

Application Number	16/0483/FUL	Agenda Item	
Date Received	17th March 2016	Officer	Michael Hammond
Target Date	16th June 2016		
Ward	Abbey		
Site Proposal	Scrap Yard 15 Swann Road Cambridge CB5 8JZ Part retrospective full planning application for the retention of 25No. storage containers. Proposed installation of a further 34No. storage containers, providing a total of 59 containers.		
Applicant	Mr Michael Conway 32 Byron Hill Road Harrow HA2 0HY		

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 between the Mercers Row 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 different 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. 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 St Mary Magdalene Chapel lies approximately 80m away to the east of the railway line.

The former station platform Building of Local Interest is situated to the east of the site on the other side of the railway line.

The site falls within a Protected Industrial Site.

The Stourbridge Common Site of Local Nature Conservation Importance, City Wildlife Site and Local Nature Reserve are situated to the north of the application site.

The Barnwell Pastures City Wildlife Site and Site of Local Nature Conservation Importance are situated to the east of the site on the other side of the railway line.

2.0 THE PROPOSAL

2.1 The proposal, as amended, seeks part retrospective planning permission for the retention of 25no. storage containers and the proposed installation of a further 34no. storage containers, providing a total of 59 containers.

2.2 Retrospective planning permission was granted under reference 14/1549/FUL at the Planning Committee meeting of 4th March 2015 for the erection of 11no. containers.

2.3 Following the approval of the above permission, 25no. storage containers were installed on the site which is more than was permitted under the previous permission.

2.4 This current application seeks to regularise the existing 25no. storage containers on-site, while also proposing an additional 34no. storage containers, bringing the total number of containers up to 59no. One of the containers, no.16 on drawing no.SWNRD-P401 Rev A, would be used as the management unit.

2.5 The storage containers would all measure approximately 2.6m high and 2.35m wide, in keeping with the existing storage containers on-site. There would be some variation in the length of the containers, with some measuring 6m long and other measuring just over 12m long. The existing containers are predominantly painted blue with the exception of one green

container. One of the storage containers would be used as a management office.

2.6 The application has been amended to include a 2.5m high acoustic fence along part of the eastern boundary.

2.7 The application is accompanied by the following supporting information:

1. Design and Access Statement
2. Transport Statement
3. Phase 1 Habitat and Ecology Scoping Report
4. Drawings

3.0 SITE HISTORY

Reference	Description	Outcome
16/0150/S73	Section 73 application to vary condition 3 - to increase the opening hours from 06:00-18.00 Monday - Sunday to 06:00-21.00 Monday to Sunday; and condition 4 to increase the number of containers on site from 11 to 59 containers.	Withdrawn.
14/1549/FUL	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.	Permitted.
12/1625/FUL	Use of site for storage of recycling containers and skips, associated vehicle parking (former use, storage of wood).	Withdrawn
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.	Permitted
C/99/0200	Erection of a light industrial building (Class B1c) and erection of two general industrial	Permitted.

	warehouse and distribution buildings (Class B2/B8) (outline application).	
C/96/0789	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 building	Refused.
C/81/0033	Use of land for storing of scrap metal, waste skips and heavy goods vehicles, shearing and baling of scrap metal	Permitted.

4.0 PUBLICITY

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

5.0 POLICY

5.1 See Appendix 1 for full details of Central Government Guidance, Cambridge Local Plan 2006 policies, Supplementary Planning Documents and Material Considerations.

5.2 Relevant Development Plan policies

PLAN		POLICY NUMBER
Cambridge Plan 2006	Local	3/1 3/4 3/7 3/11 4/1 4/6 4/7 4/10 4/11 4/12 4/13 4/15 7/2 7/3 8/1 8/2 8/6 8/10 8/16

5.3 Relevant Central Government Guidance, Supplementary Planning Documents and Material Considerations

Central Government Guidance	National Planning Policy Framework March 2012 National Planning Policy Framework – Planning Practice Guidance March 2014 Circular 11/95
Supplementary Planning Guidance	Sustainable Design and Construction (May 2007)
Material Considerations	<u>City Wide Guidance</u> Cambridge and Milton Surface Water Management Plan (2011) Buildings of Local Interest (2005)
	<u>Area Guidelines</u> Riverside and Stourbridge Common Conservation Area Appraisal (2012)

5.4 Status of Proposed Submission – Cambridge Local Plan

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.

For the application considered in this report, there are no policies in the emerging Local Plan that should be taken into account.

6.0 CONSULTATIONS

Cambridgeshire County Council (Highways Development Management)

- 6.1 The Highway Authority does not consider that this application will have any significant adverse impact upon the operation of the highway network.

Environmental Health

- 6.2 No objection, subject to hours of use and lighting condition. Temporary permission of one year recommended.

Noise

- 6.3 In principle, I do not object to the extension of hours during the working week or increase in the number of containers on the site. However, I do not agree with the proposed extension in hours of use to 06:00 – 21:00, 7 days a week and in particular over the weekend period and similar when nearby residents can reasonably expect a higher level of amenity. It is recommended that the use shall take place only between the hours of 06:00 and 21.00 Monday to Friday and 06:00 and 18:00 on Saturdays, Sundays and Public/Bank Holidays.
- 6.4 I note from Section 7 of the Design and Access Statement (prepared by Drawing and Planning, dated March 2015) that noise is considered to be low and will not impact on the nearest residents nearby due to distance and screening. However, we have not been provided with any noise impact assessment, data or detail to back this up. It is also noted that reference is made to only cars entering and using the site. It is stated that at any time it is estimated there would be no more than 4/5 cars at the site. These figures are apparently based on an average by comparison with other self-storage operators who have much larger sites (circa 3 acres) and have reported less than 10 cars visiting the site per day. The applicant / agent reasonably expect no more than 10 cars per day.
- 6.5 We have had noise problems from activities / uses on Swann Road in the past. Therefore, it is not unforeseeable that the extended hours of operation (combined with intensification of

use) will cause an increase in local noise impacts. Noise concerns relate particularly to vehicles entering and leaving the site and through impact noise associated with loading/unloading (bangs, clanks, for example). We are also concerned that there are no proposals or controls in place to restrict and to prevent larger noisier vehicles entering the site.

Lighting

- 6.6 Since the submission of the S.73 application (16/0150/S73) in March 2016, it has come to my attention that the site is lit with powerful security lighting. The applicant will need to confirm if the security lighting is to be intensified along with the proposed intensification of use. If there is to be an intensification of the security lighting, we will need to see details of the additional lighting to be installed, the forecast vertical and horizontal lux levels and the design/management of the additional lighting to minimise/mitigate any potential impact on local amenity. This can be conditioned.

Nature Conservation Projects Officer

Original Comments (06/04/2016)

- 6.7 The site is adjacent to Stourbridge Common Local Nature Reserve and several City Wildlife Sites that form a continuous green space, linking The River Cam to Coldham's Common. These sites are known to support populations of amphibians and reptiles, which could be present within the application boundary. A Phase 1 and protected species scoping survey is requested to ensure the proposals would not result in death or injury of these species. Should suitable habitat be present it may be possible to relocate features within the site to retain and hopefully enhance populations where appropriate.
- 6.8 The Protected Species scoping surveys should also consider existing external lighting provision and the potential to disturb foraging and commuting bats. If the requested extension of operating hours requires additional lighting, then a lighting plan that limits spill onto adjacent habitats and designated sites should be requested.

Second Comments following submission of protected species scoping survey (17/05/2016)

- 6.9 The proposed development is acceptable, subject to nesting birds informative.

Urban Design and Conservation Team

- 6.10 The proposed development is acceptable.

Cambridgeshire Constabulary (Architectural Liaison Officer)

- 6.11 No objection.

Network Rail

- 6.12 After reviewing the information provided in relation to the above planning application, Network Rail can confirm that the proposed site is subject to a number of restrictive covenants that the applicant should be made aware of.

Cambridgeshire County Council (Flood and Water Management)

- 6.13 The proposals detailed in the Design and Access Statement dated March 2015 do not state any increase in impermeable area, therefore the flood risk on and off the site should not be affected as a result of the proposed development. We therefore support the application.

Head of Streets and Open Spaces (Sustainable Drainage Officer)

Original Comments (22/04/2016)

- 6.14 Confirmation that the proposals do not involve any surfacing, paving, foundations or changes to the existing site beyond the placement of the containers.

Second Comments (28/04/2016)

- 6.15 The application is supported.

Cambridge Water

- 6.16 No response received. To be reported on amendment sheet if any comments made.

Anglian Water

- 6.17 No response received. To be reported on amendment sheet if any comments made.

Environment Agency

- 6.18 No response received. To be reported on amendment sheet if any comments made.

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:

- John Banks Ltd, 13 Swanns Road
- Barnwell Junction
- Cambridge Storage, 15 - 16 Mercers Row
- Station Lodge, Barnwell Junction
- Station House, Barnwell Junction

- 7.2 The representations can be summarised as follows:

Residential Amenity (privacy, noise, lighting etc.)

- Increase in traffic movements.
- Increased use of floodlights from intensification and increase in hours of use.
- Traffic noise pollution from increases in comings and goings.
- Noise pollution from use of premises.
- Loss of privacy from existing and proposed vehicles visiting the storage units.
- Noise disturbance from alarms of units.
- Dust pollution from users of access road in dry weather.
- Environmental Impact Assessment required.

- The acoustic screen does not address the noise disturbance, lighting nuisance or privacy concerns raised.

Highway Safety

- Increase in risk to highway safety

Other

- Increased likelihood of double stacking which would be an eyesore and encourage graffiti.
- A recent High Court judgement was made in respect of this area and it was decided that the existing use of the track-side property including the NMR metal recycling plant was almost at the point of being unsustainable in this location. It was stated that further development would tip the scales. This proposed development may tip the balance.
- A limit on the crane operating hours and opening times of the scrap metal yard was imposed by the High Court.
- The developer has had disregard to the original planning permission.
- The trees and dense foliage referred to in the design and access statement has since been removed by the railway.
- Signs have been erected at the entrance to the storage yard without planning permission and are misleading in that they advertise 24/7 hours.
- Large vans, lorries and trailers have accessed the site, contrary to the application documentation.
- The volume of vehicles has far exceeded that stated in the Transport Statement.
- The large containers could be sub-divided in the future.
- The drawings imply that the ground level is the same as the railway line which is not correct.

7.3 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

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 (and impact on heritage assets)
3. Renewable energy and sustainability
4. Residential amenity
5. Ecology and flooding
6. Refuse arrangements
7. Highway safety
8. Car and cycle parking
9. Third party representations

Principle of Development

- 8.2 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 Local Plan defines limited scale as 1,850 square metres or below of floorspace. The combined floorspace of the containers would fall below this threshold and thus meets these criteria. I consider the principle of the development acceptable; there are no other policy grounds for refusal.

Context of site, design and external spaces (and impact on heritage assets)

- 8.3 The application site is not highly visible from the street scene by virtue of its position over 100m to the north of the Newmarket Road Bridge. The site is however visible from the railway line immediately to the east. The application site is also visible from the Conservation Area along Barnwell Junction to the east.
- 8.4 Part of the site is currently occupied by containers with the remainder of the site formed of basic gravel hard standing. The containers, at 2.6m in height, are of a scale that would appear prominent or dominant when viewed from the surrounding area. Although the number of containers on-site would increase significantly, I am of the opinion that this would not have a detrimental impact on the character and appearance of the adjacent Conservation Area. There is a clear barrier between the industrial nature of the application site and the residential and open character of the Conservation Area, which is formed by the railway line. In the context of the site, the containers would also read as being relatively subservient when viewed against the backdrop of the larger green barrier wall of the

recycling plant immediately to the west. The containers would also be predominantly screened by an acoustic fence from this view. The Urban Design and Conservation Team have raised no objection to the application and I agree with this advice. I consider the proposal would not detract from the character and appearance of the adjacent Conservation Area.

8.5 The special interest of the former station platform BLI to the east would not in my view be negatively impacted by the intensification of the storage containers, as the containers would be separated from this BLI by the railway line and are relatively low in height. The Grade I listed Chapel of St Mary Magdalene is situated a significant distance to the south-east of the application site and the views of this building would not be adversely affected by the retained and additional storage containers. I am of the opinion that the setting and historic interest of the listed building and BLI would not be detrimentally affected by the proposal.

8.6 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 3/11, 4/10, 4/11 and 4/12.

Renewable energy and sustainability

8.7 The proposed development would exceed the threshold required under Policy 8/16 of the Cambridge Local Plan (2006) to provide at least 10% of the development's total predicted energy requirements on-site from renewable energy sources. This policy also states that these requirements may be relaxed if it can be clearly demonstrated that to require the full compliance would not be viable. As the use of the site for storage containers would only involve very low levels of energy consumption by virtue of its storage function, I do not consider it reasonable in this instance for the development to meet this requirement.

Residential Amenity

Impact on other commercial units on the industrial site.

8.8 Concerns have been raised from two occupiers of units in the industrial site regarding the increase in vehicular movements the proposed intensification of the site would cause, as well as the proposed increase in opening hours.

- 8.9 The hours of use related to this permission and the site history are listed in the below table:

Hours of Use

Application/ Consultee	Monday – Friday hours	Saturday and Sunday	Public/ Bank Holidays
Previous Permission (14/1549/FUL)	06:00hrs – 18:00hrs	06:00hrs – 18:00hrs	None
Applicant proposed (16/0483/FUL)	06:00hrs – 21:00hrs	06:00hrs – 21:00hrs	06:00hrs – 21:00hrs
Environmental Health recommended (16/0483/FUL)	06:00hrs – 21:00hrs	06:00hrs – 18:00hrs	06:00hrs – 18:00hrs

- 8.10 The Environmental Health Team, as detailed above, has recommended that the hours of use be restricted on weekends compared with that proposed by the applicant. I agree with the hours of use recommended by the Environmental Health Team.
- 8.11 The proposed increase in containers would inevitably increase the number of vehicle movements to and from the site. The site is accessed off a side road from Swann's Road close to the entrance to the industrial estate from Newmarket Road. Vehicles would be parked on-site outside of each of the respective containers and the Transport Statement explains that there would likely be no more than 4/5 vehicles at the site at any one time and only approximately 10 cars per day. It is also explained that no large articulated vehicles are predicted to access the site which is dictated by the size of the site and opening hours. Users of the site are not required to drive into the main industrial area of the protected industrial site. Vehicle movements are predicted to be low and there is on-site parking available. In conclusion, I do not anticipate that the proposal would have an adverse impact on nearby users of the industrial estate in terms of vehicle movements or on-street parking.

Impact on Barnwell Junction properties

- 8.12 There are three residential properties to the east of the application site along Barnwell Junction. Barnwell Junction is a former station which is no longer in use although there are remnants of its former use, notably the former station platform BLI and the redundant train tracks which run through the garden. Objections have been received from three properties with concerns regarding noise pollution, light pollution and loss of privacy.
- 8.13 The physical mass of the proposed containers and the acoustic fence, would not in my view result in any loss of light or visually dominate neighbouring properties given the size of the proposed works and the separation distance of over 20m.

Impacts from site lighting

- 8.14 There is at present security lighting on-site which has been raised as an existing nuisance by neighbouring properties. This security lighting was not included as part of the previous permission (14/1549/FUL) nor have any details been provided in relation to this under the current application. The agent has stated that no additional lighting is proposed as part of this application. Notwithstanding this, in respect of the retrospective nature of this application, coupled with the proposed intensification and increase in hours of use of the site, this does lead me to believe that the Local Planning Authority needs to be certain of the impact that this artificial security lighting has on neighbouring amenity. The Environmental Health Team has recommended a lighting condition to control this and I agree with this in principle. However, in respect of the retrospective status of the use, I have recommended that this information is submitted to the Local Planning Authority within 3 months of the date of the decision being issued, as opposed to the prior to the commencement timescale recommended by the Environmental Health Team. Therefore, although it is appreciated that the extension of the hours of use would likely increase the use of these security lights, provided that the details of this artificial lighting meet the recommended national standards the proposal would be acceptable from a light pollution perspective.

Impacts on privacy

- 8.15 Concerns have been raised in relation to the loss of privacy that the use of the site causes, and the subsequent exacerbation that would occur if the use is intensified. The actual site of the containers would be shielded behind a 2.6m high acoustic screen which would prevent users of the site from looking out directly towards the properties to the east. The access road is not and would not under these proposals be bordered by any kind of fencing or other boundary treatments. Nevertheless, this access road is set approximately 20m from the outdoor amenity space of the nearest property and so there is a reasonable separation distance. The access road would only likely be used by passing vehicles and not by people walking around the site meaning that there would only be very rare instances of people physically looking out towards these residential properties. The perception of overlooking may be experienced at the nearest of these properties as a result of comings and goings, but, given the separation distance and predicted low vehicle movements, I am of the opinion that this would not be significant enough an impact to warrant refusal of the application.

Impacts of noise and disturbance

- 8.16 Objections have been raised regarding the noise disturbance that is both currently and potentially experienced as a result of the use of the site and its proposed increase in containers. As previously stated, the hours of use are proposed to be increased under this application. Visits to the site by customers are anticipated to be low at 10 times throughout any given day, 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. It is predicted that there will not be more than five customers on-site at any one time and that large goods vehicles will not be accessing the site. Additionally noise and light diminishes at a distance when perceived from across the railway line, and would also be partially masked by the acoustic fence. Neighbours have made reference to the history of the surrounding site and neighbouring uses in terms of a previous high court judgment relating to noise pollution. Although it is accepted, in accordance with the high court judgment, that the site is relatively sensitive in terms of noise disturbance, I do not consider this previous judgment prejudices

the retrospective or proposed developments. Again, the number of trips and the nature of the use of the site would be minimal when compared to the surrounding uses which have higher noise implications associated with their use (i.e. machinery, unloading of scrap metal, plant etc.). In my opinion, with the imposition of conditions related to; hours of use, management of the site, restrictions on vehicle size and number of containers, the noise disturbance would be contained to a level that would not adversely impact on residential amenity to such an extent as to warrant refusal of the application.

8.17 The Environmental Health Team has recommended that, in the event of permission being granted, the development is approved on the basis of a one year temporary permission. I do not agree with this recommendation. I consider, subject to meeting conditions, that there is sufficient evidence to make an informed decision that the retrospective and proposed works, do not currently, and would not harm the amenity of neighbouring properties. Paragraph 206 of the NPPF (2012), states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. In respect of the existing and proposed use of the site and associated operations, I do not believe the imposition of this condition to be necessary in this instance.

8.18 In my opinion, subject to conditions, the proposal adequately respects the residential amenity of its neighbours and the constraints of the site and I consider that it is compliant with Cambridge Local Plan (2006) policies 3/4, 3/7, 4/13 and 4/15.

Ecology

8.19 The Barnwell Junction Pastures City Wildlife Site and Site of Local Nature Conservation Importance are situated to the east of the application site beyond the railway line. The Stourbridge Common City Wildlife Site, Site of Local Nature Conservation Importance and Local Nature Reserve are situated to the north of the application site. The Nature Conservation Projects Officer requested a phase 1 protected species scoping survey to ensure the proposals would not result in death or injury of amphibian and reptile species. This survey was produced by the applicant with the findings demonstrating that subject to

recommendations regarding nesting birds, foxes and bats are adhered to, there are unlikely to be any significant ecological constraints to the proposal. The Nature Conservation Projects Officer has assessed this survey and is supportive of its findings, subject to an informative regarding nesting birds. I agree with this advice and consider the proposal acceptable from this perspective.

- 8.20 The application site is situated partially within flood zone 2. The applicant has confirmed that the existing surfacing of the site supports a permeable hard standing surface, made up of a crushed gravel place to allow surface water to drain to the sub-soil. The Lead Local Flood Authority and Sustainable Drainage Officer are both supportive of the proposed works and I agree with this advice.
- 8.21 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 4/6, 4/7 and 4/13.

Refuse Arrangements

- 8.22 The proposal does not include any details of refuse arrangements. In my view the proposed use would not likely lead to significant levels of waste by virtue of its function and details of refuse arrangements could be secured as part of a management plan condition.
- 8.23 In my opinion, subject to condition, the proposal is compliant with Cambridge Local Plan (2006) policy 4/13.

Highway Safety

- 8.24 The Highway Authority has not raised an objection to the proposal. A concern has been raised from a third party regarding the threat to highway safety as a result of the increase in comings and goings. However, the predicted trip generation is not anticipated to be significant and the access onto the site is already in use and deemed safe by the Highway Authority. As a result, I am not persuaded that the proposal represents a threat to highway safety.
- 8.25 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policy 8/2.

Car and Cycle Parking

- 8.26 Car parking is provided on an informal basis under this application, whereby customers park outside their storage container and unload or pickup items. There is no dedicated car parking and in respect of the functionality of the site, I do not deem this necessary in this instance.
- 8.27 No dedicated cycle parking is provided under this application. I do not consider the proposal would result in a significant increase in cycle parking demand or trip generations given the type of use, for example transporting items for storage, makes the site dependent on private car as the predominant mode of transport and it is very unlikely that cycle trips to the site would occur. As a result, I do not consider dedicated secure cycle parking facilities to be necessary in this instance.
- 8.28 In my opinion the proposal is compliant with Cambridge Local Plan (2006) policies 8/6 and 8/10.

Third Party Representations

- 8.29 The third party representations have been addressed in the table below:

Comment	Response
Increase in traffic movements.	See paragraphs 8.12, 8.17 and 8.25
Increase in risk to highway safety	See paragraph 8.25
Increased use of floodlights from intensification and increase in hours of use.	See paragraph 8.15
Traffic noise pollution from increases in comings and goings.	See paragraphs 8.12 and 8.17
Noise pollution from use of premises.	See paragraphs 8.11, 8.12 and 8.17
Increased likelihood of double stacking which would be an eyesore and encourage graffiti.	The proposal does not include plans to double stack any containers. Graffiti is a matter for the police and is not a planning consideration.

<p>A recent High Court judgement was made in respect of this area and it was decided that the existing use of the track-side property including the NMR metal recycling plant was almost at the point of being unsustainable in this location. It was stated that further development would tip the scales. This proposed development may tip the balance.</p>	<p>See paragraph 8.17</p>
<p>A limit on the crane operating hours and opening times of the scrap metal yard was imposed by the High Court.</p>	<p>See paragraph 8.17. The operation and opening of times of the adjacent scrap metal yard is not considered to prejudice the proposed hours of the storage use. The noise associated with the operations of the scrap metal yard (crane use, machinery, unloading and movement of scrap metal) is considered to be of a higher noise level than that of this application (i.e. vehicle movements, opening and closing of storage containers, opening of gate).</p>
<p>Loss of privacy from existing and proposed vehicles visiting the storage units.</p>	<p>See paragraph 8.16</p>
<p>The developer has had disregard to the original planning permission.</p>	<p>The use of the site at present is a breach of planning control. The purpose of this retrospective application is to regularise the proposal and for the local planning authority to determine whether the proposal is in accordance with local plan policies. The application has been assessed in the same manner as any other planning application and the retrospective nature does not alter the way that the application is determined.</p>

<p>The trees and dense foliage referred to in the design and access statement has since been removed by the railway.</p>	<p>The removal of this foliage has been taken into account in the assessment of this application.</p>
<p>Noise disturbance from alarms of units.</p>	<p>The applicant has explained that no alarm systems would be installed. This can be secured in a management plan.</p>
<p>Signs have been erected at the entrance to the storage yard without planning permission and are misleading in that they advertise 24/7 hours.</p>	<p>The display of advertisements in subject has separate legislation and these signs are under investigation by Planning Enforcement Officers. The advertisement regulations do not allow the detailed wording of adverts to be controlled.</p>
<p>Dust pollution from users of access road in dry weather.</p>	<p>The Environmental Health Team has not raised this as an issue. I do not consider the likely dust associated with the movement of vehicles along this access road would be so great as to harm occupiers of commercial units.</p>
<p>Large vans, lorries and trailers have accessed the site, contrary to the application documentation.</p>	<p>A condition has been recommended to control the size of vehicles.</p>
<p>The volume of vehicles has far exceeded that stated in the Transport Statement.</p>	<p>The Local Planning Authority considers the likely predicted vehicle volumes to be low given the opening hours against the numbers of containers on-site. It would not be reasonable to impose a condition to control the number of vehicles.</p>

Environmental Assessment required.	Impact	A screening opinion has been prepared. The use of the site does not fall within Schedule 1 or 2 development under the Town and Country Planning (Environmental Impact Assessment) EIA Regulations 2011 (as amended), and therefore an Environmental Impact Assessment is not required.
The large containers could be sub-divided in the future.		A condition has been recommended to control the number of containers.
The acoustic screen does not address the noise disturbance, lighting nuisance or privacy concerns raised.		In my view the screen will assist in mitigating the impact of the use in terms of noise, lighting and privacy but will be visible from the neighbouring property.
The drawings imply that the ground level is the same as the railway line which is not correct.		The railway line ground level is lower than that of the application site and this has been taken into consideration in the assessment of this application.

9.0 CONCLUSION

9.1 In my opinion, I consider the proposal respects the character and context of the immediate area, as well as the setting and special interest of the adjacent Conservation Area, BLI and Listed Building. Also, subject to the imposition of several conditions, the existing and proposed use of the site does not and would not adversely impact on the amenity of adjacent industrial users or nearby residential properties. The proposal is compliant with the relevant national and local planning policies.

10.0 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 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. The use hereby permitted shall take place only between the hours of 06:00hrs and 21:00hrs Monday - Friday and 06:00hrs and 18:00hrs on Saturdays, Sunday and Public/ Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: to safeguard amenity in accordance with the Cambridge Local Plan (2006) Policies 3/4, 3/7 and 4/13.

4. Within 3 months of this permission being granted an artificial lighting scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of any artificial lighting of the site and an artificial lighting impact assessment with predicted lighting levels at the nearest light sensitive receptor shall be undertaken. Artificial lighting on and off site must meet the Obtrusive Light Limitations for Exterior Lighting Installations contained within the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light - GN01:2011. The approved lighting scheme shall be installed, retained and operated in accordance with the approved details and measures.

Reason: In the interests of visual amenity and to ensure that the development will not result in unacceptable light pollution (Cambridge Local Plan 2006 policies 3/11, 4/13 and 4/15).

5. A maximum of 59 containers shall be accommodated on the application site including the site office.

Reason: To safeguard amenity of adjacent occupiers in accordance with the Cambridge Local Plan (2006) Policies 3/4, 3/6, 3/7, 3/11 and 4/13.

6. 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 in accordance with the Cambridge Local Plan (2006) Policies 3/4, 3/6, 3/7, 4/13 and 4/15.

7. The Maximum Authorised Mass (MAM) of any vehicle accessing the site shall not exceed 3,500kg.

Reason: To safeguard amenity of adjacent occupiers in accordance with the Cambridge Local Plan (2006) Policies 3/4, 3/6, 3/7, 3/11 and 4/13.

INFORMATIVE: All wild birds (including both eggs and nests) are protected by law. Some species have additional protection when nesting. Any demolition, clearance of trees or scrub should be completed outside of the bird breeding period of 31st March - 1st August, or immediately following confirmation by a suitably qualified ecologist that nesting birds and their dependent young are absent from the area in question.