
MAIN CASE

Reference No: 18/00609/FUM

Proposal: Proposed change of use from B8 to B2 and 15No starter units including associated parking, drainage and hard landscaping,

Site Address: Land Rear Of Meadow View Industrial Estate Reach Road Burwell

Applicant: Mark Cross Limited

Case Officer: Oli Haydon, Planning Officer

Parish: Burwell

Ward: Burwell

Ward Councillor/s: Councillor David Brown
Councillor Lavinia Edwards
Councillor Michael Allan

Date Received: 20 June 2018

Expiry Date: 4th October 2018

[T108]

1.0 RECOMMENDATION

1.1 Members are recommended to APPROVE the application subject to the recommended conditions below:

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Specified materials
- 4 Foul and Surface Water
- 5 Flood Risk Mitigation Measures
- 6 Site Characterisation
- 7 Reporting of unexpected contamination
- 8 Archaeological Investigation
- 9 Parking & turning
- 10 Access drainage
- 11 Lighting Scheme
- 12 Construction Times
- 13 Biodiversity Measures
- 14 Energy Efficiency

2.0 **SUMMARY OF APPLICATION**

- 2.1 The application seeks consent for 15 light industrial (B2) starter units, with associated car parking, drainage and cycle parking.
- 2.2 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**
- 2.3 The application is to be determined at Planning Committee due to the constitutional requirement for major employment applications to be decided in this manner.

3.0 **PLANNING HISTORY**

3.1

95/00718/FUL	Erection of 929 sq metre Industrial Unit and associated parking	Approved	04.10.1995
00/00197/FUL	Erection of workshop and use of site as transport yard for 10 vehicles (H.G.V.)	Approved	31.05.2000
00/00271/FUL	Erect Light Industrial Units	Approved	31.05.2000
01/01094/FUL	Main office building and general storage building for Browns of Burwell	Approved	14.01.2002

4.0 **THE SITE AND ITS ENVIRONMENT**

- 4.1 The site is located within the development envelope for Burwell, adjacent to the BUR2 employment allocation for B1/B2 use. The site is currently used as a transport storage area, with concrete hardstanding and existing fencing and a gated entrance. The site forms part of a larger industrial estate, comprising a range of uses and operations. To the west is open countryside, with the main settlement of Burwell located northwards. The edge of the site is located in Flood Zone 2, with the area to the east located in Flood Zone 3.

5.0 **RESPONSES FROM CONSULTEES**

- 5.1 Responses were received from the following consultees and these are summarised below. The full responses are available on the Council's web site.

Design Out Crime Officers – “I have read all relevant documents and am happy that the Applicant has considered crime prevention – this is shown in the design and

layout of the proposed starter units allowing surveillance across car park areas and other units. I am also happy that the current security fencing is to be retained. I fully support this application and would add my support to the request that external lighting on the site could be considered as a Condition”.

Burwell Parish Council – No objections raised.

Ward Councillors - No Comments Received

Local Highways Authority - The Highway Authority has no objection in principal to this application. The development benefits from an existing and suitable access with the highway.

CCC Growth & Development - No Comments Received

Environmental Health – No concerns to raise at this time due to the proposed site being located between existing industrial units (subject to conditions relating to contamination and construction hours).

Economic Development - No Comments Received

Waste Strategy (ECDC) - No Comments Received

Environment Agency – “We have reviewed the submitted Flood Risk Assessment (FRA) with regard to main river flood risk sources and consider this to be acceptable for the scale and nature of the proposed development. We have no objection to the proposed development but recommend that the mitigation measures proposed in the FRA are adhered to”.

Cambridgeshire Archaeology – No objections subject to a written scheme of investigation being secured by condition.

National Grid – No objections subject to informative.

Technical Officer Access – “The dimensions of the accessible toilets shown do not comply with the requirements of BS8300 2009. These facilities should be made bigger to comply on all types of units. If the general public are to be invited to these units, their design should comply with all aspects of BS3900 2009, which will then take into account the needs of those with disabilities.”

5.2 **Neighbours** – 18 neighbouring properties were notified, an advert was placed in the Cambridge Evening News and a site notice was posted. No responses were received.

6.0 **The Planning Policy Context**

6.1 East Cambridgeshire Local Plan 2015

ENV 1	Landscape and settlement character
ENV 2	Design
ENV 4	Energy efficiency and renewable energy in construction
ENV 8	Flood risk

- COM 7 Transport impact
- COM 8 Parking provision
- GROWTH 1 Levels of housing, employment and retail growth
- GROWTH 2 Locational strategy
- GROWTH 3 Infrastructure requirements
- BUR3 Employment allocation, former DS Smith site, Reach Road
- BUR2 Employment allocation, land at Reach Road

6.2 Supplementary Planning Documents

- Developer Contributions and Planning Obligations
- Design Guide
- Flood and Water
- Contaminated Land - Guidance on submitted Planning Application on land that may be contaminated

6.3 National Planning Policy Framework 2018

- 6 Building a strong, competitive economy
- 12 Achieving well-designed places
- 14 Meeting the challenge of climate change, flooding and coastal change

6.4 Submitted Local Plan 2017

- LP28 Landscape, Treescape and Built Environment Character, including Cathedral Views
- LP22 Achieving Design Excellence
- LP24 Renewable and Low Carbon Energy Development
- LP25 Managing Water Resources and Flood Risk
- LP17 Creating a Sustainable, Efficient and Resilient Transport Network
- LP2 Level and Distribution of Growth
- LP3 The Settlement Hierarchy and the Countryside
- LP8 Delivering prosperity and Jobs
- LP18 Improving Cycle Provision

7.0 **PLANNING COMMENTS**

- 7.0.1 The proposal seeks to construct 15 starter units with B2 (light industrial) use. 12 of the units will have a mezzanine floor and the scheme provides 40 parking spaces with cycle parking included. The units will be steel-framed and clad in grey. The lower area will be buff brickwork and the units will have roller shutter doors and basic facilities within. The existing access to the area of hard standing is to be used.

7.1 **Principle of Development**

- 7.1.1 The site is located within the Burwell development envelope and adjacent to the BUR2 employment allocation for B1/B2 use. The applicant sought pre-application advice and a positive response was provided. Beyond the site to the south-east is a further employment allocation (BUR3). It is therefore considered that the principle of development is deemed acceptable for such a proposal.

7.2 Residential Amenity

- 7.2.1 Due to the isolation from nearby residential units and considering the proximity of the adjacent industrial estate, it is considered that the residential amenity impact would be minimal. The Environmental Health department agrees with this stance and in order to safeguard the amenity of any nearby occupiers conditions will be utilised regarding construction times and lighting schemes. The proposal is considered to comply with the residential amenity aspects of LP (2015) Policy ENV2 and Submitted LP (2017) Policy LP22.

7.3 Visual Amenity

- 7.3.1 As the site is located within the Meadow View industrial estate and between two employment allocations, there would be a minimal visual impact arising from the scheme from the street-scene of Reach Road. There would be further reaching views from the west of the site but considering the allocation to the north and south (BUR2 & BUR3) of the site the proposed units are unlikely to have a significant negative impact on views into this industrial area of Burwell. BUR2, the allocation north of this site, has recently had outline approval for B1 uses (18/00155/OUM, 17/01094/OUM) and BUR3, the allocation to the south has had outline approval since 2014 (14/00046/OUM). The scale of the units are similar to those within the rest of the industrial estate. The 2.4m high palisade fencing that current surrounds the site is to be retained. The proposal is considered to comply with the visual character aspects of LP (2015) Policies ENV1 and ENV2 and Submitted LP (2017) Policies LP28 and LP22.

7.4 Highways

- 7.4.1 With regards to access and parking, the site has an existing entrance point which is to be retained and parking has been provided to meet the standards set within LP (2015) policy COM8 and Submitted LP (2017) policy LP17. The site plan also shows sufficient lorry turning space. The site has provided cycle spaces at a figure of 1 space per 50sqm, in line with the above policies. The site has an established use of container storage and heavy vehicle movements to and from the site exist at present. The Local Highways Authority have raised no concerns with the use of the site for B2 units, the utilisation of the existing access and any additional stress on the wider network. The proposal is considered to comply with LP (2015) Policies COM7 and COM8 and Submitted LP (2017) Policies LP22 and LP17.

7.5 Flood Risk and Drainage

- 7.5.1 The site is currently hard standing and thus a surface/foul water drainage strategy for the site was submitted. The Environment Agency have considered the proposed strategy and have raised no concerns. Furthermore, a flood risk assessment was submitted with the scheme (as is partially lies within FZ2) and no objections were raised. A permit will be required for the disposal of foul water from the site, the Environment Agency will carry out a full assessment of the drainage strategy at the time at which a permit is applied for. The proposal is considered to comply with LP (2015) Policy ENV8 and Submitted LP (2017) Policy LP25.

7.6 Other Material Matters

- 7.6.1 A contamination study has been submitted and further works are recommended. The Environmental Health (Scientific) officer has therefore recommended these works are secured by condition.
- 7.6.2 Local Plan Policy ENV4 and Submitted Local Plan Policy LP24 seeks to encourage reduced or zero carbon development in accordance with the zero carbon hierarchy' first maximising energy efficiency and then incorporating renewable or low carbon energy sources on site as far as practicable. The policy requires all non-domestic developments of 1000sqm or more to meet BREEAM Very Good standard or equivalent. An energy statement was submitted with the proposal to demonstrate the aim of reaching BREEAM 'Very Good' at building Regulations stage. Energy efficient lighting will be used throughout the units, as well as highly insulated building envelope to reduce the energy use throughout the year.
- 7.6.3 To the south of the site is a County Wildlife Site (CWS11). The application site is currently hard-standing and used by heavy goods vehicles for storage and manoeuvring. It is considered that the site presents very limited biodiversity potential and the redevelopment of the site is unlikely to have an impact on the biodiversity value of the site. A condition will be applied to the permission to ensure the development incorporates biodiversity measures, these enhancements will ensure the proposal complies with LP (2015) Policy ENV7 and Submitted LP (2017) Policy LP30.

7.7 Planning Balance

- 7.7.1 The site is located *within* the development envelope for Burwell, adjacent to an existing industrial estate and between two employment allocations. The principle of development is therefore considered acceptable. The proposed elevations are similar to other light industrial units within the district and their visual impact is likely to be minimal in such a setting. The popularity of these units has been proven elsewhere in the district and they would be a useful addition to the existing industrial estate. The existing access point for the site is being utilised, with existing boundary fencing to be retained. The drainage strategy proposed is acceptable and adequate flood risk mitigation is proposed. All other considerations have been addressed and the proposal's benefits outweigh the limited identified harm likely to arise from the scheme.

8.0 APPENDICES

- 8.1 List of Recommended Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
18/00609/FUM	Oli Haydon Room No. 011 The Grange	Oli Haydon Planning Officer 01353 665555
95/00718/FUL	Ely	

00/00197/FUL
00/00271/FUL
01/01094/FUL

oli.haydon@eastca
mbs.gov.uk

National Planning Policy Framework -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

East Cambridgeshire Local Plan 2015 -

<http://www.eastcambs.gov.uk/sites/default/files/Local%20Plan%20April%202015%20-%20front%20cover%20and%20inside%20front%20cover.pdf>

APPENDIX 1 - 18/00609/FUM Conditions

- 1 Development shall be carried out in accordance with the drawings and documents listed below

Plan Reference	Version No	Date Received
938-01		4th May 2018
938-02	A	20th June 2018
938-03		4th May 2018
938-04		4th May 2018
938-05		4th May 2018
938-06		4th May 2018
938-07		4th May 2018
ALS8086/200/01		4th May 2018
FRA		4th May 2018
CONTAMINATION REPORT		4th May 2018

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 The materials to be used in the construction of the external surfaces, including walls, roof, windows and doors, shall be as specified on the application form. All works shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 4 The foul and surface water drainage scheme(s) as shown on Drawing C511/C/SK/01 (rev 0) prepared by Morrish Consulting Engineers shall be implemented prior to first occupation of any of the approved units.
- 4 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017.
- 5 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) within Section 4 of the report prepared by Morrish Consulting Engineers (dated April 2018).
- 5 Reason: To reduce the impacts/risk of flooding in extreme circumstances on future occupants, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015 and LP22 and LP25 of the Submitted Local Plan 2017.

- 6 No development shall take place until an investigation and risk assessment of the nature and extent of any contamination on the site, whether or not it originates on the site, has been undertaken. The investigation and risk assessment must be undertaken by competent persons, and a written report of the findings must be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
- (i) A survey of the extent, scale and nature of contamination;
 - (ii) An assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land; groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;
 - (iii) An appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. Any remediation works proposed shall be carried out in accordance with the approved details and timeframe as agreed in writing by the Local Planning Authority.
- 6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 and LP26 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported to the Local Planning Authority within 48 hours. No further works shall take place until an investigation and risk assessment has been undertaken and submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a verification report must be prepared, and approved in writing by the Local Planning Authority.
- 7 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015 and LP26 of the Submitted Local Plan 2017.
- 8 No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
- 8 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 of the East Cambridgeshire Local Plan 2015 and LP27 of the Submitted Local Plan 2017. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

- 9 Prior to first occupation or commencement of use of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for that specific use.
- 9 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2017.
- 10 The access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
- 10 Reason: To prevent surface water discharging to the Highway, in accordance with policies ENV2, ENV7 and COM7 of the East Cambridgeshire Local Plan 2015 and LP17, LP22 and LP30 of the Submitted Local Plan 2017.
- 11 Prior to first occupation of any of the approved units, a scheme for any proposed lighting on the site shall be submitted to and approved in writing by the Local Planning Authority.
- 11 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 12 Construction times, with the exception of fit-out, and deliveries during the construction phase are restricted to the following: 08:00 - 18:00 each day Monday - Friday, 08:00 - 13:00 on Saturdays and None on Sundays, Public or Bank Holidays
- 12 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015 and LP22 of the Submitted Local Plan 2017.
- 13 Prior to occupation a scheme of biodiversity improvements shall be submitted to and agreed in writing with the Local Planning Authority. The biodiversity improvements shall be installed prior to the first occupation of the hereby approved development and thereafter maintained in perpetuity.
- 13 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015 and LP28, LP22 and LP30 of the Submitted Local Plan 2017.
- 14 The development hereby approved shall meet BREEAM Very Good standard or equivalent. If this standard cannot be achieved by virtue of the site's location then prior to above floor slab construction works it must be demonstrated by a BRE Licensed Assessor how all other BREEAM standards have been fully explored in order to meet the highest standard of BREEAM Good or equivalent and agreed in writing by the Local Planning Authority.
A certificate, following post construction review, shall be issued by a BRE Licensed Assessor to the Local Planning Authority, indicating that the relevant BREEAM standard has been achieved or its equivalent within six months of first occupation of the site for written agreement by the Local Planning Authority.

- 14 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in policy ENV4 of the East Cambridgeshire Local Plan 2015 and LP23 and LP24 of the Submitted Local Plan 2017.