

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

2<sup>nd</sup> February 2011

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

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### **S/1107/10 – MELDRETH**

**Extension and Alterations and Erection of Smoking Shelter –  
Gocold Ltd, Station Yard, High Street.**

**Recommendation: Approval**

**Date for Determination: 27<sup>th</sup> August 2010**

#### **Notes:**

**This Application has been reported to the Planning Committee because the Parish Council has recommended approval, subject to the agreement of neighbours in relation to the environmental noise assessment, which remains unresolved to date.**

**Members will visit the site on the morning of the 2<sup>nd</sup> February 2011.**

#### **Site and Proposal**

1. The site is currently used for storage and distribution of ice cream with associated general office use. The site was previously industrial land linked to the railway coal storage yard and was granted consent for a change of use to storage and distribution in 1992. The site is located to the west of the railway line and is located within Meldreth village framework. To the northeast of the site is an adjoining commercial building and to the west are further industrial/warehouse units near to residential dwellings along Whitecroft Road.
2. The development involves the erection of a new warehouse to the east of the main office building on site, providing an additional cold storage area and associated refrigeration units. The proposal also includes a loading/unloading bay area to the east of the site and single storey buildings towards the front to provide, a reception area, storage and workshop, cycle parking area and refuse area. A minor alteration is also proposed to the siting of the existing access to the site and a late amendment has included the erection of a smoking shelter for staff.

#### **Planning History**

3. As previously mentioned, the site was granted a change of use from general industry (B2 Use Class) to storage and distribution (B8 Use Class) in 1992 (**S/0185/92/F**) with the erection of a cold store.
4. Permission for a cold store was granted in 1993 (**S/0930/93/F**) to the rear, most southerly point of the site and exists on site today

5. A covered loading bay was approved in 2000 (**S/1322/99/F**) for the parking of refrigerated vans towards the east boundary of the site, in front of the existing warehouse. This permission was subsequently not implemented on site.
6. A temporary cold store was approved in 2009 (**S/0512/09/F**) and was sited to the north (in front of) the existing warehouse building within the car parking area. Regrettably the refrigeration units from this temporary store did cause a statutory noise nuisance to nearby neighbours and an abatement notice was served under section 80(1) (g) of the Environmental Protection Act 1990 and the temporary cold store switched off after a previous attempt to mitigate the noise had failed. This problem was later resolved and the temporary cold store removed after the period of consent lapsed.

### **Planning Policy**

7. **South Cambridgeshire Local Development Framework, Development Control Policies, DPD, 2007:**  
 DP/1 Sustainable Development  
 DP/2 Design of New Development  
 DP/3 Development Criteria  
 DP/7 Development Frameworks  
 NE/10 Foul Drainage – Alternative Drainage Systems  
 NE/11 Flood Risk  
 NE/15 Noise Pollution  
 TR/2 Car and Cycle Parking Standards
8. **South Cambridgeshire LDF Supplementary Planning Documents (SPD):**  
 District Design Guide – Adopted March 2010  
 Landscape in New Developments SPD - adopted March 2010

### **Consultation**

9. **Meldreth Parish Council** – Support the application with recommendations to monitor low frequency noise (from Gocold vehicles on electrical power at night) both before and after the development, sound attenuation measures to the boundaries of the site and reasonable working hours set in consultation with Gocold taking into account the increased efficiencies.  
  
**30<sup>th</sup> December 2010** - If the neighbours are in agreement with what the environment assessment states, then the Parish Council are also in agreement. The only outstanding issue was the noise factor, which appears to have been addressed.
10. **Local Highway Authority** – Following extensive pre-application discussions with the applicant and the subsequent amendment of the proposal the development should have no significant adverse effect upon the Public Highway should it gain benefit of planning permission.
11. **Scientific Officer** – I am satisfied that there is a low risk to human health from carrying out the proposed development as there is no residential use and few opportunities for humans to come into contact with any possible contamination.
12. To comply with PPS 23; "The remediation of land affected by contamination through the granting of planning permission (with the attachment of the

necessary conditions) should secure the removal of unacceptable risk and make the site suitable for its new use. As a minimum, after carrying out the development and commencement of its use, the land should not be capable of being determined as contaminated land under Part IIA of the EPA 1990."

13. Though there would appear to be little human health risk I have also noted that the site overlies a principal aquifer, in the form of chalk, which also acts as a potential receptor in any pollutant linkage. I would therefore suggest taking any advice that the Environment Agency has provided in respect of applying a contaminated land condition.
14. **Environmental Health Officer** – I am mindful that Environmental Health Services have previously received complaints and investigated accordingly. However, these were associated primarily in respect of noise from temporary cold store units installed during the summer of 2010 in the yard of the premises. The complaints in my professional opinion were totally justified and following investigations, particularly at night, a noise abatement notice was served. Having studied this application, I believe that the main existing and also potential noise sources have been identified and appropriately addressed.
15. Given the close proximity of a number of residential properties, I believe it prudent to ensure that any vehicles requiring the use of nightstands are located as far from residential properties as is reasonably possible. I note from Drawing 843/20/L that this is to be implemented and that the proposed cold store should further act to mitigate noise from this source. Drawing 843/21/E indicates the presence of a condenser pack mounted on the roof space. From the proposed north and west elevation plan submitted (Drawing 843/25/E) this appears to be adequately screened from residential properties.
16. I take on board concerns raised by residents in respect of noise from the site, and feel from the proposals that these matters have been carefully considered as to how best mitigate any potentially problematic sources. I note from the design and access statement submitted that as with the existing site use, material handling would remain internal, with a proposal of increased spacing. Given that the aforementioned factors aim to further mitigate any adverse affects in respect of noise, I believe this application should be supported by environmental health services. I am also mindful that there have been requests to review the current working hours, however, in light that proposals are aimed to reduce the potential for noise disturbance emanating from the site, I would not recommend such a scheme.
17. Given that the application includes a proposal for a new refrigeration condensing pack on the roof space, an acoustic report should be submitted detailing any noise levels that are likely to be produced. The report should also include details of expected noise breakout from the proposed cold store. The reason for this being that loading, unloading and works associated with machinery, such as forklift trucks, will take place in this area.
18. In the interests of reducing the potential for loss amenity to residents during this development, should planning permission be granted, I would recommend a condition to control hours of power operated machinery.
19. **11<sup>th</sup> October 2010** I have received correspondence from the applicant's agent outlining details of the refrigeration equipment and the predicted noise

levels. I have conducted calculations, which show that at the nearest property (90m) the noise level would be 37dB(A). I am also mindful that the layout of the roofing will mean the equipment is actually obscured from view from residential properties, and therefore a further 5 - 10dB(A) reduction is likely. I am satisfied with the above and also comments outlining noise breakout from the proposed cold store. Therefore, I have no further comments to add and am satisfied from an environmental health standpoint for this matter to be progressed.

20. **10<sup>th</sup> November 2010** No objections to proposed smoking shelter
21. **Environment Agency** – The application, as submitted, does not consider sufficiently the following issues: - Surface water drainage, Foul water drainage, Pollution Control and Ground Contamination. As the site is delineated within an area of limited drainage capacity, unknown sewerage capacity and environmental concern, we recommend that the following conditions and informatives be appended to any approval given (see below at conditions at paragraph 44).
22. **Landscape Officer** – I would like to see a landscape plan showing a replacement hawthorn hedge for the conifers that I suggest should be removed together and the ground cultivated and allowed to re-wet thoroughly before replanting. The hedge should be a double row of 4 plants/m in total with 30 cm between the rows. There should be a grass free strip 1m wide, mulched to a depth of 75mm until the plants are well established. The hedge may well need watering during the first couple of years and a drip hose for irrigation should be considered. The hedge should be maintained to a similar height to the length at the northern end of the site.
23. I should like details of the security fencing so a boundary treatment condition will also be required. I suggest that a black painted metal fence would be preferable, which the hedge would grow through and disguise in time. Also, there should be an area for the staff to sit outside for meal breaks in addition to any smoking shelter, which might need to be closer to the building. A more general seating area for good weather could be near the electricity box in the area shown as new planting.
24. **17<sup>th</sup> November 2010** – I have no objections to the proposals. I should like landscape conditions applied. The proposals for the hedge are acceptable in principle but need some slight refinement to reduce the density of hawthorn plants to make a total of 4 per metre over the double row. The holly should be included at irregular intervals e.g. 1 per 2, 3 and 5m spacings. I suggest that Ilex 'J.C van Tol' is used as it is dark green and unvariegated with non spiny leaves which makes maintenance less unpleasant. The hedge line should be covered with 75mm bark mulch to create a 1m wide grass free strip for the first few years to aid establishment.
25. Details of the other planting in the car park, the amenity area and at the entrance can be set out in the landscape plan. I would like to see some seating for staff in the amenity area included.
26. **Network Rail** – Prior to the commencement of any works on site, developers must contact Network Rail to inform them of their intention to commence works. This must be undertaken a minimum of 6 weeks prior to the proposed date of commencement. Any demolition or refurbishment works must not be

carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Outside Parties Engineer before the development can commence. Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed. Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

27. **Old West Internal Drainage Board** – No objections.

### **Representations**

28. **Owner/Occupier of 29 Oakrits** – Concern with development with regard to noise and disturbance as a result of late night deliveries, lorry refrigeration unit and general noise from unloading/loading yard. Recommend an independent environmental impact assessment is carried out and conditions to restrict noise and disturbance. General concern with overdevelopment of the site. 11/11/10 - We assume this amendment is only to improve the security of the Gocold yard and does not address any of the concerns as detailed in our letter dated 17.08.10 to the SCDC planning department.
29. **Owner/Occupier of 20 Oakrits** – Concern with development with regard to noise. Recommend that the site is effectively screened, particularly to the north; low frequency noise is monitored, particularly during peak periods and overnight; and working hours are reduced as a result of the increased efficiencies mentioned in the application.
30. **District Councillor Surrinder Soond** – Strongly supports application. The following considerations have been discussed and agreed at a meeting held between local residents and Gocold: 1) Installation and the use of quieter refrigeration units 2) Erection of adequate sound proofing measures 3) Preventative measures to reduce noise originating from the workforce at the site during unsociable working hours and 4) Continual ongoing noise monitoring before and after the proposed development and all data disseminated to the local residents for their analysis.
31. **Owner/Occupier of 2 Whitecroft Road** – Concern with noise at the site. We suggest that the application includes high acoustic fencing to reduce noise.
32. **Owner/Occupier of 11 Whitecroft Road** – Concern with increase in low frequency noise from the site and increased traffic at the junction with the station entrance. A possible reduction in working hours was discussed at the local planning meeting.

## **Comments – Key Issues**

33. The main issues in this application are: the character of the area, traffic, parking and access, noise and operation, flood risk and landscaping.

### **Character of the Area**

34. The proposed cold store would replace an existing dated warehouse next to the main office building and would have the appearance of standard warehouse building. Views of the building would be available from the approach from the railway station but would be more limited from the main road due to the siting of the existing office building and the existing and proposed landscaping along the west boundary of the site. The building would increase the bulk of built development on the site and would extend further forward of the existing office building but it is also noted to be distanced from the main road and no higher than the main office building. The building would be viewed amongst the industrial backdrop of the site and the railway line where such a building would be expected; the overall development is also broken-up to the front where the proposed single storey buildings meet the car park. Consequently, the proposed development is not considered to have an unacceptable visual impact on the local area.

### **Traffic, Parking and Access**

35. The proposed 30 car parking spaces are assessed with regard to the maximum parking standards set out under DCP Policy TR/2, which calculates parking provision in relation to the particular use of the site and gross floor space of the building/s. The approximate total cold storage space at the application site would be 842m<sup>2</sup> and the existing office and store space would amount to 396m<sup>2</sup> which shows that the proposed parking provision would exceed the maximum parking standards by 4 or 5 spaces. However, there is no significant objection to this excess parking provision given that the site already benefits from this parking area and a cycle shed is proposed, which would encourage more sustainable methods of transport to the site.

### **Noise and Operation**

36. During the siting of a temporary cold store in 2009 (ref S/0512/09/F), activities on the site were found to cause noise disturbance to local residents during unsocial hours and the main source of this noise was attributed to the low frequency noise from refrigerated lorries left running in the yard as well as the temporary refrigeration units. A statutory noise abatement notice was served on the site and the temporary cold store has subsequently been removed from the site with no further statutory nuisance having been identified at the site, nor for that matter prior to the installation of the temporary cold store.
37. The applicant has tried to address the noise issues raised by local residents, which are summarised as follows:
- (a) refrigeration units
  - (b) low frequency noise from vehicle refrigeration units
  - (c) engines running
  - (d) late night deliveries
  - (e) unloading and loading activities
  - (f) general noise from staff and anti-social working hours

- (g) screening to the site and acoustic fencing
- (h) noise monitoring

The applicant has addressed many of the above issues in the proposed layout of the site, where noisier activities such as the loading and unloading of delivery vehicles and vehicle engine noise would be located to the east of the proposed building, next to the railway line and furthest away from local residents to mitigate noise disturbance. The floor space and capacity of the site would increase as a result of the proposal but the applicant emphasises that this would result in more whole loads being brought to the site than part loads as a result of this change, leading to fewer deliveries to the site overall.

- 38. The new condenser units would be located to the southern end of the site, closest to the railway bridge and away from local residents. The applicant has submitted details of the refrigeration equipment and the predicted noise levels (letter dated 23<sup>rd</sup> September 2010), which have been assessed by the environmental health officer with regard to the concerns raised in the representations above. The applicant has also submitted an independent noise report (received 14<sup>th</sup> January 2010), which has assessed the proposed siting of the refrigerated vehicles and the proposed condensers on the roof of the development. This report concludes that noise levels are not predicted to result in adverse harm to residential amenity.
- 39. Staff numbers may or may not change as a result of the proposed development. However it is noted that the existing operating hours of the site are not restricted as a result of its previous industrial use (B2 Use Class), which when changed to a combined storage and distribution and office use would have been viewed to result in a more appropriate land use near to local residents in terms of potential noise and disturbance. As the site already benefits from unlimited operating hours it is not considered reasonable to restrict hours now, particularly as the proposal has been assessed by the environmental health officer and is not anticipated to create an adverse impact upon residential amenity; if anything the proposed development has the potential to reduce current noise levels. For this reason it is also not considered necessary to monitor noise levels at the site before and after the development nor request acoustic fencing. Landscaping and screening to the site are however suggested below in paragraph 30 and the environmental health officer has recommended a condition to restrict the hours of power operated machinery used during the demolition and construction period.

### **Flood Risk**

- 40. The comments of the environment agency are noted and the recommended conditions added below.

### **Landscaping**

- 41. The applicant has submitted a revised landscaping scheme following the comments/recommendations of the landscape officer above. Subsequent to this revised plan the landscape officer has confirmed that further revision is necessary to ensure that the planting scheme along the west boundary of the site is adequate to screen the site and mitigate the impact of the development on the local area. Consequently, the standard landscaping conditions are recommended below. The proposed smoking shelter and outside eating area are also considered to be acceptable.

## **Conclusion**

42. The proposed development is considered to be in character with the site and the local area and further landscaping has been proposed to improve the appearance of the site. Concerns have been raised in the application with regard to noise and disturbance to residential amenity and these have been given thorough consideration in consultation with the Council's Environmental Health Section. The applicant has hired an acoustic specialist and has submitted noisy survey information to show that the proposal would not result in excessive noise levels. Subsequently, the development is not considered to have an adverse impact on residential amenity.
43. Having regard to applicable national and local planning policies, and having taken all relevant material considerations into account, it is considered that planning permission should be granted in this instance.

## **Recommendation**

44. Approve, as amended drawings 843/91A and 843/25/G (franked 2<sup>nd</sup> November 2010), with additional drawing 843/300 (franked 2<sup>nd</sup> November) and additional information submitted in letter (dated 23<sup>rd</sup> September 2010) and background noise survey (received on 14<sup>th</sup> January 2011), subject to the following conditions: -
  1. **The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.**  
(Reason - 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. **The development hereby permitted shall be carried out in accordance with the following approved plans: 843/01E, 843/21/E, 843/29/D, 843/20/L, 843/26/E, amended drawings 843/91A and 843/25/G (franked 2<sup>nd</sup> November 2010), and additional drawing 843/300 (franked 2<sup>nd</sup> November 2010)**  
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)
  3. **No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. These details shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development. The details shall also include specification of all proposed trees, hedges and shrub planting, which shall include details of species, density and size of stock.**  
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
  4. **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within**



**a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.**

(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)

- 5. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours on weekdays and 0800 hours on Saturdays nor after 1800 hours on weekdays and 1300 hours on Saturdays, (nor at any time on Sundays and Bank Holidays) unless otherwise previously agreed in writing with the Local Planning Authority in accordance with any agreed noise restrictions.**

(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)

- 6. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**

(Reason – To ensure that the existing surface water drainage infrastructure has sufficient residual capacity to accept any additional discharge from the development in accordance with Policies DP/1 and NE/11 of the adopted Local Development Framework 2007.)

- 7. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed in writing with the Local Planning Authority.**

(Reason – To ensure that the existing foul water drainage infrastructure has sufficient residual capacity to accept any additional discharge from the development in accordance with Policy NE10 of the adopted Local Development Framework 2007.)

- 8. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans prior to the occupation of any part of the development or in accordance with the implementation programme agreed with the Local Planning Authority.**

(Reason – To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment in accordance with Policies NE/10 and NE/11 of the adopted Local Development Framework 2007.)

9. **No development approved by this permission shall be commenced until:**
- a) The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.**
  - b) Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation method statement) have been submitted to and approved in writing by the Local Planning Authority.**
  - c) The works specified in the remediation method statement have been completed, and a validation report submitted to and approved in writing by the Local Planning Authority, in accordance with the approved scheme.**
  - d) If, during remediation works, any contamination is identified that has not been considered in the remediation method statement, then remediation proposals for this contamination should be agreed in writing by the Local Planning Authority. (Reason – To identify and mitigate risk to the public, the wider environment and buildings arising from site contamination in accordance with Policy DP/1 of the adopted Local Development Framework 2007.)**

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

- South Cambridgeshire Local Development Framework (LDF) Development Control Policies, adopted July 2007
- Supplementary Planning Documents: District Design Guide SPD and Landscape in New Developments SPD
- Circular 11/95 and 05/2005
- Planning File References: S/0512/09/F, S/1322/99/F, S/0930/93/F and S/0185/92/F.

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