

<b>Application Number</b>	09/0889/FUL	<b>Agenda Item</b>	
<b>Date Received</b>	10th November 2009	<b>Officer</b>	Miss Amy Lack
<b>Target Date</b>	5th January 2010		
<b>Ward</b>	Trumpington		
<b>Site</b>	Trumpington Park And Ride Site Hauxton Road Cambridge Cambridgeshire		
<b>Proposal</b>	Change of use (sui generis) for a 150 car boot fair (second hand goods only) on Sundays on existing car park between the hours of 7:00am and 1:00pm.		
<b>Applicant</b>	Sherman & Waterman Associates Ltd 1A Tavistock Court The Piazza Covent Garden London WC2 E 8BD		

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## **1.0 SITE DESCRIPTION/AREA CONTEXT**

1.1 Trumpington Park and Ride site is on the southern fringe of the city immediately west of Hauxton Road and entirely within the Green Belt. The proposal site is located to the far north-eastern corner of the Park and Ride site occupying 300 car parking spaces of the 1,350 spaces provided across the wider site.

## **2.0 THE PROPOSAL**

2.1 This application seeks temporary permission for a change to a sui generis use at the site to allow for a 150 car boot fair (for second hand goods only) on Sundays between the hours of 7:00am and 1:00pm.

2.2 The proposal is to serve as a replacement to the now redundant Cowley Road Park and Ride site, south of the A14 at Milton where a similar car boot fair operated up until the end of 2008 when the Park and Ride site closed down.

2.3 The application is accompanied by the following supporting information:

1. Transport Statement

### 3.0 SITE HISTORY

Reference	Description	Outcome
09/1094/FUL	Change of use for mobile car valeting service covering existing park and ride site.	A/C
09/0303/FUL	Change of use (sui generis) for a 150 car boot fair (second hand goods only) on Sundays on existing car park between the hours of 7:00am to 12.30pm.	W/D
06/0857/FUL	Re-site a mobile mammography unit presently based at Tesco, Fulbourn to Trumpington Park & Ride site at request of Addenbrooke's NHS Trust.	A/C
05/0804/TELD ET	15 metre mobile telecommunications tower, 3 no. antennae within a GRP shroud, equipment cabinet, electricity cabinet and development ancillary thereto.	A/C
C/00/0315/FU L	1500 space Park and Ride car park, erection of a one storey amenity building creation of 2 new vehicular accesses and a bus only access.	A/C

3.1 Planning application reference 09/0303/FUL proposed a similar use on the site but was withdrawn given the need to resolve South Corridor Area Transport Payments (SCATP) given the large volume of movements to and from the site potentially generated as a result of this use. Please see the section Planning Obligation Strategy below in the main body of the report.

### 4.0 PUBLICITY

4.1 Advertisement: Yes  
Adjoining Owners: Yes  
Site Notice Displayed: Yes

### 5.0 POLICY

#### 5.1 Central Government Advice

**5.2 Planning Policy Statement 1: Delivering Sustainable Development (2005):** Paragraphs 7 and 8 state that national policies and regional and local development plans (regional spatial strategies and local development frameworks) provide the framework for planning for sustainable development and for development to be managed effectively. This plan-led system, and the certainty and predictability it aims to provide, is central to planning and plays the key role in integrating sustainable development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

**5.3 Planning Policy Guidance 2: Green Belts (1999):**

**5.4 Planning Policy Guidance 13: Transport (2001):** This guidance seeks three main objectives: to promote more sustainable transport choices, to promote accessibility to jobs, shopping, leisure facilities and services, by public transport, walking and cycling, and to reduce the need to travel, especially by car. Paragraph 28 advises that new development should help to create places that connect with each other in a sustainable manner and provide the right conditions to encourage walking, cycling and the use of public transport.

**5.5 Circular 11/95 – The Use of Conditions in Planning Permissions:** Advises that conditions should be necessary, relevant to planning, relevant to the development permitted, enforceable, precise and reasonable in all other respects.

**5.6 East of England Plan 2008**

SS7 Green Belt

T1 Regional transport strategy objectives and outcomes

T2 Changing travel behaviour

T14 Parking

ENV7 Quality in the built environment

CSR3 The Green Belt in the Cambridge subregion

**5.7 Cambridge Local Plan 2006**

3/1 Sustainable development

3/4 Responding to context  
3/7 Creating successful places  
8/2 Transport impact

## 5.8 **Material Considerations**

### **Cambridge City Council (2004) – Planning Obligation Strategy:**

Sets out the Council's requirements in respect of issues such as public open space, transport, public art, community facility provision, affordable housing, public realm improvements and educational needs for new developments.

### **Cambridge City Council (2002)–Southern Corridor Area Transport Plan:**

The purpose of the Plan is to identify new transport infrastructure and service provision that is needed to facilitate large-scale development and to identify a fair and robust means of calculating how individual development sites in the area should contribute towards a fulfilment of that transport infrastructure.

## 6.0 **CONSULTATIONS**

### **Cambridgeshire County Council (Engineering)**

- 6.1 No significant adverse impact upon the Public Highway should result from this proposal so the Highway Authority raise no objection.
- 6.2 We are advised by New Communities that SCATP payments are not required for this application

### **Head of Environmental Services**

- 6.3 No objection
- 6.4 The above responses are a summary of the comments that have been received. Full details of the consultation responses can be inspected on the application file.

## 7.0 **REPRESENTATIONS**

- 7.1 The owners/occupiers of the following addresses have made representations:

- Drivers Jonas LLP, 85 King William Street, London EC4N 7BL (on behalf of the Universities Superannuation Scheme as owners of Grand Arcade).
- A copy of the objection received is attached to the report.

## **8.0 ASSESSMENT**

8.1 From the consultation responses and representations received and from my inspection of the site and the surroundings, I consider that the main issues are:

1. Principle of development
2. Context of site, design and external spaces
3. Highway safety
4. Third party representations
5. Planning Obligation Strategy

### **Principle of Development**

8.2 PPG2 states that there is a general presumption against inappropriate development in the Green Belt, and it should not be approved except in very special circumstances. Very special circumstance to justify inappropriate development will not exist unless the harm by reason of inappropriateness and other harm is clearly outweighed by other considerations. The visual amenity of the Green Belt should not be injured by the proposals. This advice is echoed in the East of England Plan (2008) and the Cambridge Local Plan (2006).

8.3 Policy 4/1 of the Cambridge Local Plan seeks to protect the Green Belt from inappropriate development. In this instance the development is within the developed car park site that was allowed in 2000 under planning reference C/00/0315/FUL. The introduction of a car boot fair, on a cyclical basis, is not considered to be inappropriate in this context given its temporary nature. The site is clearly for the use of Park and Ride customers but I believe this temporary change of use will not prejudice the parking availability to the detriment of the Park and Ride service and the City's sustainable transport objectives.

8.4 I do not consider this application to constitute inappropriate development, as the site is an existing Park and Ride site, and this use would only be temporary. Therefore, in my opinion, this

application complies with policies SS7 and CSR3 of the East of England Plan (2008) and policy 4/1 of the Cambridge Local Plan (2006).

### **Context of site, design and external spaces**

- 8.5 Visually the proposed use will not result in a visual impact outside of the site that is uncharacteristic or significantly different to that of its primary and permanent use as a car park. Therefore, in my opinion, the proposal is compliant with East of England Plan (2008) policy ENV7, and Cambridge Local Plan (2006) policies 4/1, 3/4 and 3/7.

### **Highway Safety**

- 8.6 No objection is raised by Cambridgeshire County Council on behalf of the Highways Authority with regard to Highway Safety. As such the proposal is considered compliant with East of England Plan (2008) policy T1 and Cambridge Local Plan (2006) policy 8/2. However, while no objection has been raised by the County Council with regard to Highway Safety given the specific concerns raised by the objectors about the potential impact upon the Grand Arcade further advice is being sought from the County Council and that will be reported to Committee.

### **Third Party Representations**

- 8.7 A substantial objection has been received from the planning agents for the Grand Arcade; a copy is attached.

### **Planning Obligation Strategy**

- 8.8 The Planning Obligation Strategy (2004) provides a framework for expenditure of financial contributions collected through planning obligations. The proposed use will generate in excess of 50 additional trips and lies within the South Corridor Area Transport Plan. The applicants have submitted a transport assessment which has been considered by the Highway Authority and New Communities. This assessment calculated trips generated from the operation of a similar sized car boot at Cowley Road. Assuming this proposal would generate a similar 3441 trips the total generation of trips to and from the site on a Sunday would equate to 5372, compared to a maximum weekday generation of 5042 two-way trips, which is an increase of 330 trips. However,

despite this expected number of trips consultation with the Transport Assessment Manager at New Communities considers the car boot use on this site to be exempt from these financial contributions, for these payments are only intended for development sites and not for temporary or occasional activity as proposed by this application.

**RECOMMENDATION: APPROVE subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The temporary sui generis use hereby permitted shall only operate between the hours of 0700hours and 1300hours on Sundays.

Reason: To control its impact in terms of transport movements, noise and disturbance, and residential amenity. (Cambridge Local Plan 2006 policies 3/7, 4/13 and 8/2)

3. The temporary sui generis use of part of the Park and Ride site shall be used for a second-hand car boot fair only and for no other purpose (including any other purpose in sui generis use class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: For the avoidance of doubt, and because use of the use of the site for any other purpose would require re-examination of its impact in terms of transport movements, noise and disturbance, and residential amenity. (Cambridge Local Plan 2006 policies 3/7, 4/13 and 8/2)

**Reasons for Approval**

1. This development has been approved, conditionally, because subject to those requirements it is considered to generally conform to the Development Plan, particularly the following policies:

East of England plan 2008: Policies SS7, T1, T2, T14, ENV7 and CSR3

Cambridge Local Plan (2006): Policies 3/4, 3/7, 4/1 and 82

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further detail on the decision please see the officer report by visiting the Council Planning Department.

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Under Section 100D of the Local Government Act 1972, the following are “background papers” for each report on a planning application:

1. The planning application and plans;
2. Any explanatory or accompanying letter or document from the applicant;
3. Comments of Council departments on the application;
4. Comments or representations by third parties on the application as referred to in the report plus any additional comments received before the meeting at which the application is considered; unless (in each case) the document discloses “exempt or confidential information”
5. Any Structure Plan, Local Plan or Council Policy Document referred to in individual reports.

These papers may be inspected by contacting John Summers (Ext.7103) in the Planning Department.





Ms Amy Lack  
Planning Officer  
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12 February 2010

Dear Ms Lack

**Representations to planning application ref: 09/0889/FUL  
Trumpington Park And Ride Site, Cambridge**

We act on behalf of our client, Universities Superannuation Scheme (USS) Limited, which owns the Grand Arcade shopping centre, located in the heart of Cambridge City Centre. In addition, via its joint ownership of Trumpington Meadows Land Company Limited (TMLCL), USS is also the joint owner/developer of the adjoining Monsanto Site, which forms part of the Trumpington Meadows development.

We actively monitor planning applications in and around the City to consider the potential impact of any particular developments on the future vitality and viability of the Grand Arcade which plays a significant role in the City's shopping function.

We write in response to the planning application that has been submitted for the provision for a 150 car boot fair (second hand goods only) on the existing park and ride car park on Sundays between the hours of 7:00am and 1:00pm.

**The Grand Arcade and Park and Ride facility**

The Grand Arcade is located within Cambridge City Centre. Following significant investment by USS in the shopping centre, it has attracted a range of high-class retail operators, including John Lewis, Calvin Klein and Hugh Boss.

The Trumpington Park and Ride facility was substantially funded by the developers of the Grand Arcade to deal with an increase in the number of trips to the City Centre and hence an increase in parking demand generated by the Grand Arcade development. It was developed in response to the City Councils' policy not to permit any additional car parking to be provided within the City Centre but instead to provide further park and ride sites around the City edge.

Thus, when the Grand Arcade was developed, the car parking capacity of the park and ride site played an important role in providing sufficient space for visitors to the City Centre. The Trumpington Park and Ride facility has been an extremely successful facility, and the Grand Arcade development and the overall City Centre significantly rely upon and benefit from the facility which provides valuable car parking facilities. It provides a sustainable transport option for visitors, and seeks to reduce congestion in the City Centre.

In the current economic climate it is essential to maximise the options open to visitors to have easy access to the City Centre.

Below we set out a summary of the proposals and USS's specific comments.

### **Application Summary**

The application seeks approval for the change of use (sui generis) for a 150 car boot fair (second hand goods only) on the existing Park and Ride car park on Sundays between the hours of 7:00am and 1:00pm. The car boot fair would be located along the north eastern edge of the car park, which forms part of the Trumpington Park and Ride facility.

### **Relevant Planning Policy**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Regard must be given to national, regional, strategic and local policy when assessing planning applications. In this case we set out below the key local policies relevant to this application.

#### *Local Plan Considerations*

The Cambridge Local Plan (Local Plan) was formally adopted on 20 July 2006, and remains the current policy document for the City. The application site is defined on the Proposals Map as Green Belt. Policy 4/1 is the relevant Green Belt policy. Paragraph 4.5 states that one of the purposes of the Green Belt is to "maintain and enhance the quality of its setting". Applications which "improve amenity" will be supported.

To the immediate north of that part of the application site that is proposed to be used for the car boot operation is designated in the Local Plan as Site 9.08 (Monsanto site), which forms part of the 'Southern Fringe' (Policy 9/5). The proposed principal land use will be housing, with capacity for around 3,320 dwellings. Policy 9/5 states that 'access to the Monsanto site from Hauxton Road'.

USS, via TMLCL, has obtained planning permission for the redevelopment of the Monsanto Site to provide part of an overall development of 1200 residential units, some of which, with the encouragement of the City Council planners, will look directly into the Park and Ride car park.

Paragraph 9.22 states that the vision for the Southern Fringe is to create a 'distinctive new urban extension to the City', and one of the five main areas of land to be developed includes 15.5 ha of land at Monsanto (site 9.08) which will be primarily residential development (paragraph 9.23).

In terms of transport, Policy 8/1 (Spatial Location of Development) states that for "non-residential proposals which are likely to attract a large number of trips, applicants should demonstrate that the location is the most suitable with regard to access by public transport, cycling and walking. In general, the sequential approach should be followed, whereby preference is given to more central locations."

The supporting Transport Statement, as prepared by WSP (August 2009), does not include a sequential analysis to demonstrate that this site is the most appropriate location for this use. USS would request that this work is undertaken before a decision is reached to ensure that there are no other suitable locations, in accordance with Policy 8/1.

In addition, Policy 8/2 (Transport Impact) states that developments will only be permitted where they do not have an unacceptable transport impact.

#### *Emerging Core Strategy*

The Cambridge Development Strategy was published for Issues and Options in July 2007, and the Preferred Options report is expected in November 2010.

The Southern Fringe (Option 6) concentrates on the role of Addenbroke's Hospital as a regional hospital, and states that the expansion of this area will be supported by improvements to transport infrastructure including high quality public transport.

### USS Comments

USS **strongly objects** to the proposal to provide a car boot fair in this location on the basis that it will prejudice the bringing forward of residential development of the Monsanto site as part of the Southern fringe urban extension, which is a key policy objective of the adopted Local Plan and emerging LDF, and that it will be detrimental to the operation of the important Park and Ride facility and discourage City Centre visitors from using it. Furthermore, the applicants have not justified in policy terms why planning permission should be granted.

#### *Southern Fringe*

USS is supportive of the Council's vision to provide an urban extension in this area. USS expects the Monsanto site to come forward for development in the near future in line with the Council's vision. It is essential that the Council's objectives for the development of the area should not be compromised by this proposal.

It is evident from assessing the operation of car boot facilities elsewhere that they are potentially noisy, untidy and congested at unsociable times including early in the morning and on Sundays. As such the proposal would impact on the residential amenity of future residents which may be a deterrent to future investment in sites for residential development.

In order to encourage residential development in this location, the amenity of the local area should be protected and suitable uses for the area supported. USS considers that car boot fair facilities would detract from the amenities of the Green Belt, which would be in direct conflict of Policy 4/1.

In addition, the proposed main access to the residential development at the Monsanto site has been identified in the Local Plan to be along Hauxton Road. The proposed car boot fair is likely to have a negative impact on the traffic circulation for the majority of Sunday, and this impact would not be acceptable for the future residential development.

#### *Impact on the Park and Ride facility*

The impact on the park and Ride facility will be two-fold.

Firstly, the car boot proposal would reduce the amount of available car parking spaces on Sunday mornings. Permitting this application would reduce the amount of available car parking space, which is likely to have a large impact to the number of visitors who are able to gain easy access to the City Centre. It would result in the loss of a valuable parking facility for the City Centre resulting in increased traffic for those shoppers and visitors who would then seek to attempt to park within the City Centre. At worst it would result in shoppers deciding to shop elsewhere on the basis of a lack of parking facilities to serve the City Centre.

The submitted Transport Statement suggests that there will be sufficient car parking spaces for the car boot fair to run in conjunction with the Park and Ride facilities. However, the size of the Park and Ride facility when it was proposed was designed to cater for future trips to the City Centre and this provision should not be compromised by the loss of spaces especially on a Sunday which is a very busy shopping day.

We would expect the Council to continue to support the maximum level of car parking spaces to be provided at the Park and Ride facility in order to encourage shoppers and visitors to Cambridge but at the same time reduce City Centre traffic congestion.

Secondly the proposed car boot operation would cause additional congestion in the local area and as such this will discourage potential visitors to the City Centre from using the Park and Ride facility for the purpose for which it is there.

#### *No Policy Justification*

It appears that there is no policy justification submitted to support the application. The Transport Statement does not include a policy review, and no other documents have been submitted with the application.

It is clear that this application compromises future development of the Southern Fringe in terms of residential amenity and transport access, and would create a negative impact on a Greenbelt location. As such, the application fails to demonstrate that this proposal is policy compliant, and should be recommended for refusal.

#### **Conclusion**

For the reasons set out above, USS considers that the application submitted for the provision of a 150 car boot fair should be refused on the basis that it will prejudice the bringing forward of residential development of the Monsanto site as part of the Southern fringe urban extension, which is a key policy objective of the adopted Local Plan and that it will be detrimental to the operation of the important Park and Ride facility and discourage City centre visitors from using it. Furthermore the applicants have not justified in policy terms why planning permission should be granted.

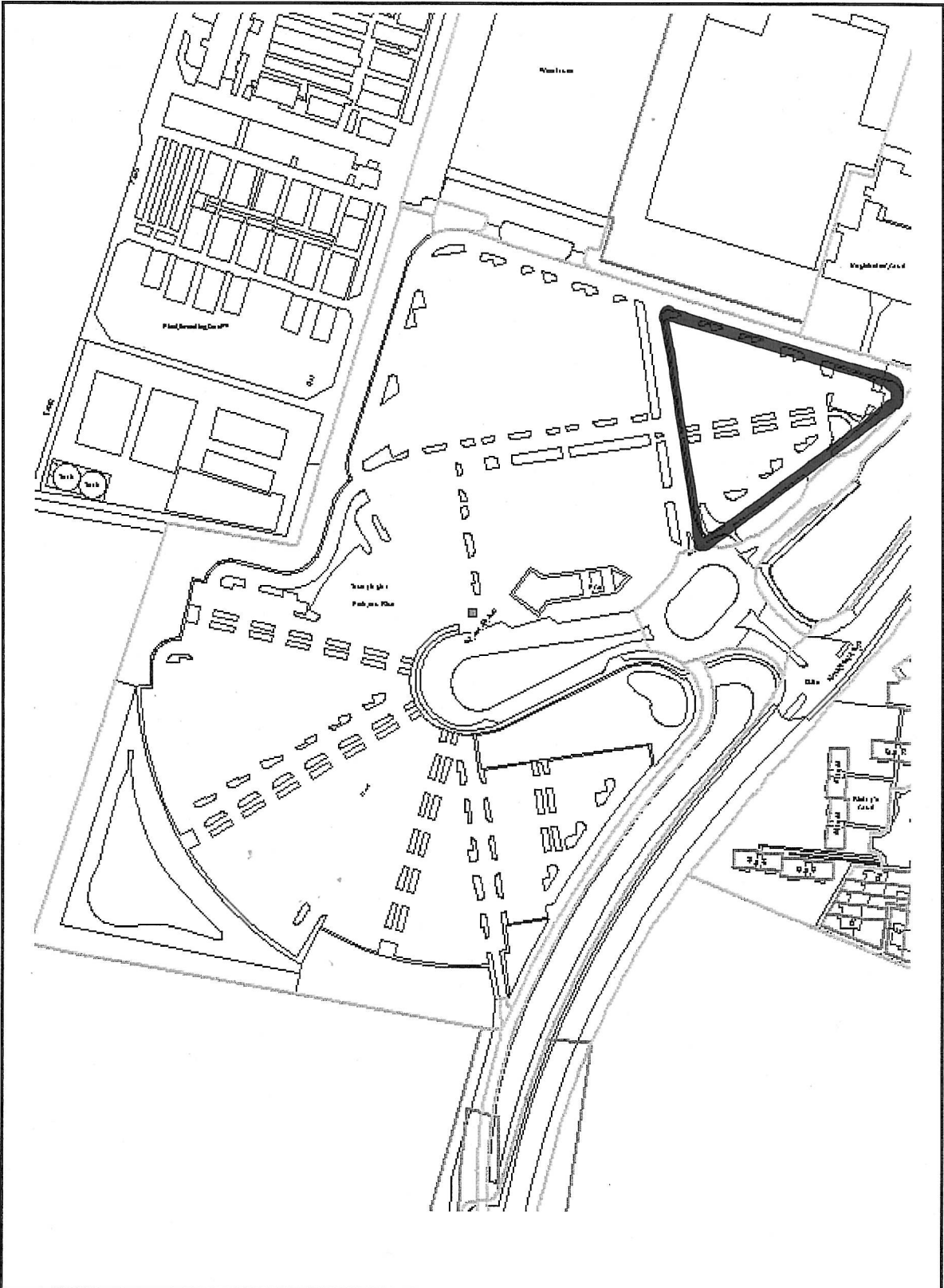
We trust that these comments are helpful, and would request that we are kept informed of the Council's position on this application. Please contact Claire Morison (0207 896 7938) at this office if you have any queries.

Yours sincerely



*pp*  
**Giulia Bunting**  
for DRIVERS JONAS LLP

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**09/0889/FUL**  
**Trumpington Park And Ride Site Hauxton Road Cambridge**  
**Cambridgeshire**