

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

1 August 2012

AUTHOR/S: Planning and New Communities Director

**S/0060/12/OL – CAXTON AND ELSWORTH
ERECTION OF RESTAURANT/TAKEAWAY (CLASS A3/A5) (INCLUDING APPROVAL OF
ACCESS DETAILS). LAND AT CAXTON GIBBET, ST NEOTS ROAD FOR THE ABBEY
GROUP CAMBRIDGESHIRE LTD**

Recommendation: Delegated Approval

Date for Determination: 7 March 2012

Notes:

This Application has been reported to the Planning Committee for determination because the officer recommendation of delegated approval is contrary to the recommendation of refusal from Elsworth and Papworth Everard Parish Councils.

Members will visit this site on Tuesday 31 July 2012

To be presented to the Committee by Paul Sexton

Site and Proposal

1. This outline application, as amended, seeks the erection of a building for restaurant/takeaway use as part of the redevelopment of the former Yim Wah Site, at the Caxton Gibbet roundabout. The site is part within the parish of Caxton and part within the parish of Elsworth.
2. The previous item on the agenda considered a full application for the erection of two buildings as part of the redevelopment of the site. This application proposes a third building, to be sited at the east end of the site, south of the proposed Costa building. The scale parameters in the Design and Access Statement indicate a building with a maximum gross internal floor area of 228 sq m and maximum ridge height of 7m.
3. All matters are reserved apart from access. The existing access from the A1198 is to be improved and re-used to serve the new development. A former access to the site, closer to the A1198 roundabout, will be removed completely and the land included as part of the proposed frontage landscaping.
4. Car parking will be as provided in application S/0059/12/FL.
5. As this is an outline application, and the end user is not known, it does not give an indication of the number of employees that this development will be likely to generate, however the Design and Access Statement refers to the potential of the whole site (three buildings) to generate over 100 full and part-time jobs.

Planning Policy

6. National Planning Policy Framework 2012

Local Development Framework Development Control Policies 2007:

DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
ET/10 Tourist Facilities and Visitor Accommodation
SF/6 Public Art and New Development
NE/1 Energy Efficiency
NE/3 Renewable Energy Technologies in New Development
NE/6 Biodiversity
NE/14 Lighting Pollution
TR/1 Planning for More Sustainable Travel
TR/2 Car and Cycle Parking Standards

South Cambridgeshire LDF Supplementary Planning Documents
Biodiversity SPD – adopted July 2009
District Design Guide SPD – adopted March 2010
Landscape in New Developments SPD – adopted March 2010
Public Art SPD – adopted January 2009

Consultation by South Cambridgeshire District Council as Local Planning Authority

7. **Caxton Parish Council** recommends approval with the same comments as set out in its response for S/0060/12/FL above.
8. **Elsworth Parish Council** recommends refusal for the same reasons as set out in S/0059/12/FL above.
9. **Papworth Everard Parish Council** recommends refusal for the same reasons as set out in S/0059/12/FL above, but include an additional paragraph which states 'According to the One App, this potential restaurant has zero employees. The One App states waste will be removed via a mains sewer; as far as this council is aware there is currently no mains sewer present on site.
10. **Cambourne Parish Council** recommends approval subject to the following conditions:

The proposed building should have automatic opening doors for ease of disabled access.

Concern was also expressed about accessibility of disabled parking while deliveries are made

Delivery vehicles should also stick to the arterial roads

The proposed building should have van deliveries only

Concerns were raised about the prospect of litter becoming a problem. It was felt that a Rubbish Collection Strategy should be approved and published prior to recommendation.

It was requested that the illuminated signs would be turned off when the outlets are closed.

11. The **Highways Agency** comments that the proposals will not have a material impact on the Strategic Road Network and therefore it has no objection to the application.
12. The **Local Highway Authority** has the same comments as application S/0059/12 above.
13. The **Economic Development Panel** supported the proposal in principle, subject to the satisfactory resolution of detailed planning matters, and welcomed the number of jobs that could be created.
14. The **Environment Agency** states if approved conditions requiring the submission of schemes for surface water drainage, foul water drainage, contamination and pollution control should be included in the consent, as the site is within an area of limited drainage capacity and application does not currently adequately address these issues.
15. The **Trees and Landscapes Officer** states that no significant trees are affected but that landscaping of the site will be important given the prominent location.
16. The **Landscapes Officer** has commented that appropriate landscaping will be important to ensure that any development can be adequately assimilated in the area and as advised on revisions to the submitted scheme.
17. **Cambridgeshire Archaeology** requests that the site be subject to a programme of archaeological investigation and historic building recording, which can be secured through a negative condition.

Representations by members of the public

18. Letters have been received from the occupiers of Swansley Wood Farm, St Neots Road, Kenyon, St Peters Street, Caxton and 22 Caxton End, Eltisley putting forward the following comments.
 - I. The full observations of the Highways Agency are vital. The access and vehicles entering or leaving the site may cause traffic flow problems on the A1198.
 - II. What is happening to the old road parallel to the A428 but not within the site?
 - III. Concern that the access road to the south, which serves Swansley Wood Farm, will become a race track for youngsters who will use the drive thru facility.
 - IV. Is there enough parking for staff and visitors?
 - V. Will traffic at the roundabout be adversely affected
 - VI. No cycle parking is provided.
 - VII. Increase in litter in the area as there are no wind breaks

- VIII. Large illuminated signs are a distraction.
- IX. It is clearly uneconomic to repair and restore the old building which should be demolished.
- X. Is the proposed use too intensive?
- XI. It is hoped that the site will be developed for the future benefit of the community.

Applicants Representations

- 19. In response to the comments received the applicants agent has made the following comments.
- 20. The Highways Agency and the Local Highway Authority have not objected to the application.
- 21. The design of the units has been dealt with in the design and access statement. The site is not within a conservation area nor are there any listed buildings or other protected areas nearby.
- 22. The development will create jobs, a mixture of full-time and part-time. The site at present creates no jobs.
- 23. The former Yim Wah restaurant was a destination in its own right. The previous use existed and its replacement with uses to serve the travelling public would improve the site in terms of sustainability as those visiting would already be passing the site rather than making a special journey to the site.
- 24. Litter patrols will be used. Both McDonalds and Costa would like to see the site and the surrounding area as litter free as possible. A copy of the companies recycling policies will be provided. The type of food and its nutritional values are not planning considerations. The outlet could be open 24 hours a day if popular. The nearest residential property is 400m away
- 25. Landscaping has been dealt with.
- 26. The 'gibbet' will remain in place.
- 27. Signage can be dealt with by condition.
- 28. It is felt that the name Caxton Gibbet will be retained, however this is not a planning matter.
- 29. Pre-application consultation is not a requirement for this scale of application.

Material Planning Considerations

- 30. The main issues for Members to consider in the determination of this application are the principle of development (including employment generation), highway safety, visual impact in the countryside, and neighbour amenity.

Principle of Development

31. The site is outside the framework of any settlement, however Policy ET/10 allows for the appropriate replacement of existing buildings, not requiring large extensions, for restaurant use. Although there is no specific policy in the Local Development Framework which deals with roadside services officers are of the view that the provisions of Policy ET/10 would apply in this case.
32. The floorspace of the proposed building, when added to that of the two buildings proposed by application S/0059/12/FL, will equate to the total floor area of the former building on the site. The new buildings will be single storey and therefore will have greater ground coverage and the floorspace will be used entirely for Class A3/A5 uses, whereas the first floor of the existing building was used for residential purposes.
33. As the total floorspace that will be created does not exceed that of the existing building on the site officers accept the principle of the redevelopment proposed by this application and the potential for job creation that it brings with it, however the proposed scheme will represent a significant change to the character and appearance of the site and it is therefore important to ensure that the scheme is appropriate having regard to other material planning consideration.

Highway safety

34. The application is accompanied by a detailed Transport Assessment. The existing entrance from the A1198 is to be remodelled, with the provision of a right-turn facility. The former entrance to the site, closer to the roundabout, is to be permanently closed and the land reinstated as verge.
35. The Assessment concludes that overall the scheme will be a positive contribution to highway safety in providing a convenient and comprehensive facility for the travelling public and that the level of new trips generated by the development is small in comparison to the overall demand for the facilities and insignificant in comparison to the level of existing traffic passing through the adjacent Caxton Gibbet junction. It states a comparison of the operational capability of the roundabout has indicated that the junction will operate no worse off, overall, than without development traffic demand.
36. The Highways Agency and Local Highway Authority have considered the information submitted with the application and neither has objected, although the Local Highway Authority requires the applicant to demonstrate the provision of appropriate visibility splays. The required splays can be provided and can be secured by condition.
37. Although the proposed redevelopment will result in an increase in traffic entering and existing the site officer are of the view the proposal has been properly assessed by both the Highways Agency and Local Highway Authority and that there are no reasons to object to the application on grounds of highway safety.
38. The Local Highway Authority is aware of the proposed use of the roadway to the south of the site by construction traffic for the secondary school at Cambourne.
39. A Travel Plan can be required by condition. I note the concerns expressed by Papworth Everard Parish Council about the lack of a footway and cycleway to the site and the potential impact on safety of young persons traveling to the site to work from local villages and this can be considered in the Travel Plan

Visual Impact in the Countryside

The proposed building, if approved, will be the third building on the site and will intensify the visual impact of the site in the countryside by consolidating new buildings on the site. However the proposed building is to be sited at the rear of the site and is of modest size. Although details of external appearance are reserved matters the Design and Access Statement indicates that the building will be 228 sq m internally with a maximum height of 7m. Given that the height of the other two proposed buildings on the site does not exceed 5.6m I am of the view that the maximum proposed height of this building should be reduced to a similar level. Adequate space exists to appropriately landscape the building to soften its impact.

Neighbour amenity

40. The closest residential properties to the site are 500m to the east of the site and are will screened from the proposed development

Other matters

41. A condition can be attached to any consent requiring the approval of a scheme for dealing with litter
42. The conditions required by the Environment Agency to deal with foul and surface water drainage, contamination investigation and pollution control can be included in any consent.
43. The Trees and Landscapes Officer has not objected to the removal of existing trees and the scheme provides adequate opportunity for replacement planting.
44. An archaeological investigation can be secured by condition.
45. In terms of the use of renewable energy the applicant is proposing the erection of a wind turbine at the east end of the site, which is the subject of a separate application, which will be considered at a later date.

Conclusion

46. Officers are of the view that the principle of the erection of a third building is acceptable and are of the view that the proposed use is acceptable, on the basis that the combined floor area of the proposed buildings do not exceed that of the existing building on the site. The potential local employment that will be generated is to be welcomed.
47. The nature of the proposed development will result in a significant change to the character of the site and it is important to ensure that these can be accommodated without detracting from the rural character of the area. In this respect officers are of the view that further discussions may need to take place regarding proposed landscaping on the north boundary in particular to ensure that the proposed development is not visually intrusive

Recommendation

48. It is recommended that the Planning Committee gives officers delegated powers to approve the application, subject to further discussion on the proposed landscaping of the site and assessment of the revised lighting details.

Conditions

Conditions to include

Time limit
Submission of Reserved Matters
Landscaping
Surface water drainage
Foul water drainage
Pollution control
Contamination
Archaeology
Lighting
Renewable Energy
Highways
Litter Control
Travel Plan

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

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/0060/12/OL and S/0059/12/FL

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