

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

13th January 2010

AUTHOR/S: Executive Director (Operational Services)/
Corporate Manager (Planning and Sustainable Communities)

S/1145/09/F – PAPWORTH EVERARD

**Variation of Condition 2 of Planning Permission S/0402/09/F to Extend Delivery Hours,
Extension to Mezzanine to Provide 1 Office and Installation of 3 Condenser Units
at 64 Papworth Business Park, Stirling Way for Cambridge Foods Ltd**

Recommendation: Delegated Approval/Refusal

Date for Determination: 3rd November 2009

Notes:

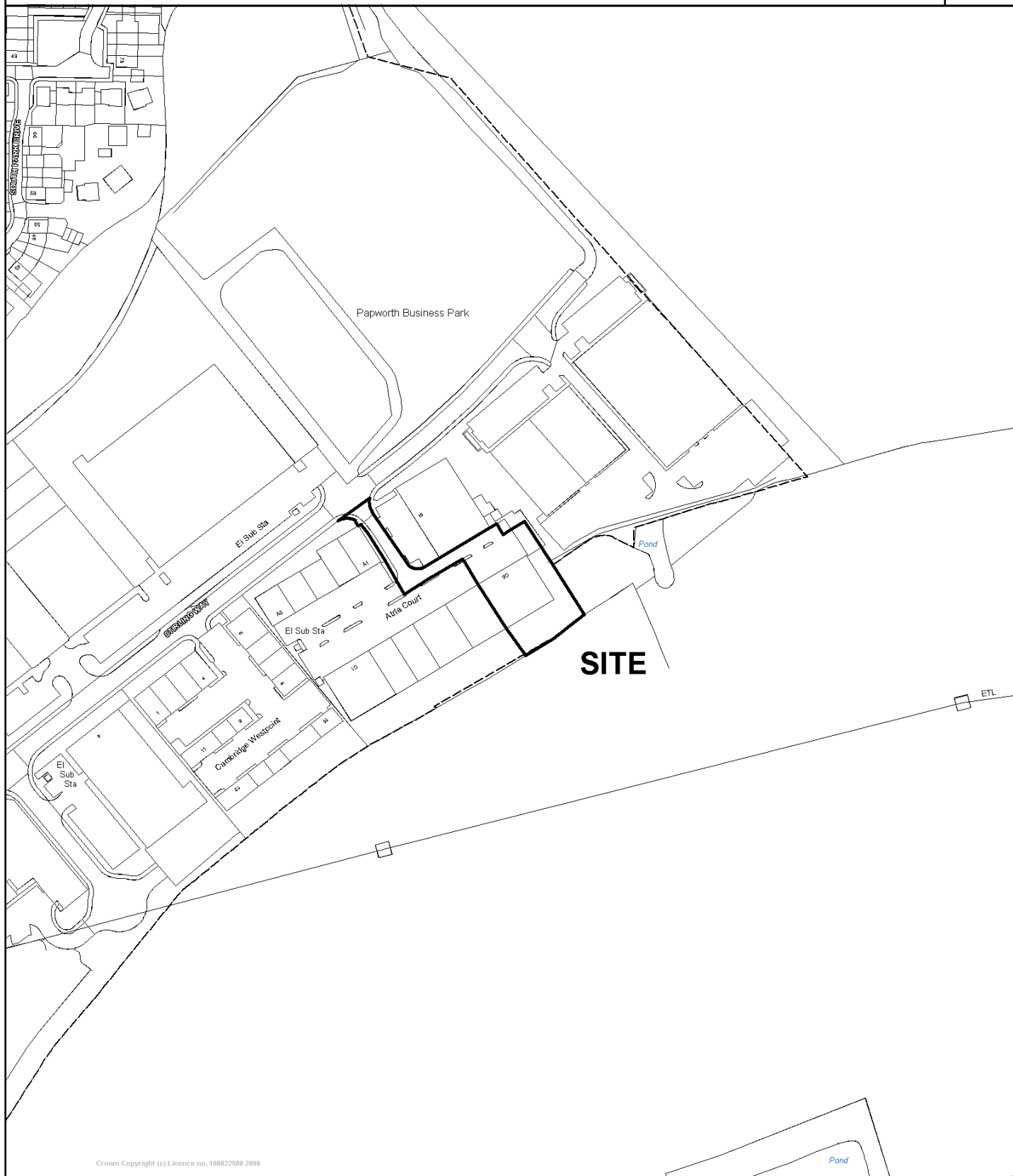
This Application has been reported to the Planning Committee for determination following referral from the Chairman's Delegation meeting of 2nd November 2009.

Site and Proposal

1. The site lies at the southern end of the village of Papworth Everard, within the village framework. The site is accessed from Stirling Way, which serves Papworth Business Park. A new junction has been completed between Stirling Way and Ermine Street South, and the Papworth by-pass is also now open. To the north of the site is an open area that has an extant permission for business use, and to the south beyond an existing tree belt is open countryside. Atria Court is a courtyard development of business units, and no. 64 (unit C6) is the eastern unit of the site.
2. The full application, validated on 8th September 2009, is in three parts. Firstly, it seeks a variation to condition 2 of planning permission S/0402/09/F. This condition states "no deliveries for any B8 use implemented shall be taken at or despatched from the site outside the hours of 08.00-18.00 on weekdays and 08.00-13.00 on Saturdays (nor at anytime on Sundays and Bank Holidays)". The reason for the condition was "to protect residents from noise disturbance in accordance with Policy NE/15 of the adopted Local Development Framework 2007". The final two parts to the application are the addition of a mezzanine extension, and three condenser units on the rear elevation. The application was accompanied by a Planning, Design and Access Statement, and a recently submitted Noise Impact Assessment.

Planning History

3. Planning application **S/0402/09/F** granted consent for the change of use of the unit from B2 (General Industry) to B2 and B8 (Storage and Distribution) in the alternative. This application was approved by Members at Planning Committee on 10th June 2009, and had three planning conditions, one of which restricts delivery times for B8 uses and one restricts mezzanines. Similar applications were also determined for unit C1/2 (**S/0400/09/F**) and Unit C5 (**S/0401/09/F**) at the same Committee meeting.
4. Planning application **S/0297/06/F** was approved dated 12th May 2006 for the erection of 12 industrial units in Class B2 and associated parking and landscaping. Condition



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8 of this consent restriction the addition of mezzanines without further planning permission.

5. Outline planning application **S/1475/99/O** was approved dated 25th January 2002 for the laying out and use of land for employment purposes (Use Classes B1 and B2). This was the north-eastern part of the site and includes Atria Court. This consent was followed by application **S/2292/04/F**, approved dated 24th February 2005, for the variation of condition 1 to allow further time for the submission of reserved matters.

Planning Policy

6. South Cambridgeshire Local Development Framework Development Control Policies (LDFDCP) 2007: **DP/1** – Sustainable Development, **DP/2** – Design of New Development, **DP/3** – Development Criteria, **DP/7** – Development Frameworks, **ET/4** – New Development in Villages, **NE/15** - Noise Pollution & **TR/2** – Car and Cycling Parking Standards.
7. Policy **EM2** of the South Cambridgeshire Local Plan 2004 has been saved, and allocates the site for Class B1 and B2 employment use. Policy **SP/10** of the draft Local Development Framework Site Specifics Policy 2006 allocates the site for employment development within Classes B1, B2 and B8.
8. **Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

Consultation

9. **Papworth Everard Parish Council** recommends refusal of the scheme based on a number of policies in the Local Development Framework, and specifically Policy NE/15. The comments in the Planning Committee report for application S/0402/09/F stated concerns by the Environmental Health Officer and the need for a condition. The applicant has stated that there would be numerous vehicles at unsocial hours given the nature of the business, and it may leave noisy refrigeration units parking on Stirling Way or Ermine Street, clearing the way for business's own vehicles to be loaded at the unit.
10. The **Environmental Health Officer** originally had concerns regarding the relaxation of the times for vehicle movements to and from the site. However, it was recommended that a planning condition could request a noise management scheme be submitted to allow further consideration. On receipt of the Noise Impact Assessment, there are no objections to the methodology and findings of the report. If suitable planning conditions could be worded, then this could be suitable to limit the noise disturbance. Members will be updated on further comments from the Environmental Health Officer.

Representations

11. No further representation has been made.

Planning Comments – Key Issues

12. The key planning issues relate to impact upon the amenity of neighbouring properties caused by noise disturbance from any early vehicle movements to and from the site,

and parking issues relating to the mezzanine. The B8 use was established during application S/0402/09/F.

Impact Upon the Amenity of Neighbouring Properties

13. The site is located to the southern end of the business park, with the nearest dwelling at Ermine House set approximately 200m from the site. Beyond that, further dwellings are situated to the north along South Park Drive and Musker Place at a distance of approximately 225m from the site. There is a tree belt between the industrial estate and these dwellings. The nearest dwelling to the entrance of the Business Park is approximately 90m to the north of the entrance on Ermine Street South. Consent has been granted for 365 dwellings on the Summersfield site in the village, the access to which is opposite that serving the Business Park. No construction work has begun on this scheme as yet.
14. Members should be aware that the B2 General Industry units at Atria Court have no planning conditions restricting time use. Vehicles are free to come and go as they please. The nature of a B8 use is such that more vehicle journeys can be expected. The applicant is The Cambridge Food Company, who moved to premises at Cowley Road, Cambridge in 1997. They currently employ 16 full time members of staff and operate from 07.00 to 16.00 Monday to Friday. They have outgrown their current premises, and the Atria Court unit would allow for further expansion.
15. The applicant has applied to vary the start time for vehicle movements from the approved time of 08.00 to 06.00. They note the main business hours begin at 07.00 at their current site, but they do have a limited number of deliveries outside these hours. The supporting statement shows the business currently generates up to 15 deliveries to/from the site between 07.00 and 12.00, with more limited movements thereafter. It is predicted that only one or two further vehicle movements would occur before 07.00.
16. The reason for the condition was to protect residents from noise disturbance. The Environmental Health Officer has indicated that if suitable conditions are worded, he may be able to support the scheme. Members will be updated on further comments receiving following a more in depth analysis of the Noise Impact Assessment. It is also hoped that Members will be updated prior to Planning Committee on these comments, and the associated reasons for approval with planning conditions, or reason for refusal. This would give Members clarity prior to the determination.

Parking Demand

17. The proposed mezzanine measures approximately 6m by 6m, and would be located adjacent to the existing mezzanine. Conditions restricted further mezzanines were added to the original consent for Atria Court (S/0297/06/F) and repeated on S/0402/09/F. The reason on both occasions was to limit the demand for additional vehicle parking. The site currently has 14 parking spaces, and no further parking is proposed. Given the proposed floor space, a B2 use would require a maximum 15 parking spaces and a B8 use 8 parking spaces in line with the Council's parking standards. Given the small increase in floor space and the parking available, I do not consider the mezzanine would be contrary to the aims of the original condition, and would not cause additional demand for parking over and above the spaces available.

Other Matters

18. Members should be aware that the three condenser units are not considered to cause any serious harm. They are located on the rear elevation, and there are no public views given the adjacent tree belt. The nearest residential property is over 200m from the units on the opposite side of the Business Park. There would be no serious noise and disturbance as a result.

Recommendation

19. Delegated approval/refusal, subject to additional comments by the Environmental Health Officer. If Members vote to support the scheme, conditions will be required to limit deliveries to the supported time and not before, and to further restrict additional mezzanines for the building.

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

- Local Development Framework Core Strategy (adopted January 2007).
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007).
- South Cambridgeshire Local Plan 2004 Saved Policies.
- Local Development Framework Site Specific Policies Submission Draft 2006.
- Planning File Ref: S/1145/09/F, S/0402/09/F, S/0400/09/F, S/0401/09/F, S/0297/06/F, S/2292/04/F & S/1475/99/O.

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