvement or provision of infrastructure necessary to make the scheme acceptable in planning terms. Contributions may also be required towards the future maintenance and upkeep of facilities.
86. I am content that the majority of the measures being offered by the applicant can and should be secured through any planning permission. This includes the provision of affordable housing, public open space, education, public art, and highway improvements where supported by the Local Highway Authority (in this case the footpath link and improvements to the bus stops).
87. The applicant also proposes the transfer of an area of land in Dutter End to the Parish for allotment use. Given that there is already a shortfall in allotment provision in the village and the proposed development will lead to increased demand that cannot currently be met I am of the view that this provision can be supported through the application.
88. The establishment of the new permissible routes on land owned by the applicant is being offered and again I have no objection to this provision. The applicant is also proposing the transfer of the freehold ownership of St Mary's Field, part of which is opposite the application site in Station Road, and a sum of money for its establishment as a cemetery/recreation area. I am aware that there is a need to provide a new cemetery in Gamlingay and this development will generate additional demand.
89. The applicant is also offering a payment to the Parish Council towards the Phase 3 community centre improvements, youth pavilion, street lighting improvements, and towards assisting parking improvements on Church Street. The Parish Council has been requested to supply details in respect of these costings. However any street lighting improvements required as a direct result of the development will be secured by the Local Highway Authority. The Local Highway Authority is not suggesting improvements of parking in the village as part of this application and these works are not therefore required to make the scheme acceptable in planning terms.
90. The same considerations apply to the contributions towards the youth pavilion and community centre improvements.
91. A further meeting with the Parish Council and applicants agent concerning the draft heads of terms is likely to take place before the date of Committee and I will update members further on this point.

### ***KMG application***

92. There is a separate planning application for an extension to the KMG factory, which will be considered on its merits, and therefore detailed heights of the proposed building are included in that application. As amended the site area for the application being considered by Members does not include the land to be transferred to KMG.

## **Conclusion**

93. This is a difficult application to consider as it raises a number of different and often competing issues. I accept that the site is not one where a housing allocation would perhaps normally be made but, given the support to review employment allocation, the oversupply of employment land in the District and the need to provide additional housing I am of the view that this application merits consideration as a departure.
94. Given that other issues such as noise nuisance and traffic issues appear to be being addressed satisfactorily through negotiation, in my view the main concern is that of the sustainability of the site in terms of public transport accessibility. The County Council has pointed out its concerns in this respect and although improvements to bus service itself cannot be secured through this application an upgrading of existing bus stop provision can be provided. The village does benefit from bus services to Cambridge, Biggleswade and St Neots.
95. I am of the view that if the applicant confirms that a percentage of the houses will be developed as live-work units and that the development will achieve standard of energy efficiency, water conservation and use of renewable energy technologies at a level above the minimum required by LDF policies then, given the level of services provided within the village, that the application could be supported as a departure.

## **Recommendation**

96. I will report the responses to any outstanding consultations along with the response from the applicants' agent regarding the inclusion of live-work units in the scheme and the commitment to achieve a higher standard of water conservation, energy efficiency and use of renewable energy.

I will also update Members on any further comments from the Corporate Manager (Health and Environmental Services) and the further negotiations on the Heads of Terms for the proposed Section 106 Agreement.

Subject to a satisfactory outcome in respect of the above I will recommend referral of the application to the Secretary of State under the departures procedure and, subject to the application not being called in for her decision, that the application be approved subject to safeguarding conditions and the completion of a Section 106 Agreement.

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007) and Development Control Policies adopted July 2007.
- South Cambridgeshire Local Plans 1993 and 2004.
- Planning Files Ref: S/1771/08/O, S/1830/08/F, S/1302/04/F, S/1737/01/O, S/1467/97/F and S/1479/95/F.
- Documents referred to in the report including appendices on the website only and reports to previous meetings.

**Case Officer:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255