

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 March 2013

AUTHOR/S: Planning and New Communities Director

**S/2122/12/FL – FEN DRAYTON
Commercial glasshouse at Stubbins Marketing, 18 Oaktree Road
for Mr Samuel Turone, Stubbins Marketing Ltd**

Recommendation: Delegated Approval/Refusal

Date for Determination: 14 March 2013

This Application has been reported to the Planning Committee for determination as the views of the Parish Council are contrary to that of the case officer

To be presented to the Committee by Paul Derry

Members will visit the site on 5 March 2013

Major Application

Site and Proposal

1. The application site is located outside the designated Fen Drayton village framework, and is therefore in the countryside in planning policy terms. The site lies within the Fen Drayton Former Land Settlement Area Estate (LSA). The site area includes the road access along Oaktree Road, commencing from the junction with Cootes Lane and Mill Lane. The main area of the site is a large area of open land to the north side of Oaktree Road and to the west side of Springhill Road. This land is overgrown in areas, with some old dilapidated greenhouses visible.
2. There is a network of footpaths in the area, including the track of Springhill Road itself. There is a junction of footpaths beyond the northeast corner of the site, and a further public footpath that forms part of the designated walk around the adjacent RSPB reserve passes the northern boundary of the site. The northern section of the site lies within flood zone 3a.
3. The application, validated on 5 November 2012, seeks the erection of a glasshouse on the site. It would measure 280m in length, and 125m in width at its largest point. It would have a high number of ridges and valleys in the design, with a height of 5m to the valley and 6m to the ridge. The building would also include a boiler room and storage area. The application is accompanied by a Planning Statement, a Design and Access Statement, a Health Impact Assessment, and a Flood Risk Assessment.

Site History

4. Application **S/2098/00/F** was granted permission for a glasshouse of very similar proportions on the site, although this was not implemented. It was accompanied by a Section 106 Agreement dated 6th December 2001, which restricts the number of goods vehicles using Oaktree Road. Application **S/2358/04/F** sought to remove a condition of this consent to allow artificial lighting and was approved.
5. The existing glasshouses to the southern side of Oaktree Road were extended through application **S/1836/03/F** and **S/1172/00/F**. S/1172/00/F is also tied to the Section 106 Agreement dated 6th December 2001.

Planning Policy

6. **Local Development Framework Development Control Policies (LDF DCP) 2007: DP/1 Sustainable Development, DP/2 Design of New Development, DP/3 Development Criteria, DP/7 Development Frameworks, ET/5 Development for the Expansion of Firms, NE/1 Energy Efficiency, NE/6 Biodiversity, NE/10 Foul Drainage – Alternative Drainage Systems, NE/11 Flood Risk, NE/14 Lighting Proposals, NE/15 Noise Pollution & TR/2 Car and Cycle Parking Standards.**
7. **District Design Guide SPD** – adopted March 2010
8. The **National Planning Policy Framework 2012 (NPPF)** advises that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. It adds planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other aspects.

Consultation by South Cambridgeshire District Council as Local Planning Authority

9. **Fen Drayton Parish Council** recommends approval subject to the satisfaction of the immediate residents. An error in the accompanying report that states there is no dwelling within 500m is noted.
10. The **Environment Agency** notes the location of the application within flood zone 3a. The Flood Risk Assessment submitted does not comply with the requirements of the Technical Guide of the NPPF. Further details are required to cover the deficiencies of the report. The Agency would also expect to see details of pollution prevention proposals including fuel and oil storage, chemical storage and details of storage and disposal of waste produce. Following submission of further information, the recommendation of refusal is retained as the information does not consider impacts on third parties by the displacement of flood water.
11. The Council's **Environmental Health Officer** recommends conditions regarding the use of power operated machinery and pile driven foundations, and informatives regarding bonfires and the burning of waste and the requirement for a demolition notice.

12. The Council's **Ecology Officer** has no objections to the proposal subject to the control of vegetation during the bird breeding season.
13. The County Council's **Definitive Map Assistant** notes the public footpaths in the vicinity and states these should not be affected by the development. Informatives are recommended regarding the impacts during the development.
14. The application is supported by the Council's **Economic Development Panel**.

Representations by Members of the Public

15. Objection letters have been received from the occupiers of 15, 16, 16a, 21, 22, 23, and 24 Oaktree Road, 26 Springhill Road and the secretary of the Fen Drayton Road Management Company. The grounds for objection are as follows:
 - Scale of development
 - Waste disposal (especially green waste) from the site and dust and air pollution
 - Light pollution
 - Noise pollution from construction and everyday use
 - Contradictory information regarding distance from local houses and the main access to the site
 - Impact upon ecology and trees on site
 - Impact upon the landscape
 - Traffic levels and ownership of the road
 - Loss of light to neighbouring properties
 - Loss of privacy to gardens through overlooking
 - The lack of proposed landscaping
 - Job numbers being created and lack of benefit to the local economy

Planning Comments

16. The key considerations in the determination of this application are the principle of development, impact upon the surrounding countryside, flood risk, impact upon the occupiers of neighbouring properties, highway safety, impacts upon the local economy, and ecological considerations.

The Principle of Development

17. The application site is located outside of the designated Fen Drayton village framework, and is therefore in the countryside in planning policy terms. Policy DP/7 of the LDF DCP states that outside frameworks amongst others, development for horticulture will be permitted. A glasshouse used for the growing of produce is a building that can be expected in this countryside location. Policy ET/5 of the LDF DCP is not considered directly relevant to this application given the site's location away from the village framework.
18. The site is located away from the villages of Fen Drayton, and Fenstanton to the west. Staff are likely to rely upon the car to get to work. However, the site is within cycling distance of these surrounding villages. The village is linked to the St Ives-Over bus service and there is a request stop on the Guided Busway, which would allow members of the public to access the site. Despite

its countryside location, the site is not considered unsustainable when balanced against the need for the use in the countryside and the number of jobs created.

Impact upon the Surrounding Countryside

19. The site is relatively open at present, especially given views from the public footpaths to the north and east. The development would radically change the landscape for this plot of land given the size of the glasshouse at 280m by 125m. There are existing glasshouses to the southern side of Oaktree Road in the existing Stubbins operation. Whilst these are more screened from the public domain, they do provide a guide as to the likely visual impact of the proposal. Despite local concern, the lightweight nature of the glasshouse and the fact it is used for a horticultural use in a rural area concludes that the building would not have a serious impact upon the countryside, subject to planning conditions discussed below. The site would not appear to have significantly changed since the previous approval of application S/2098/00/F.
20. The applicant has confirmed in their e-mail dated 5th February 2013 that they would be willing to provide hedgerows for screening. Such a hedgerow would be beneficial to the views of the site along all sides, although particularly from Oaktree Road to the south, and the public footpaths to the north and east. A hedgerow can provide good screening and also enhance the ecological value of the site. Native species would be required, especially given the RSPB reserve to the north.

Flood Risk

21. The site partially lies within flood zone 3a, and the application is accompanied by a Flood Risk Assessment. The Environment Agency does not consider all relevant information has been provided in this original statement or an addendum received on 6th February 2013. Negotiations between the applicant and the Environment Agency are continuing at the time of writing. Members will be updated on this matter. The recommendation takes into account this unresolved material planning consideration.

Impact upon the Occupiers of Neighbouring Properties

22. There is local concern that the applicant noted there are no residential properties within 500m of the development. This is an error, and nos. 15 and 16 and 21-24 are within private ownership and adjacent the site. Members should note that nos. 15-18 on the southern side of Oaktree Road are within the ownership of the applicant.
23. The proposal would be located between 7.5m and 14m of the rear gardens of the properties at 22-24 Oaktree Road. Given its scale and height, it would clearly be visible from these properties, and in particular the rear gardens and from rear facing windows. The gap between the glasshouse and the rear boundary ensures adequate space to provide a hedgerow to aid screening of the building. A tall hedgerow or trees could also be planted, but these would begin to take light away from the glasshouse. A hedgerow would need to be secured through a landscape condition and should be of native species. A hedgerow would not screen all views of the glasshouse, especially from first floor windows. However, it would provide a green screen and should also aid noise reduction.

24. There are some concerns regarding the amount of lighting needed for the building, considering its site and use, especially in winter months. The applicant has confirmed the proposed lighting plan would be downward lighting from a low level along the pedestrian alleys to provide safety for workers. The precise internal and external lighting details can be agreed through a planning condition to ensure minimum harm to the neighbour and light pollution to the countryside.
25. The comments from the Council's Environmental Health Officer are noted with regards noise. There is likely to be some disruption during the construction phase, although a condition can ensure that power operated machinery is only used during sociable hours. The Legal Agreement discussed below should ensure minimal disturbance from goods vehicles during use. The produce grown will be transferred to the main packaging area south of Oaktree Road by tractor across Oaktree Road. There will be vehicle movements as a result. However, such journeys should not cause any noise disturbance that would warrant refusal of the scheme.
26. The glasshouse would be located to the north of the properties, and therefore no loss of light or overshadowing should result. It is a ground based structure, and therefore no overlooking would result.

Highway Safety

27. The application road starts at the junction with Cootes Lane and Mill Lane. The main access to the Stubbins Nursery is set close to this junction on the west side of Oaktree Road. After this point, the road narrows northwards and does not provide adequate space for vehicles to pass. The main access into the site has been confirmed as being to the north side of Oaktree Road.
28. The applicant has confirmed that there is no proposed packaging plant on the development. The produce grown in the glasshouses would be transported to the main packaging plant which is located to the south of Oaktree Road by tractor. As a result, no goods vehicles would be required to the site for distribution. As per the previous applications S/2098/00/F and S/1172/00/F, the applicant has agreed to enter a Section 106 Legal Agreement restricting the number of goods vehicles passing the main entrance along Oaktree Road to 40 per year. The agreement is currently being drafted at the time of writing, and Members will be updated on its progress. The Agreement would ensure minimum damage is done to the road, as well as reducing potential harm to through noise disturbance as discussed above. Smaller vehicles accessing the site are unlikely to cause any serious harm to the use of the road or the amenity of the occupiers of neighbouring properties.
29. The ownership of the access is noted. The applicant originally signed certificate A, indicating they own the road. During the course of the application, it transpired this was incorrect, and ownership certificate B was served on the Fen Drayton Road Management Company. The application is now considered correct in terms of certificates. The applicant would need the relevant consent from the owners of the road to access the site.
30. Oaktree Road running northwards is a public footpath, forming a network in the area that is closely linked to the village and the RSPB reserve. The comments from the County's Definitive Map Assistant are noted, and the relevant informatives can be added to any approval on the site.

Impacts upon the Local Economy

31. The applicant has confirmed the proposal would create 12 full-time jobs and 7 seasonal jobs at the site. This is supported by the Council's Economic Development Panel. There is local concern as the site does not tend to hire locally, and therefore local people may not benefit. The planning system cannot control who is employed in such sites, although it can provide the opportunity. The applicant notes the recent closure of the Dairy Crest site in Fenstanton may create more interest from local people.

Ecological Considerations

32. There is local concern regarding the clearing of the vegetation on the site and the impact upon biodiversity in the vicinity. This is emphasised by the proximity of the RSPB reserve at Fen Drayton Lakes to the north. The RSPB have not commented on the scheme. The Council's Ecology Officer does not have serious concerns, subject to the control of vegetation during the bird breeding season in order to prevent disturbance in this time. This information can be added as informative. There would be some tree and scrub clearance, but this all appears self-seeded species. In an event, the trees are not protected and therefore can be removed without consent.
33. There is local concern regarding the disposal of waste products from the glasshouses. Information within the letters of objection implies produce and packaging is dumped on the existing site, and there are concerns that this would then be dumped closer to neighbouring properties and the nature reserve. A condition could be added to the consent to control disposal of waste products on the site. The dumping of plastic packaging can be controlled through Environmental Health legislation.

Recommendation

34. Delegated Approval/Refusal, subject to the completion of the Section 106 Agreement and comments from the Environment Agency.

If supported, conditions regarding the time for commencement of the development, plan numbers, timings for the use of power operated machinery, internal and external lighting scheme, control of disposal of waste products, landscaping and its implementation are required, along with any conditions recommended by the Environment Agency. Informatives regarding pile driven foundations, bonfires and burning of waste, the requirement of a demolition notice, the control of vegetation during the bird breeding season, and those requested by the Definitive Map Assistant are also required.

Contact Officer: Paul Derry - Senior Planning Officer
01954 713159