

Application Number	14/1549/FUL	Agenda Item	
Date Received	4th October 2014	Officer	Elizabeth Thomas
Target Date	29th November 2014		
Ward	Abbey		
Site	15 Swann's Road Cambridge CB5 8JZ		
Proposal	Retrospective full planning application for the retention of the use of the site as a self-storage yard with the erection of eleven containers plus associated entrance gates from Swann's Road.		
Applicant	Mr Michael Conway 32 Byron Hill Road Harrow London HA2 0HY United Kingdom		

SUMMARY	<p>The development accords with the Development Plan for the following reasons:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The site is a sustainable and suitable location for storage use (B8 use class) <input type="checkbox"/> The development would not give rise to any significant detrimental impact on neighbour amenity.
RECOMMENDATION	APPROVAL with conditions

1.0 SITE DESCRIPTION/AREA CONTEXT

1.1 The application site is situated to the north of the area of land known as 15 Swann's Road (Ref: SWNRD-L000 OS Map) between a protected industrial site for B1(c), B2 and B8 use classes and the main London to King's Lynn railway line which runs north/south and adjacent to the application site on the east side. 15 Swann's Road is divided into various uses (with various occupiers) including car hire, scrap yard and metal recycling. On the far side of the main railway line are four dwellings, screened from the railway line by trees and shrubs.

- 1.2 The site is within Flood Zone 2
- 1.3 The site is not in a conservation area, but the boundary of the Riverside and Stourbridge Common section of Central conservation area runs along northern edge of site and down the far side of the railway tracks to the east. There are no listed buildings on the site, and no protected trees. The Green Belt lies to the north of the site sharing a short common boundary. The Grade I listed Leper Chapel lies approximately 80m away to the east of the railway.

2.0 THE PROPOSAL

- 2.1 A full retrospective planning application for the use of the application site as a self-storage yard with the erection of eleven containers plus associated entrance gates from Swann's Road.
- 2.2 The application is accompanied by the following supporting information:
1. Design and Access Statement
 2. Drawings in relation to the site

3.0 SITE HISTORY (15 Swann's Road)

Reference	Description	Outcome
14/1459/ADV	Installation of one metal framed stand sign.	Application permitted
11/0288/FUL	Change of use to car hire business and erection of ancillary office and wash down canopy/facility on land off Swann's Road.	Application permitted
80/0482	Erection of temporary storage building	Application Permitted
97/0800	Erection of a light industrial building (Class B1(c)) and erection of two general industrial/warehouse distribution buildings (Class B2/B8).	Withdrawn
95/0769		A/C

92/4165	Erection of a non-ferrous metal store (Class B8).	Refused
81/0033	ERECTION OF 2 x 48 SHEET POSTER HOARDINGS (RETROSPECTIVE APPLICATION).	Application permitted
11/0288	Use of land for storing of scrap metal, waste skips and heavy goods vehicles, shearing and baling of scrap metal	Application permitted
11/1533	Change of use to car hire business and erection of ancillary office and wash down canopy/facility on land off Swann's Road.	Part refused part approved
96/0789	Erection of two internally illuminated fascia signs and an internally illuminated double sided monument sign.	Refused
99/0200	Variation of condition 02 of C/0031/81 and condition 07 of C/95/0769/FP which relate to hours of operation on, and the occupation of, the Scrapyard Site and associated storage b	A/C
78/0850	Erection of a light industrial building (Class B1c) and erection of two general industrial warehouse and distribution buildings (Class B2/B8) (outline application).	Application permitted
12/1625	Use of land as builders and demolitions contractors yard	Application withdrawn
80/0445	Use of site for storage of recycling containers and skips, associated vehicle parking (former use, storage of wood).	Application permitted

Use of land for display and sale
of motor vehicles

4.0 PUBLICITY

4.1 Advertisement: No
 Adjoining Owners: Yes
 Site Notice Displayed: No

5.0 POLICY

5.1 Relevant Development Plan Policies

PLAN	POLICY NUMBER
Cambridge Local Plan 2006	3/1 3/4 3/6 3/7 3/11 4/13 4/15 7/2 7/3
Material Considerations – City Wide Guidance	Cambridge and South Cambridgeshire Strategic Flood Risk Assessment (November 2010) Strategic Flood Risk Assessment (2005) Cambridge and Milton Surface Water Management Plan (2011)

5.2 Relevant Central Government Guidance, supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework 2012 National Planning Practice Guidance 2014 Circular 11/95 – The Use of Conditions in Planning Permissions (Annex A)
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5.3 Status of Proposed Submission – Cambridge Local Plan

5.4 Planning applications should be determined in accordance with policies in the adopted Development Plan and advice set out in the NPPF. However, after consideration of adopted plans and the NPPF, policies in emerging plans can also be given some weight when determining applications. For Cambridge, therefore, the emerging revised Local Plan as published for consultation on 19 July 2013 can be taken into account, especially those policies where there are no or limited objections to it. However it is likely, in the vast majority of instances, that the adopted development plan and the NPPF will have considerably more weight than emerging policies in the revised Local Plan.

5.5 For the application considered in this report, the following policies in the emerging Local Plan are of relevance:

32 Flood risk

34 Light pollution control

35 Protection of human health from noise and vibration

41 Protection of business space

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways)

6.1 No significant adverse effect upon the Public Highway should result from this proposal if it gains benefit of Planning Permission.

Environment Health

6.2 As there are no concerns with regards to environmental health considerations, Environmental Health have no objections.

Cambridgeshire Constabulary (Architectural Liaison Officer)

6.3 Crime analysis reveals there have been no crimes recorded for Swann's Road in the past 12 months. The proposal for a self-storage yard in terms of fencing and new gate appear to be fit for purpose in terms of security. No recommendations or specific comment to make.

Environment Agency

The Environment Agency has confirmed the site is within Flood Zone 2 and that the risk of flooding is low. They have no objection to the application subject to suitable conditions.

- 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/OBJECTORS

- 7.1 A representation has been received from Cambridge Storage Ltd which raises matters in relation to floor area, lack of site staffing, traffic and the possibility of the site becoming a distribution hub.

- 7.4 Objections have been received from the occupiers of Station House and Station Lodge, at Barnwell Junction, which concern:

- Noise
- Times of use
- Number of units proposed
- Lighting
- Security
- Site surface
- Residential amenity
- Cumulative impact

- 7.5 The above representations are a summary of the comments that have been received. Full details of the representations can be inspected on the application file.

8.0 ASSESSMENT

Principle of Development

- 8.1 Policy 7/2 of the Cambridge Local Plan 2006 permits development within Class B8(storage) if it is of a limited scale and contributes to local employment opportunities. The proposal meets these criteria. I consider the principle of the development acceptable; there are no other policy grounds for refusal. The proposed retrospective development would

integrate well with surrounding uses, satisfying policies 3/1, 3/4, 3/6, 3/7 and 3/11.

Residential Amenity

- 8.2 I do not consider there to be any detrimental impact on the visual amenity of those living nearby. The application site has barriers running along the railway line. On the other side of the railway line (the residential side) there are standard wooden fence panels above one metre. The containers on the application site are single storey. They are visible from trains and partially from those residential properties which are directly opposite the site through the trees and shrubs, but having assessed the site I do not consider that the impact is significant.
- 8.3 Representations raise particular concerns about noise. Having considered them carefully, I am of the opinion that noise arising from the proposed use is likely to be limited. Visits to the site by customers are not likely to be frequent, and the noise associated with a visit (movement on gravel, engine noise, opening and closing the container, movement of objects into and out of the container, talking) will be at a relatively low volume. Additionally noise and light diminishes at a distance when perceived from across the railway line, and would also be partially masked by the tree/shrub belt and the fence on the residential side of the railway line. I have considered the cumulative impact of the potential noise created by this proposal in the context of and together with the other activities at 15 Swann's Road and I do not consider the overall noise levels will have a significant adverse impact either on the neighbours' amenity or on the environment.
- 8.4 However, I recommend conditions that will control the hours of use on the application site (6am to 6pm), the number of containers, and the height and position of the containers, and require a site management plan. These conditions would address the concerns raised about 24-hour use, increases in the number of containers, and wind-blown rubbish.
- 8.5 Representations also express concerns that large articulated vehicles will use the site. In my view the limit on the number of containers (conditioned) makes this unlikely, and I do not consider that there is any need to add conditions limiting the size of vehicles accessing the site.

- 8.6 The Architectural Liaison Officer has confirmed no crimes have been recorded for Swann's Road in the past 12 months. The agent has also confirmed that CCTV will be installed, which will act as a deterrent to crime.
- 8.7 In my opinion the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with and Cambridge Local Plan (2006) policies 3/4 and 3/7

Third party comments

- 8.8 I have dealt with the majority of the third party comments above in paragraphs 8.3 to 8.7. The matters raised with regard to noise, times of use, number of units proposed, lighting, security, surface and residential amenity have been addressed in the residential amenity section of this report and via recommended conditions.
- 8.9 A representation has been received from Cambridge Storage Ltd raising concerns about some detail in the submitted application form. I address each matter in turn.
- 8.10 The applicant has provided information that the total application site area is 2253.0 sqm and that the containers are approximately 6 metres in length and approx. 2.4 metres in width. There is sufficient spacing surrounding the 11 containers for movement. A condition will ensure the containers will not increase in quantity or height. The applicant's agent has confirmed there are currently 12 containers on site. If the applicant wishes to retain the twelfth container, a new planning application will be required. I have considered the application as submitted, which is for 11 containers I have recommended a condition to limit the number to 11. Any proposal for future containers will require an application under section 73 to vary this condition.
- 8.11 The disposal of rubbish is a matter for the occupiers/owners of the site, which is the same for any other development site. I have recommended a condition requiring a management plan, which in my view is a sufficient safeguard on this issue. Were rubbish on the site to become a public health concern (which I consider unlikely, given the condition I have recommended) this would be a matter for the environmental health department.

- 8.12 I have considered the objections neighbours have raised regarding the nature of development within the area of the site in relation to noise and its cumulative impact on residential amenity.
- 8.13 I have also considered the cumulative impacts of other uses within the vicinity of the application site including the existing scrap yard and existing car hire businesses during my site visit and my assessment of the application in detail. It is considered appropriate for this application to be approved subject to conditions because in my view the frequency of visits to the site by customers is likely to be low, and the noise created by each customer is also likely to be low, therefore the cumulative impact, even considering existing noise from adjacent sites and the railway line is not likely to be significant enough to require refusal.
- 8.14 I noted during my site visit that the proposed development site is situated adjacent to the existing railway line (east) and the scrap yard is south west of the site. Representations suggest the site should be used as a buffer for residential amenity. Such a buffer is not suggested, and I can only consider the application before me. Moreover, guidance in the National Planning Policy Framework suggests that proposals for sustainable development that accord with the development plan should be approved without delay when there are no adverse impacts of doing so. In my view, notwithstanding representations made, there are no features of the proposal which render it unsustainable, and therefore, the presumption in favour of sustainable development should apply in this instance.
- 8.15 An Environmental Impact Assessment (EIA) screening opinion was undertaken at the beginning of this application and it was concluded that no EIA was required as the application is not likely to have significant impacts on the environment. The application site does not propose any of the development descriptions stated in schedule 1 or 2 of The Town and Country Planning (Environmental Impact Assessment) EIA Regulations 2011. Notwithstanding this, a careful assessment has been made of the possibility of significant environmental impacts from the development, including physical changes in the locality, use of natural resources, noise, contamination, impact on the Green Belt and the conservation area, and impact on ecologically

sensitive areas, features of cultural or historic interest, and existing land uses. This is recorded on the EIA screening proforma, which is attached to the case file.

9.0 RECOMMENDATION

- 9.1 For the above mentioned reasons the application complies with national and local policy. In my view neighbour amenity impacts will be limited and I have recommended conditions which will address the issues that might arise. Therefore I recommend the approval of this application.

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 development hereby permitted shall be carried out in accordance with the approved plans as listed on this decision notice.

Reason: In the interests of good planning, for the avoidance of doubt and to facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.

3. Hours of use
The use hereby permitted shall take place only between the hours of 06:00 and 18:00 Monday to Sunday, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard amenity.

4. Number of containers
The development hereby permitted shall only allow up to 11 containers on the application site unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard amenity.

5. Height and position of containers
The height of the containers must remain at single storey unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard amenity.

6. Management Plan
Within 5 months of this permission being granted a management plan must be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include operation and function of the site, refuse arrangements and implementation programme.

Reason: To safeguard amenity of the area and to help assimilate the development into its surroundings better.

7. Groundworks
No intrusive groundwork's whatsoever is permitted without the prior written approval of the Environment Agency and the relevant notification and written approval of the Local Planning Authority.

Reason: To limit and prevent flooding

8. The application, as submitted, does not appear to include any below ground level works, as the site is within a Groundwater Vulnerability Zone, no intrusive groundwork's whatsoever would be permitted without our respective authorities prior written approval. It would be necessary for the applicant to have first submitted an appropriate ground contamination assessment and remediation plan in accordance with the requirements of NPPF 121.

Reason: In the interest of flood risk prevention.

INFORMATIVE: Pollution Prevention Guidance

The applicant is advised that a series of Pollution Prevention Guidance documents has been issued by the Environment Agency and can be found by the following link:
<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>