

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

4 September 2013

AUTHOR/S: Planning and New Communities Director

S/1079/13/FL– PAPWORTH EVERARD

Proposed development for B8 Storage and Distribution warehouse with ancillary offices and parking, Plot 7 and 9 Stirling Way for Mr F Smart

Recommendation: Delegated Approval

Date for Determination: 4 September 2013

Notes:

This Application has been reported to the Planning Committee for determination as the officer recommendation of delegated approval is contrary to the recommendation of refusal from the Parish Council

Departure Application

Members will visit this site on 3 September 2013

To be presented to the Committee by Paul Sexton

Site and Proposal

1. This full application, registered on 5 June 2013, proposes the erection of a building for Class B8 Storage and Distribution use on a 2.20ha parcel of land at the north east end of the Stirling Way Industrial Estate. The site is the last remaining undeveloped area on the estate.
2. The development is proposed to be constructed in two phases, which would provide in total a building of 10,590m² for Frederick Smart and Son Ltd, an agricultural trade merchants, who currently operate from a site between Fowlmere and Foxton. The majority of the building would be used for seed/pulse storage.
3. The complete building will measure 100m x 102m, with an eaves height of 13m and maximum ridge height of 16.3m. The site will be accessed from Stirling Way, with two vehicular accesses serving a car parking area of 110 spaces and cycle parking, with a third access for lorries. The loading/unloading areas will be on the north east elevation of the building. Cycle parking is to be located within the buildings on wall mounted brackets.
4. Phase 1 would comprise a 5,574m² warehouse building, on the south east side of the site, a 372m² office/amenity building, phase 1 car parking (42 spaces), service yard, all perimeter landscaping and fencing, acoustic fence to yard, tree planting to gap mature woodland north west of the site, and a small storage building at the north west end of the yard.
5. Phase 2 would comprise a 4,645m² warehouse building (ridge height 15.9m), as an extension to Phase 1, and the remainder of the car parking (68 spaces).

6. The Company currently employs 30 staff and it is anticipated that this will grow to approximately 60. The current hours of operation of the business are 6am to 6pm, however the company is considering running a shift system which would take operations through to 10.00pm or midnight. It is anticipated that there will be 20 goods movements in and out per day. The application states that there will be no plant within the building except for a small re-bagging machine. PV's will be used to heat the offices and water, with the warehouse being unheated. Rainwater harvesting will be used with the design of the system reflecting the likely usage of the occupiers of the building.
7. To the south east and south west of the site are commercial buildings. To the north east, beyond a continuation of Stirling Way which currently serves temporary car parking for Papworth Hospital, is agricultural land. To the north west is a woodland area, beyond which are residential properties in South Park Drive. The nearest residential property is 25m from the south west corner of the site.
8. The application is accompanied by a Design and Access Statement, Flood Risk Assessment, Noise Assessment,

History

9. S/0633/07/RM – Submission of reserved matters for the erection of commercial unit (B1/B2 uses) with associated car parking/landscaping – Approved

S/2294/04/F – Variation of condition 1 of planning permission S/1475/99/O to extend period for submission of reserved matters until 10 April 2007 for laying out and use of land for employment purposes (Use Classes B1 and B2) – Approved

S/1475/99/O – Laying out and use of land for employment purposes (Use Classes B1 and B2) – Approved

Planning Policy

10. National Planning Policy Framework 2012
- South Cambridgeshire LDF Core Strategy DPD 2007**
11. ST/6 Group Villages
- Site Specific Policies DPD 2010**
12. SP/13 Allocations for Class B1, B2 and B8 Employment Uses
- Local Development Framework Development Control Policies 2007:**
13. DP/1 Sustainable Development
DP/2 Design of New Development
DP/3 Development Criteria
DP/7 Development Frameworks
ET/1 Limitations on the Occupancy of New Premises in South Cambridgeshire
ET/4 New Employment Development in Villages
ET/5 Development for the Expansion of Firms
SF/6 Public Art
NE/1 Energy Efficiency
NE/3 Renewable Energy Technology in New Developments
NE/6 Biodiversity
NE/11 Flood Risk

NE/12 Water Conservation
NE/14 Lighting Proposals
NE/15 Noise
NE/16 Emissions
TR/2 Car and Cycle Parking Standards

14. South Cambridgeshire LDF Supplementary Planning Documents
District Design Guide SPD – adopted March 2010
Landscape in New Developments SPD
Health Impact Assessment SPD
Public Art SPD

South Cambridgeshire Local Plan Proposed Submission July 2013

15. E/4 Allocations for Class B1, B2 and B8 Employment Uses
E/11 Large Scale Warehousing and Distribution Centre

Consultation by South Cambridgeshire District Council as Local Planning Authority

16. **Papworth Everard Parish Council** recommends refusal. 'Papworth Everard Parish Council is content with the general principle of this development and satisfied with the company making the application. However, details of the application require modification to prevent the development potentially having a serious effect on those living in nearby domestic properties.

An acoustic sound barrier in the form of a fence is to be provided. This will attenuate, to some extent, the noise created by the engines of lorries delivering and collecting from the premises, but it will be far less effective at concealing the noise of reversing alarms on lorries and forklift trucks moving within the yard.

The work schedule presented with the application would put no time restriction on the use of vehicles travelling to and from and operating within the premises. This could lead to unacceptable disturbance to nearby dwellings. A planning condition (no.7) of the original expired approval (S/0633/07/F) restricted operation of the premises to 8am to 6pm from Monday to Friday, with no operation at weekends and bank holidays. The same condition must be attached to any consent that may be granted to the current applicant. The current work schedule was put forward by the Agent. When the parish council met with the applicant and agent, the council confirmed that total flexibility in times of operation was unnecessary, and thought it unlikely that it would be necessary to work outside the time restrictions set out in the expired approval for the site. Therefore, the parish council would wish to see the inclusion of a planning condition that controls the working schedule, and limits operation to between 8am and 6pm Monday to Friday and prevents operation at weekends and bank holidays.

Low level lighting was included in the original scheme (see expired approval). This should be required in the case of the current application.

All planning conditions from the expired permission should be transferred to the current application, should SCDC be minded to approve it.

There is a clear view of the proposed warehouse from South Park Drive – a residential road. Tree planning must take place in order to soften, or eliminate, views of this industrial building.

A condition requiring the implementation of an effective pest control policy, approved by the planning authority, should be included.

17. The **Environmental Health Officer** comments that the application does not contain sufficiently detailed information on the activities to be carried out on site to enable an adequate assessment of the likely impacts from material handling, possible fugitive emissions or their control measures. Further details are required as to the expected activities to be carried out including what is to be stored, where and how. Is the grain loose, bagged or in containers? How is it unloaded/loaded from lorries and transported around the site? If there are dust implications for employees what controls are to be put in place e.g. Local Exhaust Ventilation systems? Is the building to be kept under negative pressure to contain dust? If this is to be used what plant will be required, location of discharge points, type of filtration needed before discharge to air? Additionally, what contribution to overall noise levels will this type of equipment have?

With regard to the issues of lighting. The details provided show the Isolux contours at ground level to be acceptable, however, no details are given as to the levels which are likely to fall on vertical surfaces of nearby properties i.e. windows. The building will provide a good barrier to headlights of HGVs. The effects of vegetation will be noticeable in relation to light but will be negligible with regard to noise.

This proposal is very close to existing residential development and the general concerns raised are considered valid, and additional information is required regarding the general day-to-day activities to be able to judge the likely impacts on nearby properties/premises.

With regard to the noise report submitted the methodology used is agreed and the comments contained within regarding the limitations of BS4142 in relation to suitability of this standard is accepted. It has been included for reference only, due to lack of other relevant guidance, but both background levels and predicted noise levels are very low. Introducing any noisy activity to this area is likely to be noticeable, particularly at night.

The predicted noise levels were calculated at the façade of the nearest noise sensitive receptors (as per BS4142) although the SCDC SPD Design Guide refers to not allowing the noise rating level to increase the background level by more than 3dB at the boundary of the application site to prevent creeping background. In effect, to achieve this the noise rating level of the development predicted must only equal existing background levels in the area. Whilst a pragmatic view could be taken for daytime working, this SCDC standard will not be met at night, based on the figures supplied.

The predicted noise levels from the chiller units during Phase 1 of the development are at a level that has the potential for being heard and causing annoyance, although a statutory nuisance is unlikely to be caused at these levels. The situation is exacerbated by them being orientated towards South Park Drive. However, Stage 2 looks to be acceptable.

Additional information has been sought from the applicants agent and a further report will be made at the meeting.

18. The **Local Highway Authority** objects as the application is not accompanied by a Transport Assessment, and requests that one is submitted to demonstrate that the

proposed development would not be prejudicial to the satisfactory functioning of the highway.

19. The **Environment Agency** has no objection subject to conditions in respect of surface water drainage, ground contamination, and pollution control.
20. The **Landscapes Officer** has no objection in principle, but requires further clarification/revisions to the landscaping scheme.
21. **Anglian Water** has no comment.

Representations by Members of the Public

22. Letters have been received from the occupiers of Nos 46, 52, 54, 56, 74 and 76 South Park Drive, objecting on the following grounds:
 - a. Massing and scale is far greater than the adjacent business premises on Stirling Way. The eaves and ridge heights of the new building appear far greater than the adjacent premises. This is of particular concern in the north west corner of the site where the building is closest to existing development in South Park Drive.
 - b. The building is within 13m of the existing tree belt, which is at its narrowest at this point, at only 10m. The proposed building is 13.77m to the eaves and 16.67m to the ridge, the height of a 4-storey residential building, and is within 25m of the residential boundary to South Park Drive at its nearest point. It will therefore be overbearing when viewed from South Park Drive and will easily be seen through the existing tree belt during the autumn and winter months.
 - c. The scheme is much closer to the tree belt and South Park Drive than other business premises on Stirling Way and is much closer to the both the north west and south west boundaries than that previously approved in 2007. The building is of a much larger scale than that previously approved and has only a token area of planting around the perimeter of the site, and the depth of planting along the south west and north east boundaries is insufficient to have any beneficial effect in softening the appearance of an uninspiring large structure.
 - d. Environmental pollution and explosive risk – the company store and distribute agricultural products, including seeds grains and fertilisers. There is therefore risk of respiratory diseases and explosion and if the company intends to store hazardous chemicals the site should be subject to an appropriate risk assessment, and confirmation given that appropriate filtration systems will be installed.
 - e. Risk of rodents given it will be a bulk grain store – with possible infestation of rodents in close proximity to residents in South Park Drive.
 - f. Hours of operation of 6am to 12 midnight (Mon-Fri) are suggested in the application form. The Design and Access Statement suggests 6am to 6pm (Mon-Fri) and states that hours of operation should not be restricted. Unrestricted usage is unreasonable and will cause nuisance to local residents particularly during summer months when bedroom windows are open. The average noise pressure level in the outside environment during the day is between 20-30 dB rising to 40 dB peaks with normal conversations. The

siting of compressors which will run 24/7 in close proximity to residential properties is objectionable. Phase 1 with compressors directly facing South Park Drive will be the most objectionable. Why do these need to be located facing this way and can they be relocated? Is there any guarantee that Phase 2 will be built? There will be noise from fork-lifts, diesel engines and reversing beepers, which would be acceptable between the hours of 8am – 6pm Monday to Friday, but not outside of these times.

- g. Was the gap in the tree cover at the pathway, and any tunnelling effect it may have, factored into noise estimates? At what vertical height do the noise estimates apply – the greatest impact will be at night time on bedroom windows. What assumptions underpin this assessment?
- h. Concern about light pollution from any over-used and poorly located lighting, particularly during winter months
- i. Confirmation sought that existing trees between the site and South Park Drive will remain. There would be an objection to the loss of any trees on grounds of loss of habitat and increased visual and noise impact. It is suggested an additional 5m clearance from the trees is provided. Additional screening should be carried out to minimise visual impact on residents.
- j. The Design and Access Statement is very weak on sustainability. It suggests pv's to heat water (should this be solar thermal panels?) and a token gesture to rainwater harvesting, however there are no details on the drawings.
- k. The second phase of the development, in particular, will have a wholly unacceptable and detrimental effect on the adjacent houses in South Park Drive. What is the planned timescale for Phases 1 and 2. If there are no immediate plans for Phase 2 then noise from Phase 1 will not be ameliorated.
- l. Confirmation is sought that there are no plans to open the potential footpath access from the site to South Park Drive, which could be security and safety risk.
- m. This particular use will give very little to Papworth Everard in terms of local employment opportunities.
- n. Not enough properties have been consulted.

Material Planning Considerations

- 23. The principle of the development of this site for uses within Class B1, B2 and B8 is accepted by virtue of the land being allocated for such purposes in the adopted Local Development Framework 2007. The allocation is proposed for retention in the Local Plan Submission July 2013. The key issues for Members to consider are therefore the scale of development in terms of policy, visual impact, residential amenity, highway safety,

Scale of Development (Policy)

- 24. Although the site is allocated for development for Class B1, B2 and B8 employment uses, Policy ET/1 places a limitation on B8 uses of a maximum of 1,850m², stating that large scale manufacturing, distribution and warehousing, that could equally well locate in other areas of the county, will not be permitted. It argues that this approach

is necessary to manage the intensive development pressure in and around Cambridge, and that given the need to protect the environment, employment land is a scarce resource.

25. In this case the proposed development involves the expansion of an existing company in the District and should be encouraged in principle. Development of the site for smaller units for B8 use, which did not exceed 1,850m², and were occupied individually, would be acceptable provided the development satisfied the other issues such as visual impact, neighbour amenity and highway safety, which will be considered here.
26. The application has been advertised as a departure, however officers are of the view that this can be supported in principle.
27. Whilst the South Cambridgeshire Local Plan Proposed Submission July 2013 carries very limited weight at the current time it does not contain a similar restriction on floor area although it does contain a policy which states that large scale warehousing and distribution centres will not be permitted.

Visual impact

28. The proposed building will be significantly larger than existing buildings on the Stirling Way estate, both in terms of floor area and height. The previous building permitted for this site in 2008 has a ground floor area of 8,980m² and a ridge height of 13.4m, which was reduced from an original height of 15m following concerns expressed about the impact of the proposed building. Existing buildings on the estate are lower again in height. The building has increased in height from that submitted at the pre-application stage, although that building had a height of 14.75m
29. Whilst officers are of the view that increased footprint of the building can be accommodated on the site, subject to the additional landscaping suggested by the Landscapes Officer, the proposed height is of concern, particularly given the location of the site at the end of estate with open countryside to the north east, and residential properties to the north west. Whilst the residential properties are screened from the site by the existing woodland, the depth of this planting narrows to 15m at the south west corner of the site, and there will be views through, particularly during winter months. The proposal does not provide the 10m of screening on the south and east boundaries required by Policy SP/13. The existing planting in the woodland to the north west of the site is retained and additional planting carried out in the gap referred to by local residents.
30. Officers recognise the operational needs of the company, however the buildings on its existing site are considerably lower, although officers accept that this may limit the company's operations. Further discussions will be held with the applicant on this point prior to the meeting.

Residential amenity

31. The site is close to existing residential properties in South Park Drive. The previous reserved matters consent for B1 and B2 use, now lapsed, contained conditions requiring the submission of a scheme for the permitted building to be acoustically insulated. Whilst it did not contain any restriction on hours of operation it did include a condition which required, in the event of night-time deliveries (18.00hrs-08.00hrs), a noise management scheme to be submitted for approval.

32. This site is the closest part of the Stirling Way estate to residential properties and given the type of use proposed, with a larger number of movements of HGV vehicles than would be envisaged in a B1 or B2 use, it is important to ensure that the amenity of residents is protected, not just from noise from operations within the building, but from activity outside.
33. Further discussions on operating hours will be held with the applicant and a report given at the meeting
34. The Environmental Health Officer has requested additional information on the operations carried out by the company on the site and these are being provided. There is concern that if the operation involves grain handling then issues may arise regarding dust etc. These concerns have also been expressed by local residents.
35. Particular concern has been raised about the impact of Phase 1, which has condenser units located on its north west elevation, facing towards South Park Drive. Whilst the units will be a minimum of 50m from the boundary of the site the Environmental Health Officer has commented that these are likely to cause a nuisance, and local residents have queried the need for them to be located in this elevation. There is no timescale given for the potential implication of Phase 2, which would alleviate this particular problem, and therefore the issue needs to be dealt with at this stage.
36. As part of Phase 1 the proposal is to erect a 2m high acoustic fence from the north east corner of the warehouse building to the south west elevation of the storage building, to screen activity in the loading and unloading area from South Park Drive, however the potential noise impact, particularly if there were to be night time operations is of concern given the low existing background noise levels.
37. Further information has been requested from the applicant by the Environmental Health Officer on the proposed lighting at first floor window level.

Highway safety

38. The Local Highway Authority has asked the applicant to submit a Transport Assessment and the applicant is in the process of supplying this. Officers are of the view that there is unlikely to be an objection on highway grounds.
39. Adequate car parking is provided to meet the adopted standards, and this is a reduction in that required for the previous B1/B2 building. Although cycle provision is referred to numbers are not given, however this can be dealt with by condition

Other matters

40. The Environment Agency is content with the Flood Risk Assessment submitted with the application. The condition it requests can be imposed
41. The applicant has indicated that PV panels will be installed, although this has been queried by a resident and confirmation will be sought. Rainwater harvesting is proposed and these matters can be controlled by condition. There is no intention to use the potential link from the south west corner of the site to South Park Drive and additional planting is shown to be provided in this area.

Conclusion

42. The proposed relocation of the company to this site is supported as a departure in principle, however the concerns regarding the scale of the building, particularly the height, and the potential impact on residential amenity need to be addressed and a meeting will be held with the applicant prior to the meeting to discuss these matters further. An update will be provided at the meeting.

Recommendation

43. That delegated powers of approval are given to officers subject to the matters outlined in the preceding paragraph being satisfactorily addressed. Any consent to be subject to conditions to include the following:

3 year time limit
Approved plans
Landscaping
Hours of operation
Lighting details
Phasing details
Contamination
Surface water drainage
Pollution control
Car and cycle parking
Renewable energy
Plant and machinery
First occupier

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/1079/13/FL, S/0633/07/RM

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