

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 October 2011

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

S/1267/11 - MADINGLEY

Erection of Agricultural Buildings, fuel storage tank, creation of a storage lagoon and associated landscaping & hardstanding at Park Farm for The Chancellor, Masters & Scholars of the University of Cambridge

Recommendation: Approve

Date for Determination: 24 October 2011

This application has been reported to the Planning Committee as the Parish Council's recommendation of approval is subject to certain conditions. Officers do not support these conditions.

Site and Proposal

1. The application site is divided up into 4 areas and measures approximately 1.3 hectares. The site is outside the village framework and within the Cambridge Green Belt. It is approximately 10 metres south of the Historic Parks and Gardens at Madingley Hall, 300 metres south of the Madingley Conservation Area and 550 metres south of several Listed Buildings. The main Listed Building is the Grade I Madingley Hall. In addition to this there is a Grade II* Listed Building of the Gateway to Stable Courtyard at Madingley Hall. Finally there are three Grade II Listed Buildings comprising a kitchen garden wall, icehouse and north terrace retaining wall and balustrade at pleasure garden.
2. The site is surrounded by agricultural land that is also within the ownership of the applicant. The site is located approximately 810 metres from Church Lane and 530 metres from the A428. The access onto the site links on to Church Lane, one side of the access road being defined by mature trees. A mature hedgerow defines the boundary with the A428. There is a country track that links onto Dry Drayton Road. The two nearest dwellings to the development are within the same ownership as the applicant (Park Farm and Woodside House)
3. The application, validated on the 25 July 2011, is for erection of agricultural buildings, fuel storage tank, creation of a storage lagoon and associated landscaping & hardstanding.
4. The proposed grain store maximum dimensions are approximately 24 metres x 42.5 metres, with a height of 10 metres. The developer has confirmed that the Grain Store will have metal cladding. The proposed silage measures approximately 35 metres x 22 metres, with a height of 3 metres. The proposed young stock building measures approximately 78 metres x 12 metres, with a height of 7.8 metres (eaves height 3.8 metres). The proposed lambing shed 49 metres x 14.5 metres, with a height of 5.2 metres (eaves 2.9 metres). The calf shed measures approximately 47 metres x 10.5 metres, with a height of 5.2 metres.

Planning History

5. *Within previous 10 years*
S/0835/10/F – The application for a Slurry Storage Unit was approved.
S/0070/01/F – The application for an agricultural building was approved.

Planning Policy

6. **National Guidance**

Planning Policy Statement 5: Planning for the Historic Environment
Policies HE10 (including 10.1)

Planning Policy Guidance 2: Green Belts

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/4 – Infrastructure and New Developments
DP/7 – Development Frameworks
GB/1 – Development in the Green Belt
GB/2 – Mitigating the Impact in the Green Belt
SF/6 – Public Art and New Development
NE/1 – Energy Efficiency
NE/2 – Renewable Energy
NE/3 – Renewable Energy Technologies in New Development
NE/6 - Biodiversity
NE/12 – Water Conservation
NE/14 – Lighting Proposals
NE/15 – Noise Pollution
NE/16 - Emissions
CH/1 – Historic Landscapes
CH/2 – Archaeological Sites
CH/4 – Development Within the Curtilage or Setting of a Listed Building
CH/5 – Conservation Area
TR/1 – Planning for More Sustainable Travel
TR/2 – Car and Cycle Parking Standards

8. **South Cambridgeshire Local Development Framework, Supplementary Planning Documents**

Listed Building SPD – Adopted July 2009
Development Affecting Conservation Areas SPD – Adopted January 2009
Biodiversity SPD – Adopted July 2009
Public Art SPD – Adopted January 2009
District Design Guide SPD – Adopted March 2010

Consultations

9. **Madingley Parish Council** – The Parish Council recommends a conditional approval.

The Parish Council comments are extensive and have been added as Appendix 1 to this application.

The developer has responded to these comments and these are added as Appendix 2.

10. **Dry Drayton Parish Council** – The Parish Council sent out an email asking questions over the predicted traffic flows submitted with the planning application.

The Case Officer has phoned the Parish Council and provided a response to these questions. Any further comments from Dry Drayton Parish Council will be provided as an update during Planning Committee.
11. **Highways Agency** – The application will not adversely affect the A428 trunk road at this location, the Highways Agency does not intend to issue a direction and I enclose a form TR110 to this effect.
12. (Additional comments received on the 13th September 2011) Previous comments still stand.
13. **Local Highways Authority** – The Local Highways Authority states that no significant adverse effect upon the Public Highway should result from this proposal, should it gain the benefit of Planning Permission.
14. The Local Highways Authority also stated that in regards to the Parish Council comments, it does not believe that the footpath improvements can be justified based upon the traffic generated from the proposed site.
15. **Rights of Way and Access Team** – The team recognise the aspirations expressed by Madingley Parish Council for access improvements in the Parish. The team also recognise the constraints set by the planning process, but we support the general principle of seeking access improvements. The relocating of the farm may locally and seasonally increase agricultural traffic affecting walkers, riders and cyclists (though noting that our Highways colleagues are not unhappy from a wider vehicular Highways perspective). If paths were to be dedicated (or upgraded) as public rights of way, then subject to completing due legal process, they would be maintained by the Highway Authority. The team do not see a conflict more generally between agricultural and recreational access to appropriate tracks.
16. (Additional comments received on the 13th September 2011) The team state no public rights of way will be affected.
17. **Conservation** – The Conservation Manager states that the site is adjacent to the Grade I Listed Madingley Hall, Grade II registered park and garden of the hall and the Madingley Conservation Area. The southern edge of the park and garden broadly follows the line of the Conservation Area.
18. There is no heritage information in the Design & Access Statement and therefore no assessment of the impact of the proposals on the Grade I Listed, Grade II Park and garden or the Madingley Conservation Area. However, despite the lack of information it is considered that due to the location of the site, which is some distance from the hall and the boundary of the park and garden and conservation area, the impact on views and their setting will be minimal.
19. The Conservation Manager recommends approval.

20. (9/09/2011) – No further comments in regards to the amendment.
21. **County Council Archaeologist** – The site lies in an area of high archaeological potential, immediately outside Madingley Park, which is known to have Medieval origins, and in an area of known shrunken/deserted Medieval settlement (HER No. MCB4379), and it is considered likely that important archaeological remains survive on the site,
22. A pre-commencement condition to ensure appropriate archaeological investigation is requested.
23. **Environment Agency** – The agency is currently in discussions with the landowner's agent regarding the proposed culverting of the drain behind the buildings and negotiating appropriate principles, design and habitat mitigation prior to the submission of an application under Section 23 of the Land Drainage Act 1991. The granting of planning approval must not be taken to imply that consent has been given in respect of the Land Drainage Act 1991.
24. The Environment Agency requests a condition to ensure satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment.
25. Several informatives are requested in order to provide the applicant with all relevant information.
26. (14/09/2011) – In regards to the Agent's summary of amendments, the only issue relating to the Environment Agency is the proposed culverting. The Environment Agency confirms that the applicants consultants have agreed a way forward to allow for some culverting to take place that will not harm the local biodiversity of the area.
27. **Ecology** – The Ecology Officer has stated that he does not believe the extension of farm operations at Park Farm will have any noticeable adverse effect on the local wildlife of Madingley and as such does not raise any objection.
28. The Ecology Officer is aware of the covering of some of the existing drainage ditch and the creation of the new lagoon and supports the Environment Agency's approach.
29. **Environmental Health** – The Environmental Health Officer states that the applicant should submit a noise survey that indicates the predicted noise levels from the grain drier at the nearest residential property. It is understood that there are residential properties close to the proposed site and that there are no planning restrictions in respect of the occupation of such properties by people directly associated with the farm site. Any survey should also indicate the noise levels predicted at the nearest residential property site in the village of Madingley.
30. The noise assessment should also have due regard given in the District Design Guide SPD.
31. The Environmental Health Officer requests two conditions in order to control power driven plant equipment and lighting.

32. **Development Officer, Arts and Culture** – The Arts Officer has over several correspondences with the developer argued strongly the requirement for a scheme to provide a public art scheme.

Representations

33. **The Farmhouse, Madingley (also the person who sent the formal comments from the Parish Council and responding to the Local Highways Authority comments)** – States that he accepts that the Park Farm is going, as far as he knows, to be yet another big busy farm, albeit with a strong teaching element in addition. Having read the application he notes that there will be about 27 vehicles per day, but this is going through the middle of a small and already congested village High Street. My council does not want to see more traffic going through the middle of the village. Hence our suggestion that traffic should avoid the village centre. Additionally they would like to see the traffic calming moved about 50 metres in Church Lane, as the Highways Department agreed should happen back in 2008 and similar new traffic calming applied to The Avenue, coming into the village from the East.
34. He would like to point out that that it is the increase that worries the Council, and we suggest that any increase is too much. Can all relevant parties consider this more carefully and reflect that we are talking about large articulated grain lorries, milk tankers and lorries delivering feed for the livestock.
35. Were we to be only talking about motorcars he suggests the problem would not be so important. It is relevant that this application is looking at an investment he is told of £2.5 million and the Council cannot ignore that there could be more expansion in the future.
36. **Park Lane, Madingley** – He raises concerns over water drainage, water pollution and harm to Madingley biodiversity.
37. *(The Ecology Officer wrote back to him on the 31st August 2011 stating he was not objecting)*

Planning Comments – Key Issues

38. The key issues to consider in the determination of this application are:
- Principle of Development
 - Water and Energy Sustainability
 - Historic Environment
 - Visual Impact
 - Residential Amenity
 - Highway Safety and Public Footpath Improvements
 - Flood Risk, Biodiversity and Water Contamination
 - Public Art
39. Principle of Development – The proposed development is outside the village framework and within the Cambridge Green Belt. The erection of agricultural buildings within the Green Belt is considered to be appropriate by definition and is an appropriate use outside of the village framework. The proposal is, therefore, considered to be acceptable in principle.
40. The visual impact upon the Green Belt is covered below.

41. Water and Energy Sustainability – The developer has stated that they are currently reviewing proposals to collect rainwater in order to flush toilets in the existing Dairy Unit. While this is technically outside the site area, it is within the applicants' ownership. The developer is also investigating collecting roof water to be filtered and used elsewhere on the farm. The developer has also agreed to provide 10% of predicted energy requirements and is likely to use photovoltaic panels but it is still assessing predicted energy requirements. The developer has accepted that these should be added as pre-commencement conditions to any consent granted and there is no foreseeable reason that will prevent them from achieving this.
42. Historic Environment – The site is in close proximity to several important historic features that include the Grade I Listed Building of Madingley Hall and its historic park and garden. Having visited the site and done a desktop study the Case Officer is of the view that there is no material reason not to follow the advice provided by the Conservation Manager and Archaeological Officer. If the application was approved a condition requiring an archaeological assessment would, therefore, be required.
43. Visual Impact – The proposed buildings follow a standard agricultural design that is similar in style to those already on the site. Having visited the site and driven along the A428 the proposed development might be seen from a public road very briefly while driving along the A428. The visual impact on the historic environment to the north is covered above.
44. The proposed development is situated adjacent to the existing buildings on site. The impact upon the rural character of the area is, therefore, kept to a minimum. The developer has submitted a landscape plan but the landscape officers have not yet commented on this. It is considered possible to provide a suitable landscaping scheme for this site that will further minimise its impact on the Green Belt; a condition will therefore be added.
45. With the proposal being sited significantly from any public viewpoint it is not considered required to condition materials.
46. The proposed development is considered to preserve the rural appearance of the area if appropriately conditioned and will have no impact upon any local streetscene.
47. Residential Amenity – The two closest dwellings (Woodside House and Park Farm) to the proposed development are within the farm and taking account of the prevailing wind the other residential properties that might be affected are 1 – 22 Church Lane. It is noted that Woodside House and Park Farm are not agriculturally tied to the farm but have been confirmed as being used by agricultural workers.
48. The comments by the Environmental Health Officer are accepted and with this being the case no plant or lighting shall be installed on the site without prior consent. The requested noise survey regarding the grain drier will be added as an informative, as this information will be required in order to discharge the proposed condition relating to plant equipment.
49. It is considered that there might be some harm to the residential amenity of Woodside House and Park Farm but the occupants will know and control this impact, as they are the main farmhands on site. In addition the harm will be minimised through the proposed conditions and these conditions should prevent any harm being caused to other residents in Madingley, in particular those along Church Lane.

50. Highway Safety and Public Footpath Improvements – The submitted information states that lorry movements will increase by approximately by 124 a year. It is also noted that the significant increase in lorry movements will be during the harvest season (July – September). The full details of traffic flow numbers can be found in the submitted document *Park Farm: Existing and Proposed Traffic Flows*. The developer has stated that as far as possible all lorry movement will go along the A428 and A1393 when coming to or leave the site. The developer has also stated that milk lorries that do need to go through the village will not increase in number. The view of the Local Highways Authority and Highways Agency that the proposed development as submitted will not have any detrimental impact upon the existing road infrastructure is accepted. With the two key highway bodies being content over the proposed development as submitted, no conditions need to be added requesting highway improvements.
51. There is a proposal to upgrade existing footpaths to cycle ways and bridleways that would strengthen the non-motorised connection between Madingley to Cambridge, in particular to the A 1307 (Girton College, Cambridge University Farm and Animal Research Station). It is accepted that this would be a very desirable improvement and any chance to improve non-motorised methods of transport should be seriously considered. However, the proposed development is not a major housing or commercial development that would create a significant amount of commuter traffic between Madingley and Cambridge (either for work or leisure). The proposal as submitted will not change employment on the site and the main work hands on the site live in the two nearby dwellings. It is noted that the site is a teaching farm and as the students arrive by both minibus and car, the use of the minibus minimises the impact on sustainability of the development.
52. While the improvements to public footpaths may be desirable because of the nature of the development and the fact that will not change employment on the site the improvements are not necessary to make this development acceptable.
53. Flood Risk, Biodiversity and Water Contamination – The Environment Agency is aware of the possible harm to biodiversity and water contamination and has proposed a suitable condition, as well as using its own powers under the Section 23 of the Land Drainage Act 1991.
54. While the proposed method of mitigating harm to biodiversity is accepted by the Local Planning Authority, it is still considered advisable to add a condition on to ensure that the lagoon is completed in an appropriate timeframe to the satisfaction of the Local Planning Authority. This timeframe will ensure that the lagoon is completed before first use of the agricultural buildings.
55. If appropriate conditions are added the proposed development will not have any detrimental impact on flood risk, biodiversity or water contamination.
56. Public Art – Development control policy SF/6 states ‘the District Council will encourage the provision or commissioning of publicly accessible art, craft and design works on residential developments comprising 10 or more dwellings and other developments where the floor area to be built is 1,000 m² gross or more, including office, manufacturing, warehousing and retail developments’. The policy does not exclude agricultural buildings.
57. The Arts Officer has argued strongly for the submission of a public art scheme, however, despite best efforts no public art provision will be secured from this development. The applicant has reiterated their willingness to provide public art

where considered necessary to make a development acceptable in planning terms and does not view the provision of public art as necessary to satisfy the relevant tests as outlined in the Community Infrastructure Levy Regulations 2010.

58. Officers are of the view that public art would have met the 'necessity' tests if the public art policy had 'required' provision rather than 'encouraged', and that a planning obligation could have reasonably been secured from this development.
59. It is, therefore, accepted that the Council cannot require public art due to the wording of the policy and as such no condition should be added to this consent requiring one.

Conclusion

60. The proposed development is considered to be acceptable, as it will have no detrimental impact on residential amenity, visual impact or highway safety. The developer is also willing to provide suitable renewable energy and water conservation schemes on site, which ensures the development meets the sustainability tests required under the Local Development Framework.

Recommendation

Approve, 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: LP – 1, GS –3 Revision B, BP – 2 Revision B, RP –3, CS –3, YS –3 and SLS –3, SC – 3 Revision A,
(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)**
- 3. Prior to the commencement of use of the agricultural buildings, hereby permitted, a renewable energy strategy shall be submitted to the Local Planning Authority. The scheme should include technology for renewable energy to provide at least 10% of the predicted energy requirements for the development and shall include timescales for its implementation. The development shall be carried out, and maintained in perpetuity, in accordance with the approved details including the timescale therein.
(Reason – To comply with the aims of Policy NE/3 of the South Cambridgeshire Local Development Framework, Development Control Policies 2007)**
- 4. Unless otherwise previously agreed in writing with the Local Planning Authority, prior to the commencement of any development, details of a strategy for water conservation measures to be incorporated within the development shall 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.
(Reason - To ensure compliance with the aims of Policy NE/12 of the adopted Local Development Framework.)**

- 5. 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.)
- 6. 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.)
- 7. 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.**

(Reason - To protect the occupiers of adjoining buildings (dwellings) from the effect of odour, dust or fumes in accordance with Policy NE/16 of the adopted Local Development Framework 2007.)
- 8. No external lighting shall be provided or installed within the site other than in accordance with a scheme, which has been submitted to and approved in writing by the Local Planning Authority.**

(Reason -To minimise the effects of light pollution on the surrounding area in accordance with Policy NE/14 of the adopted Local Development Framework 2007.)
- 9. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant for the prior, written approval of the Local Planning Authority.**

(Reason - To ensure the proper recording of archaeological remains if they exist.)
- 10. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow**

him/her to observe the excavations and record items of interest and finds; unless otherwise agreed with the Local Planning Authority.
(Reason - To afford access to archaeologists during the course of the carrying out of the development operations in accordance with Policy CH/2 of the adopted Local Development Framework 2007.)

11. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control to the water environment, which shall include foul and surface water drainage, shall be submitted and agreed in writing with the Local Authority. The scheme shall be constructed and completed in accordance with the approved plans.
(Reason – To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of pollution to the water environment.)

12. The lagoon, hereby approved, shall be created and operational before first use of any of the agricultural buildings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.
(Reason – To prevent harm to the local biodiversity in accordance with Policy NE/6 of the adopted Local Development Framework 2007.)

Informatives

Environmental Health and Environment Agency informatives to be added

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

- South Cambridgeshire Local Development Framework 2007
- Planning Policy Guidance 2: Green Belts
- Planning Policy Statement 5: Planning for the Historic Environment

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