

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 5th January 2005

AUTHOR/S: Director of Development Services

S/2238/04/F - Gamlingay

Variation of Condition 1 of Planning Permission S/2331/00/O to Allow a Further Period of 3 Years for the Submission of Reserved Matters for the Erection of a Production Building and Office, Ancillary Parking, Sewerage Treatment Plant and Outside Storage, Land at Potton Road for Potton Ltd

Recommendation: Approval

Date for Determination: 1st February 2005

Departure Application

Site and Proposal

1. This full application, registered on 2nd November 2004, seeks variation of condition to allow a further 3 years in which to submit reserved matters in respect of an outline consent for the erection of a production building and office, ancillary parking, sewage treatment plant and outside storage, Potton Road, Gamlingay.
2. The site is a 3.1ha parcel of vacant land to the east of Potton Road, Gamlingay, to the south of the village. Immediately to the north of the site is a rectangular area of land owned by Potton Ltd containing a series of industrial buildings.
3. To the south of the site is a detached dwelling and outbuildings. To the north are cottages fronting Potton Road. Opposite the site and to the rear is agricultural land.
4. An illustrative plan accompanying the original outline application indicated a possible production building measuring 100m x 25m with a smaller office building and parking for 196 cars although only 120 staff were indicated on the application form. The drawing included two areas for open storage with access to the site from Potton Road.

Planning History

5. Outline consent was originally granted for the development in December 2001 (**Ref S/2331/00/O**). Conditions attached to that consent required, amongst other matters, the submission of a Green Travel Plan, substantial landscaping, and the upgrading of the access onto Potton Road with the provision of a right-turn facility.
6. Planning consent was granted on the site in 1991(**Ref S/0715/89/F**), and subsequently renewed in 1996 (**Ref S/0131/96/F**) for the erection of a production barn, offices, sewage treatment plant and outside storage. The production barn measured 40m x 10m, substantially smaller than that granted in 2001.

Planning Policy

7. **Policy P1/2** of the Cambridgeshire and Peterborough Structure Plan 2003 (“The County Structure Plan”) states that development in the countryside will be restricted to that which is demonstrated to be essential in a particular rural location.
8. **Policy EM7** of the South Cambridgeshire Local Plan 2004 (“The Local Plan”) states that development for the expansion of existing firms within village frameworks or on suitable brownfield sites next to or very close to the village frameworks will be permitted subject to the provisions of **Policy EM3** (Local User) and **EM6** (no adverse impact on residential amenity, traffic conditions, village character and other environmental factors, and the development contributing to a greater range of local employment opportunities, especially for the semi-skilled and unskilled, or where initial development is based upon the use of locally-based skills and expertise). A firm or business will be considered as “existing” if a significant element of its operations has been based in the Cambridge Area for a minimum of two years prior to the date of any application for development.

Consultations

9. **Gamlingay Parish Council** recommends refusal. “The Parish Council has concerns that nothing has occurred on this site since planning permission was granted in 1996. Concern was expressed over extending reserved matters timescale further. Council objects to the continuing extension of time for development which has implications on local employment levels.
10. The **Environment Agency** repeats its request for conditions requiring the submission of schemes for pollution control, including foul and surface water drainage and adds safeguarding comments.
11. The comments of Cambridgeshire **Fire and Rescue Service** and the **Local Highway Authority** will be reported at the meeting.

Representations

12. None received at the time of writing the report. The consultation period expires on 28th December 2004.

Applicant's Representations

13. In a letter accompanying the application, the applicant's agent states that the planning application submitted in 2000 followed a decision by Potton Ltd to reorganise and expand its production facilities currently concentrated at Great Gransden and involves the manufacture of house kits for the self build market, as well as mass produce modules used in the construction of Hotel, Hospital, student and nurse accommodation. Due to difficulties of expanding at the Great Gransden site the application sought approval for buildings that will enable production of the mass produce modules to be relocated to Gamlingay.
14. Although no progress has so far been made in relocating the mass-produced module production line, it remains the applicant's intention to re-organise the business and it is advised that planning permission has been granted by Huntingdon District Council to concentrate the kit house operation at Great Gransden with a show house complex. Having secured this permission attention is now being given to the production unit requirements at Gamlingay. Because the detailed proposals are still under consideration the applicant is not in a position to submit the reserved matters details and in these circumstances a renewal is sought.

Planning Comments - Key Issues

15. The key issue to be considered with this application is whether there has been any material change in circumstances since the granting of outline consent in 2001.
16. Any issues relating to the impact of the development on residential amenity, highway safety and visual impact in the countryside were considered in 2001. In my view there have been no material changes in circumstances that warrant coming to a different view on these matters.
17. When considering the application in 2001 Members will have given weight to a Policy in the 1993 Local Plan and deposit Local Plan 1999 which stated that the District Council would support extensions to existing employment sites in the countryside subject to specified criteria. The Local Plan 2004 does not contain such a policy, the previous one having been deleted following a recommendation by the Local Plan Inspector, who suggested that such a policy was unnecessary and inappropriate in the circumstances of rural South Cambridgeshire to lend this kind of general support to the expansion of employment sites in the open countryside. He did state, however, that it would always be possible to bring forward case-specific 'material considerations' which may, in particular circumstances, allow for proposed extensions to outweigh the general protection from development afforded to the countryside. The application has been advertised as a departure
18. This site has benefited from planning consent for the expansion of the operations of Potton Ltd since 1991. The letter from the applicant's agent sets out the reasons why this site has not been brought forward since the granting of outline consent in 2001 and states that the development of this site is now being considered.
19. In my view an extension of the period in which to submit a reserved matters application is appropriate, although the period should be limited to coincide with the expiry of the outline consent i.e. 10th December 2006.
20. Given the history of the site it is not necessary to refer this application as a departure.

Recommendation

21. That consent is granted to allow a variation of Condition 1 of planning consent **S/2331/00/O** to allow submission of reserved matters until 10th December 2006, subject to the conditions set out in the original consent.
 1. Application for approval of reserved matters shall be made to the Local Planning Authority before 10th December 2006.

The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, or before 10th December 2006, whichever is the later.
(Rc - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development which have not been acted upon.)
 2. No development shall commence until full details of the following reserved matters have been submitted to and approved in writing by the Local Planning Authority:-

- a) the siting of the buildings;
- b) design and external appearance of the buildings;
- c) the means of access thereto;
- d) the landscaping of the site.

(Rc - The application is for outline permission only and gives insufficient details of the proposed development.)

3. No development shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority; the development shall be carried out in accordance with the approved details.
 - a) The materials to be used for the external walls and roofs.
(Rc - To ensure that visually the development accords with neighbouring buildings and that the development is not incongruous.)
 - b) Finished floor levels of the buildings in relation to ground levels.
(Rc - To ensure that the height of the building(s) is well related to ground levels and is not obtrusive.)
 - c) Car parking provision in accordance with the Local Authority standards.
(Rc - To ensure adequate car parking provision is provided and suitably laid out.)
4. Prior to the commencement of any development a scheme for the provision and implementation of pollution control, which shall include foul and surface water drainage, shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme to be constructed and completed in accordance with the approved plans.
(Rc - To ensure a satisfactory method of surface/foul water drainage and to prevent the increased risk of pollution to the water environment.)
5. Details of the location and type of any power driven plant or equipment including equipment for heating, ventilation and for the control or extraction of any odour, dust or fumes from the buildings but excluding office equipment and vehicles and the location of the outlet from the buildings of such plant or equipment shall be submitted to and approved in writing by the Local Planning Authority before such plant or equipment is installed; the said plant or equipment shall be installed in accordance with the approved details and with any agreed noise restrictions.
(Rc - To protect the occupiers of adjoining buildings from the effect of odour, dust or fumes.)
6. No power operated machinery shall be operated on the premises before 07.30 am on weekdays and 08.00 am on Saturdays nor after 17.30 pm on weekdays and 13.00 pm on Saturdays (nor at any time on Sundays or Bank Holidays), unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.
(Rc - To minimise noise disturbance to adjoining residents.)
7. An adequate space shall be provided within the site to enable vehicles to: enter and leave in forward gear, park clear of the public highway and load and unload clear of the public highway. (Rc - In the interests of highway safety.)

8. The permanent space to be reserved on the site for turning, parking, loading and unloading shall be provided before the use commences and thereafter maintained. (Rc - In the interests of highway safety.)
9. If gates are to be provided to the vehicular access they should be set back 25 metres from the edge of the carriageway.
(Rc - In the interests of highway safety.)
10. The development hereby permitted shall not be occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority; implementation of the Plan shall be carried out in accordance with the approved details of the Plan.
(Rc - To encourage car sharing and the use of alternative means of travel to the site.)
11. The landscaping scheme, to be submitted under condition 2(d) above shall incorporate a 15 metre wide planting strip around the boundaries of the site, unless a variation to that width is agreed by the Local Planning Authority as part of the detailed schemes.
(Rc - To help assimilate the development into its surroundings.)
12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
(Rc - To enhance the quality of the development and to assimilate it within the area.)
13. Before any building, car parking area or area of outside storage, approved as part of this application is brought into use a new vehicular access to Potton Road shall be laid out, constructed and thereafter maintained in accordance with the details shown on Drawing No. 47578/002/5050/04. The works shall include the provision of a right-turn facility.
(Rc - In the interests of highway safety.)
14. Within 7 days of the bringing into use of the new access the existing access to Potton Road shall be permanently and effectively closed. Details of the means of closure shall be submitted to and approved in writing by the Local Planning Authority before the work takes place.
(Rc - In the interests of highway safety.)
15. The detailed layout plan to be submitted under condition 2 above shall include indication of the areas of the site to be used for outside storage and the maximum height of storage within these areas. No outside storage shall take place other than within any areas approved under the above plan and storage shall not exceed the agreed maximum height.
(Rc - To protect the surrounding countryside.)

+ Environment Agency Informatives.

Informatives

Reasons for Approval

Although the application does not accord with the Development Plan the site benefits from outline consent for the proposed development. Given the history of the site and the case put forward by the applicant, the variation of Condition 1 of planning consent S/2331/00/O to allow a further period in which to submit reserved matters is not felt to materially prejudice the aims of the Development Plan, provided that the period does not extend beyond the expiry of the outline consent.

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2238/04/F & S/2331/00/O

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