

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Development and Conservation Control Committee 13th May 2005

AUTHOR/S: Director of Development Services

S/2604/04/F - Impington

Change of Use from Vacant Land (Formerly Agricultural) to Mixed Use Incorporating B1, C1, C2, C3, D1, D2 Uses on Land at Arbury Camp for Kings Hedges Investments Ltd (Unex Technical Services)

Recommendation: Refusal

Date for Determination: 24th March 2005

Site and Proposal

1. The site is 0.88 hectares of currently vacant land which lies immediately to the south of the A14 almost midway between the A14 Histon interchange and the A14 underpass of the former St Ives railway. It is part of the Arbury Camp/Northern Fringe site.
2. It lies some 6 metres below the A14 embankment and there are no distinguishing features on this part of the site.
3. The application received on 23rd December 2004 (amended by letter 4th February 2005) proposes to use the land for a range of uses including Business, Hotels, Residential Institutions, Dwellings, Non residential Institutions and Assembly and leisure Uses
4. No percentages of any use are proposed so any one use could predominate.
5. The application was supported by reference to a Transport and Environmental Assessment and Flood Risk Assessment submitted in connection with the main outline application S/2379/01/O for the larger site.
6. In support of their application the applicants point out that the outline planning application which Gallaghers submitted on 17th December 2001 (S/2379/01/O) originally showed mixed use in the same area as the current application and the accompanying environmental statement noted that "it is envisaged that the mixed use area will incorporate B1, C1, C2, C3, D1, D2 and sui generis uses "and the Council has already supported this.
7. It is also pointed out that to deliver this narrow site for commercial purposes is unviable and will lead to traffic passing through the new residential area and past public open space.
8. They also point out that Gallaghers will be entering into a Section 278 Agreement with the Highways Agency for the erection of a 3.0m - 3.5m high acoustic barrier along the A14. This barrier will run past the application site but it will be on Highways Agency land and therefore not within their control. The effect of the barrier is to attenuate the noise to acceptable levels. Noise contour diagrams have been submitted to demonstrate this.

9. By letter of 25th March 2005 Unex proposed to “increase the length of the permanent noise barrier to the mid-point of Public Open Space 5 approximately 100 metres from where the barrier would be permanent (running behind RSL’s L3 housing plot). An indicative plan was submitted showing two 4-storey blocks of essentially single aspect flats to provide an acoustic screen to the interior of the site. Initial thoughts are that the rear wall would be of “thick” acoustically attenuated construction with only small triple glazed windows to the kitchens on this side. Stairwells and lift shafts would also provide an acoustic barrier. All of the living accommodation would be on the quieter south side of the block of flats.
10. Following a meeting on 18th March 2005 a further indicative layout plan has been received which, according to the applicant:
 - Physically links the two blocks of flats to provide a continuous noise buffer to provide a satisfactory acoustic environment to both the adjacent residential areas and the public open space to the south of the flats.
 - The northern face of the flats is protected from noise by the buffer provided by their staircase/lift wells and by the access corridor. The extent of glazing to the outside of the access corridor will be a matter for the detailed design and, subject to achieving the necessary acoustic attenuation, it is envisaged more glazing to this corridor may be provided to ensure a light and airy environment. The windows on the south elevation, where all the main living apartments are located will be openable. The mechanical ventilation to the kitchens/bathrooms will need to be robust and this is a matter which would be addressed at the time of detailed design and a building regulations submission. Given the flats’ proximity to Public Open Space 5, it is not accepted that this will be a development “with no amenity area”. The flats will be closer to amenity areas than the majority of developments in the locality.
 - The access and parking has been brought around to the sheltered south-side of the block of flats.
 - There is no reason why a residential block should be of any lesser standard of design than a commercial block which they are seeking to replace.
 - As part of S278 Highways Agency Agreement a safety barrier is to be erected alongside the A14.
11. This was supported by a further acoustic report by WSP on 18th April and an air quality assessment 21st April 2005.
12. Illustrative cross sections and a further supporting letter were received on 26th April 2005. This letter offered 30% as affordable housing.

Policies

13. South Cambridgeshire District Council Local Plan (2004) – Policy CNF1.
This policy allocates the site for a minimum of 900 dwellings and up to 18000sq. m of B1 Development etc .The housing potential of the site should be fully exploited with a minimum of 900 dwellings, including a mix of types with an emphasis on small units and lower cost accommodation. B1 Development must meet the “essential needs” test. In addition, occupiers of such floorspace will be limited to firms that meet the provisions of policy EM4 [research establishments] of the Local Plan.

14. It requires development to take place in accordance with a Masterplan which will provide inter alia;
- Adequate attenuation measures in relation to noise and emissions generated by traffic on the A14, including the adoption of an appropriate layout and disposition of uses
 - The retention of an attractive urban edge to Cambridge through the use of high standards of design and landscaping and the creation of gateway features.
15. “It will be particularly important to keep a balance between the provision of effective mitigation measures [such as noise barriers and or buildings designed or orientated to screen noise] and the creation of an attractive urban edge alongside the widened road. B1 buildings among others’ may be used for this purpose.”

Other Local Plan 2004 policies to be considered are:

Policy HG2 requires the larger site to accommodate a minimum of 900 dwellings

Policy HG7 Affordable housing 30% required.

Policy SE9 Development on the edge of villages should be sympathetically designed and landscaped to minimise the impact on the countryside.

Policies EM3&4 Limitations on the occupancy of new premises and research establishments respectively

Policies ES6, ES7. Air Quality, minimise impact of noise and pollution on noise sensitive development. Minimise impact of noise from road traffic.

Appendix 11/2 Adopted standards for protection against Road Traffic Noise

PPG 24 and PPS 23 are relevant: Planning and Noise and Planning and Pollution Control.

The Inspector in the 2002 Local Plan Inquiry made the following comments:

“A further factor at CNF West is the potential of carefully designed and sited B1 development to assist in improving the otherwise unfavourable noise environment by providing acoustic screening. A number of divergent views were expressed about (a) the effectiveness of up to 18,000 sq.m. in achieving that purpose and (b) whether occupiers meeting the plan’s strict occupancy restrictions could be found quickly enough to enable the B1 development to proceed within a timetable that would deliver housing by 2006.

However, my overall view is that the proposal for up to 18,000 sq.m. represents a reasonable compromise which (along with other noise mitigation measures) will enable the important residential component to come forward at CNF West. At the same time it would contribute (although modestly in itself) to the expected improvement in the homes/jobs balance resulting from the overall CNF development. It would also provide employment floor space of a type for which there appears to be a steady demand in this area of the City, do so on a site which will have better accessibility credentials than much of the committed floor space elsewhere in South Cambridgeshire, and provide an opportunity for landmark buildings in relation to the A14.”

16. Cambridgeshire and Peterborough Structure Plan (2003) – Policy P1/3 seeks to ensure that all new developments incorporate high standards of design and sustainability which will provide inter alia:
- An appropriate mix of land uses and accessible services.
 - Compact forms of development through the promotion of higher densities and provide a sense of place which;

- Responds to the local character of the built environment
- Is integrated with adjoining landscapes.
- Creates distinctive skylines, focal points and landmarks.
- Includes variety and surprise within a unified design
- Pays attention to the detail of form, massing, textures, colours and landscaping makes efficient use of energy and resources.
- Takes account of community requirements by
- Including a mix of housing opportunities in residential developments

Consultations

17. **Impington Parish Council** 28/01/05 – made no recommendation. Subsequent verbal and email communication has made it clear it felt unable to comment in the absence of further information. Two particular points of concern have been the effects of reflected noise. There are sections of the village which, whilst at some distance from the A14, still do suffer excessively from noise. A “Byker Wall” type of construction has the possibility of significantly exacerbating this, and we would wish to be convinced that any design does not have this effect. Secondly the Highways Agency does not wish to see the number of houses exceeding 900. Will a full Traffic Impact Analysis be available and it is assumed that a differential contribution to the NCATP will also arise.
18. **County Highways Authority** – has not commented.
19. **Highways Agency** – 20/01/05 was concerned a tally is kept on the uses permitted to equate to that previously agreed. In a total residential use scenario they have commented whilst in principle there may not be a problem this “reverses the trip generation” and a further Traffic Assessment would be requested.
20. **Environment Agency** – Requested a flood risk assessment. Reliance has been given to the strategy given with the wider outline application. It is recommended that the application be deferred until a full and detailed analysis is submitted with this “full” application.
21. **Anglian Water** – has not responded.
22. **English Nature** – has asked that the Wildlife Trust for Cambridgeshire be consulted.
23. **The Countryside Agency** has no comments.
24. **The National Trust** supports S106 contributions from the wider site, targeted at the retention of footpath and cycle links to the north of A14. Policy CNF1 Local Plan.
25. **County Archaeologist** – 14/02/05 notes the site is located in an area of high archaeological potential. A negative condition [PPG16, para 30] is recommended.
26. **English Heritage** - does not wish to make any representations.
27. **Police Architectural Liaison Officer** - 26/01/05 had no comments.
28. **Fire Officer** – has asked for a planning condition/S106 to ensure adequate provisions of fire hydrants.
29. **Chief Environmental Health Officer** – has commented as follows with regards to the impact of road noise.

30. "There is no dispute or criticism of the methodology or criteria used in the generation of the WSP report. The information that has been provided by WSP indicates good conformity with the relevant standards applicable to such an application: PPG24, BS8233: 1999 Sound insulation and noise reduction for buildings and the relevant appendices to the South Cambridgeshire Local Plan regarding noise insulation.
31. The WSP report is based on the modelling of future noise levels that assumes the full extent of the A14 roadside noise barrier and that the western section of the A14 roadside noise barrier is removed up to a point north of plot L3.
32. I understand that the nature of the construction and materials proposed for the A14 roadside noise barrier has not yet been formally agreed by a noise condition by the councils planning department. I have discussed with WSP the applicants' proposals for the A14 roadside noise barrier and I understand that a robust barrier is proposed that conforms with The Highways Agency's requirements. Clarification of the materials proposed and confirmation of the construction of such a barrier would facilitate a better appreciation and understanding of the acoustic performance of the scheme outlined in the application and supporting technical documents submitted thus far.
33. I have been advised by WSP that no modelling has been carried out for a "no barrier" scenario as they are aware that no development could be considered if this were the case.
34. The WSP report refers to a letter from Unex of March 24th 2005 that says "the extent of glazing to the outside of the access corridor will be a matter for the detailed design and, subject to achieving the necessary acoustic attenuation, we would envisage more glazing to this corridor being provided to ensure a light and airy environment".
35. In the absence of a fully worked up plan and more information about what will be provided to ensure a light and airy environment, it is not possible to visualise what is being proposed or what will be present to ensure a "light and airy environment". Furthermore, a detailed design of the development proposed indicating the precise layout of the dwellings; their orientation relative to the A14; the nature of materials and thickness of glazing proposed would facilitate better visualisation of the accommodation."
36. Regarding the Air Quality Assessment some uncertainties in the report have been identified. It is uncertain which source of traffic data has been used and some up to date projections have been requested.
37. Questions have also been raised with respect to the accuracy of the modelling which is based on a straight dual carriageway, may not have adequately taken account of the proposed future widening and likely under-estimated the levels of congestion and hence pollution. There are even conflicting figures as to the height of the embankment (4 or 6 metres).
38. An accurate cross section from the A14 (including as widened) through the site to judge the position of the closest building has been requested.
39. **SCDC Local Plans Officer** – has commented:

"The only reason for introducing employment into the development mix as a policy requirement was to provide non-residential buildings alongside the A14 which would provide noise attenuation for housing development over the remainder of Arbury

Camp. The intention was to avoid unattractive noise barriers as development is intended to improve the appearance of the edge of the city. This can be achieved by residential development but will require internal rooms to be planned accordingly and a greater architectural treatment than may otherwise have been intended. There is no policy objection in principle, but the above considerations will need to be addressed.”

40. **SCDC Landscape Design Officer** - has made no comment.
41. **SCDC Ecologist** – No particular ecology issues, as they should have been addressed with the forthcoming Ecological Management Plan for the whole site.
42. **SCDC Partnership Project Officer Housing** is concerned that this section of land will be affected by its close proximity to the A14. A solution might be to consider some kind of live/work units.

Representations

43. None received.

Planning Comments

44. In principle there is no policy objection to the provision of more housing on this site provided additional pro rata S106 contributions are made to the funding of Transport, Education, Community facilities and the provision of affordable housing. The loss of this small area of employment is not considered significant.
45. This site was shown as being proposed for mixed uses on the original (17th December 2001) Development Framework Plan (DFP) Rev submitted by Gallaghers in connection with the main outline planning application S/2379/01/O. This was revised February 2003 DFP (Rev F) and it was this revised plan that was approved by Committee in July and December 2003. The land uses were considered at the 2002 Public inquiry into the Local Plan (2004) at which support was given to the provision of non residential buildings along the edge of the A14 as a way of providing the necessary acoustic barrier to allow the remaining part of the site to be developed for housing. This principle is supported in PPG 24 which states: “It will be hard to reconcile some land uses such as housing.....with other activities which generate high levels of noise, but the planning system should ensure that, wherever practicable, noise sensitive developments are separated from major sources of noise (such as roads etc). Development Plans provide the policy framework within which these issues can be weighed but careful assessment of all factors will also be required when individual applications for development are considered. Authorities should consider whether it is practicable to control or reduce noise levels through the use of conditions or S106 obligations.” The lack of support by the Inquiry into the Local Plan for any more than 18,000 sq. metres of commercial B1 use has already led to the provision of a limited amount of housing adjacent the A14 to the eastern end of the site. That part of the site is lower than the western end and with a higher embankment to the A14 and a permanent fence at this point the acoustic screening can be sufficient for residential use.
46. From our early discussions with both Unex and Gallaghers, officers have not supported a permanent acoustic fence along the whole of this important visual edge to Cambridge. With reluctance, officers have indicated that we will support a temporary acoustic fence for the whole site to allow the early delivery of housing

(particularly the 270 affordable housing units) in advance of the delivery of the commercial buildings that will provide a permanent acoustic barrier.

47. The approved Development Framework previously considered by Members and given delegated approval shows the site allocated for B1 use.
48. Furthermore the Master planning exercise which has produced a Development Framework Plan, Design Guide and Codes is geared to creating a mixed use development. This vision specifically makes reference to the creation of views across Public Open Space (POS5) to commercial buildings. With the type of modern building envisaged this will enhance the proposed mixed uses, a factor which could not occur if the uses around this open space are purely residential.
49. The applicants have had several attempts at demonstrating that a residential use can be accommodated on site and with a fully worked up scheme it may be that part of the site could accommodate some residential use. In discussions in 2004 officers suggested that live/work units might be accommodated on part of the site. However I cannot accept that consent should be issued subject to conditions that may or may not be satisfactorily discharged.
50. The applicants have not chosen to give any percentages for any of the uses proposed and the submitted indicative plans show there is a strong possibility that 100% will be residential. Residential is a noise sensitive use and PPG 24 and Local Plan Policy ES7 supported by Appendix 11/2 recommends noise exposure categories in which residential planning consent will normally be refused. Tests on site (with a non acoustic fence scenario) have indicated unacceptably high noise levels and with day and night traffic at continuously high levels. The problem is likely to be even more sensitive at night.
51. The applicants have chosen to extend the permanent fence halfway along the site adding some 100 metres to the length of the permanent fence. Officers do not wish to support such an extension to this fence as a permanent solution.
52. To date I am not satisfied that a suitable environment will exist for any residential use without a permanent acoustic fence across the whole application site which is considered visually unacceptable. Insufficient information has been received. What has been received to date indicates that there is likely to be unacceptable noise levels. Without a full design it has been impossible to fully assess the internal/external noise levels, the likely pollution levels and the appropriateness of the design on this important edge of Cambridge.
53. I would not wish the acoustic demands to dictate a design that is inappropriate for this important site.

Recommendation

54. Refusal
 1. The application is contrary to the Development Framework Plan submitted for the comprehensive development of Arbury Camp under planning reference S/2379/01/O which seek to provide acceptable non-noise sensitive uses in this location as a buffer between the A14 trunk road and noise sensitive development.

None of the submissions by the applicant or its agents have adequately demonstrated that an acceptable environment can be provided for residential users that is adequately protected from noise and pollution both inside and outside the properties. Furthermore insufficient detailed designs have been proposed to demonstrate that any technical solution to those noise/pollution exposures will also provide an acceptable design on this prominent site on the edge of Cambridge.

The application is therefore contrary to policies CNF1, ES6, ES7 of the adopted South Cambridgeshire Local Plan 2004 and insufficient information has been received to ensure a suitable design (Policy SE9) for this prominent edge of Cambridge.

Informatives

None

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

- South Cambridgeshire Local Plan 2004
- Cambridgeshire and Peterborough Structure Plan 2003
- Planning file Ref. S/2604/04/F

Contact Officer: John Pym – Senior Planning Officer
Telephone: (01954) 713166