

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

6 November 2013

AUTHOR/S: Planning and New Communities Director

S/0623/13/FL & S/0624/13/CA – PAPWORTH EVERARD

Outline planning permission for the demolition of existing buildings & the erection of up to 58 dwellings (Class C3) access, car parking & associated works, open space, landscaping & a children's play area, all matters reserved except for access and; full planning permission & conservation area consent for the partial demolition of the existing printworks building & the conservation and re-use of the retained building to provide a brewhouse (B2) bakery (B1) floor area for the consumption of food and drink (A3/A4/A5) and community rooms (D2) associated access, car parking & landscaping; and eight units of accommodation to be used either as housing (C3) and/or business uses (B1a) at Land between Church Lane &, Ermine Street South, Papworth Everard, CB23 3RG

(for Mr Ivan Baggaley of Learig Limited)

Recommendation: Delegated Approval

Date for Determination: 5 July 2013

Notes:

This Application has been reported to the Planning Committee for determination following the deferral of this application at Planning Committee on 4 September 2013. The Committee previously deferred the application so that officers could negotiate further with the applicant over the terms of the Legal Agreement under Section 106 of the Town and Country Planning Act 1990, and clarify the precise nature of the 'Live / Work' units.

1. For reference, the previous committee report for this application is contained within Appendix 1 of this report.

Live/Work Units

2. The agent, on behalf of the applicant Learig, has prepared a response to the concerns raised during the previous Planning Committee meeting to be circulated to members. This goes on to say:
3. "In the pre-application submission, the eight 'Pink Land Units' were proposed (C3) housing units. The advice letter notes that the PC (Parish Council) had asked if these units could be developed for 'live work' purposes. Unfortunately 'live work' units present a number of practical difficulties in terms of planning control and implementation, which means that they are not a viable proposition." The factors supporting this reasoning are: (i) the lack of legal definition for 'live work' units; (ii) poor market demand; (iii) ambiguity surrounding local taxation; and (iv) the complexities in construction costs.

4. As a consequence, the applicant, in consultation with planning officers, sought to design these units to allow for easy accommodation for either employment or residential uses to follow market demand. The high ceiling heights to the ground floor rooms of these units facilitates commercial use without expensive alteration works, providing extra space for commercial storage, fittings etc. A suitable planning condition could therefore be applied to this development to provide for easy and flexible changes between use as a dwelling and a B1(a) office use (an office use that by definition may be undertaken within any residential area).
5. A further consideration here is the legislation that came in force on 30 May 2013 allowing permitted change of use of offices to residential dwellings. This change reflects a current national trend towards creating greater flexibility in planning, as summarised below in the Government's 'Greater flexibilities for change of use - Consultation, August 2013 (para. 3):
6. "It is clear that the dynamics of the market will influence what are likely to be the use of a property and site, and it is important to ensure that the planning system can respond effectively. We want decisions to be taken at the right level and often this can be allowing an owner to decide on the most appropriate future use of a commercial property where the current use is no longer economically viable."
7. Thus, if the 8 units were considered solely for office use, such a prescriptive approach to employment provision would not necessarily be the most sustainable.
8. It should also be acknowledged that the proposed community use put forward in this application aims to generate employment both in terms of permanent staff to run the micro-brewery, bakery and eating area; training opportunities as part of these businesses; and business mentoring and training opportunities within the remaining floorspace to be delivered through Allia the social enterprise charity.
9. In summary, Site Specific Policy SP/10 lays out no specific requirements as to the relative balance of provision of housing, employment and community facilities. This scheme sets out an innovative approach to the delivery of this policy framework, which is being closely followed by plan-makers involved in the delivery of the new town of Northstowe. The scheme has been formulated in response to community and stakeholder engagement and is considered to present a sustainable and flexible approach to residential, community and employment provision in the village.

Delivery of Community Building and S106 Stipulations

10. Allia is a charitable organisation established in 1999 that creates opportunities for people to invest their money for social benefit. Allia are keen to stress that local people are not being asked to fund the proposition through donations, or necessarily at all. This means considering a range of options from grants, to co-operative societies, to community interest companies and also private company/s limited by shares.
11. Allia works with charities, investors, intermediaries and partners in the public and private sector to deliver community inclusion and social investment in

various parts of the country. Recently, Allia has raised substantial funds to develop the Future Business Centre Cambridge (currently under construction) and other examples include the Scottish Government's announcement to provide £10m investment with Allia to fund charity in Scotland.

12. The delivery of this proposal would therefore see the benefit of an established and experienced social enterprise company and their involvement is detailed within the draft S106 agreement. Various contingences must also be factored in and therefore the submitted draft agreement is likely to require some revision but officers have agreed that the basic tenets of this are as follows:

- (a) The provision of financial contributions totalling nearly £550,000 towards all levels of education, open space maintenance and to libraries; and the costs of provision of the community building (to 'shell' state), which in the agent's estimation is £940,000 (including notional loss in the value of the building).

- (b) The building is not to be used for any purpose other than the provision of community facilities and social enterprise.

- (c) To offer the community building to Allia (or other social enterprise charity) prior to occupation of the first dwelling, for £1 on a 999 year lease.

- (d) Failing (c) above, to offer the leasehold interest in the community building to a Community Interest Company (51% owned by the Parish Council, 49% owned by Allia) for the sum of £1.

- (e) Failing (d) above, to transfer the leasehold interest in the building to the Parish Council plus Allia's reasonable costs capped at a defined price to be detailed and demonstrated by Allia.

Noise

13. The Council's Environmental Services has recommended approval of the application, subject to the imposition of conditions, which are agreed. These control or mitigate the following issues: noise, dust and vibration during the demolition and construction phase; site management plan; noise mitigation and protection against the existing electricity transformer/substation; noise mitigation to address operational noise and fumes from the proposed community and employment uses; light spillage/pollution from external lighting; and potentially contaminated land.

Conclusion

14. Employment and community provision are some of the key elements of Site Specific Policy SP/10 for Papworth West Central and through discussions, negotiations and community engagement the applicant has formulated a scheme that provides a substantial community facility with opportunities for employment and training. A further 8 units are provided for residential or office use in the alternate that would be responsive to local demand and market forces rather than trying to dictate them.

Recommendation

15. Consequently, the scheme is recommended for delegated approval, subject to the conditions outlined in the previous report and the final drafting and signing of a S106 agreement securing delivery of the community building, 15% on-site affordable housing, the LAP area and financial contributions towards education, outdoor playspace and householder waste receptacles.

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

- National Planning Policy Framework 2012
- 'Greater flexibilities for change of use', Department of Communities and Local Government, 6 August 2013
- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire LDF Development Control Policies DPD (adopted July 2007)
- South Cambridgeshire LDF Site Specific Policies, DPD (adopted January 2010)
- South Cambridgeshire LDF Supplementary Planning Documents (SPD)

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