

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

---

**REPORT TO:** Planning Committee

5 December 2012

**AUTHOR/S:** Planning and New Communities Director

---

### **S/1733/12/FL – BASSINGBOURN**

**Erection of replacement building for use as Class B1(c)(Light Industrial), Class B2(General Industrial) and Class B8(Storage and Distribution), Wireless Station, Chestnut Lane for EW Pepper Ltd**

**Recommendation: Delegated Approval**

**Date for Determination: 11 October 2012**

#### **Notes:**

**This Application has been reported to the Planning Committee for determination because the officer recommendation of approval is contrary to the recommendation of approval from Bassingbourn Parish Council which was subject to the inclusion of a footpath from the site to the A1198**

**To be presented to the Committee by Paul Sexton**

#### **Site and Proposal**

1. The Wireless Station site comprises a group of former agricultural buildings, which now benefit from a 2006 consent for uses within Class B1(c), B2 and B8. The site is located 550m to the east of the A1198 and is served from Chestnut Lane, which leads from Kneesworth to Meldreth.
2. This full application, registered on 16 August 2012, proposes the demolition of an existing poorer quality corrugated, curved roof building on the west edge of the site and its replacement with a 469sqm profile steel sheeting building in the same location, with a ridge height of 7.4m. The new building is 51sqm larger than the existing, the additional floorspace being achieved by the building being deeper.
3. The design of the new building will match existing modern buildings within the site. It will be divided internally into three smaller units, served by roller shutter door, two in the front and one in the rear elevation. Car parking provision exists within the site.
4. Access to the site is from Chestnut Lane, the entrance having been upgraded following the 2006 consent.
5. The application is accompanied by a Design and Access Statement, Planning Statement and Green Travel Plan.

#### **History**

6. **S/1069/06/F – Change of use of buildings to Class B1(c), B2 and B8 use – Approved**

7. **S/2335/00/F** – Conversion and change of use of agricultural buildings to business use (Class B1c/B2/B8) - Approved

**Planning Policy**

8. National Planning Policy Framework 2012
9. **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/8 Replacement Buildings in the Countryside  
NE/1 Energy Efficiency  
NE/14 Lighting Pollution  
TR/1 Planning for More Sustainable Travel  
TR/2 Car and Cycle Parking Standards

10. South Cambridgeshire LDF Supplementary Planning Documents  
District Design Guide SPD – adopted March 2010

**Consultation by South Cambridgeshire District Council as Local Planning Authority**

11. **Bassingbourn Parish Council** recommends approval subject to a path being installed from the Wireless Station to Kneesworth, before the erection of the building, and the submission of a Green Travel Plan, which was a condition of planning application S/2335/00/F, and which included the requirement for the footpath.

The comments refer to a letter sent to the Local Planning Authority in July when the Parish Council stated that concerns had been raised over proposed changes to the Eternit site in Meldreth, which would increase the traffic on the already busy Chestnut Lane, adding to safety issues. In view of the possibility of increased traffic the lack of a footpath should be treated with the greatest urgency and the landowner should be required to fulfil his obligations.

12. The **Local Highway Authority** is of the view that no significant effect upon the public highway should result from this proposal.

In terms of the provision of a footway from the site to Bassingbourn, whilst it can see why this may have been requested as part of a green travel plan given the desire to encourage the use of non-motorised modes of transport, it is not something that the Highway Authority would have been able to request, as the level of use is unlikely to be sufficient. It also questions the practicality of providing such a footway, as there would appear to be insufficient width within the existing adopted public highway to provide a 1.8m wide footway along the whole length of Chestnut Lane.

In terms of the present application as the additional area for industrial use is 51sqm, it is of the view that, even if it were achievable, a request to install a footway would be out of proportion to the nature and size of the proposed development.

13. The **Environment Agency** has no objection subject to conditions requiring the submission of schemes for foul and surface water drainage, and contamination. It also requests that a number of informatives are included on the decision notice.

14. The **Environmental Health Officer** has no objection.
15. The **Economic Development Panel** supports the application under Policy ET/8.

#### **Representations by Members of the Public**

16. One letter has been received from the occupier 4 Canberra Close, Kneesworth who is concerned about the potential change of use from 'light industrial' to 'general industrial'. There has been a noticeable increase in HGV's and coaches using the narrow Chestnut Lane, which has not been improved and there have been a number of near misses, and large vehicles struggle to pass, particularly at harvest time.

The footpath that was to be provided to encourage people to walk to work is not there, despite numerous requests from the Parish Council. More employees will mean more vehicles and accident risk.

There was flooding in Kneesworth in 2006 and any further building will cause further drainage problems for the area.

#### **Material Planning Considerations**

17. The key issues in the determination of this application are the principle of development, highway safety and visual impact in the countryside.

##### *Principle of Development*

18. The existing building benefits from the 2006 consent in terms of a B1(c), B2 and B8 use. Policy ET/8 allows for the replacement of existing buildings in the countryside for employment uses provided any increase in floor area is strictly controlled, and must be for the benefit of the design, or in order to better integrate the development with its surroundings.
19. The proposed building results a net increase in floor area of 51sqm. The design of the replacement building will be in keeping with other buildings on the site, and whilst it could not be argued that the small increase in floor area in itself is for the benefit of the design of the building, it will allow the building to better integrate into its surroundings.

##### *Highway Safety*

20. The Local Highway Authority has not objected to the application as the modest increase in floor area proposed will not have a significant impact on existing traffic movements from the site, although officers accept that the upgrading of the building will increase both its attractiveness to, and increase the range of, potential occupiers.
21. The 2006 consent included a condition that required the submission of a Green Travel Plan, which was to include the provision of a footpath link from the site to the A1198. Whilst a draft Travel Plan was submitted at the time it was not formally approved. An updated copy of the Travel Plan is included with this application and can be agreed as part of any consent.
22. The request for the provision of a footpath link in 2006 was not initiated by the Local Highway Authority and officers are of the view that a formal footpath alongside the public highway was not envisaged. The Local Highway Authority has confirmed that this could not be achieved within the public highway due to insufficient width in parts,

and in any event does not feel such provision could be justified. At that time the applicant indicated that there was an existing right of way across third party land that might possibly be used to link the site to the A1198, however it would appear that there were subsequently issues as to whether the right of way was not transferrable, and as a result this was not pursued.

23. The applicant's agent has looked at the possibility of providing a footpath link again as part of the current proposal and it would appear that there may now be potential to utilise an existing permissive path. Although this would not provide access to the A1198, it does link with Public Footpath No.21 which runs in a north-south direction to join Chestnut Lane, 80m to the east of its junction with the A1198. It would require a new section of footpath on the north side of Chestnut Lane and another section on the south side being constructed, on highway land, to link to the entrance to the site. Appendix 1 shows the route this would take.
24. Officers are of the view however that whilst the provision of a safe pedestrian route from the site to the A1198 might be desirable, the lack of such provision would not justify a refusal of the application for a replacement building, notwithstanding the condition attached to the 2006 consent. Although it would appear that there may be potential to provide a pedestrian route officers are of the view that, due to the length of the route and the fact that for the most part it would involve using unsurfaced rights of way, it would not provide a sufficiently attractive alternative to the use of the car to justify its provision in this case.
25. The red edged application site currently includes land within the public highway and the applicant's agent has been asked to complete revised ownership certificates and serve notice on the Highway Authority. It is for this reason that delegated approval is sought.

#### *Visual Impact in the Countryside*

26. The proposed building will be 0.9m higher than the existing building, however it will be slightly lower than adjacent buildings and officers are of the view that the proposed replacement building will not materially change the impact of the site on the adjoining countryside.

#### *Other matters*

27. The conditions and informatives requested by the Environment Agency can be included in any consent. The slightly larger building will not lead to any significant increase in drainage issues.

#### *Conclusion*

28. Officers are of the view that the proposed replacement building can be supported but that the provision of a footpath link to the A1198 is not something that could be made a condition of this consent, and notwithstanding this that unfortunately the route and form of any link that could be provided would not be a suitable solution. This view is supported by the Local Highway Authority.

#### **Recommendation**

29. It is recommended that the Planning Committee gives officers delegated powers to approve the application subject to conditions.

## 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: Site Plan, 11:106-1 and 11:106-2**  
(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 details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**  
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
4. **The development hereby permitted shall not be commenced until such time as a scheme to dispose of both foul and surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.**  
(Reason - The application does not contain sufficient information about drainage arrangements and pollution prevention measures to demonstrate whether the proposal will lead to pollution of surface or underground waters, and possible contamination of drinking water sources, either as a result of routine operations, or as a result of reasonably foreseeable events such as spillages, fires or vandalism.)
5. **Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:**
  - i) **A preliminary risk assessment which has identified:**
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site.
  - ii) **A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
  - iii) **The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**

**iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

**Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.**

(Reason - To prevent the increased risk of contamination to the water environment.)

- 6. The building, hereby permitted, shall not be occupied until a Travel Plan for both staff and visitors has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.**

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

+ Environment Agency Informatives

**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/1733/12/FL and S/1069/06/FL

**Case Officer:** Paul Sexton – Principal Planning Officer  
Telephone: (01954) 713255