OFFICER REPORT

Case No: 25/00020/FUL **Full Planning Application**

Proposal: **Demolition of existing building (retrospective) and erection of new building for uses within Use Classes E(g), B2 and B8**

Location: **Plot 1 And 2 Land At Former Mushroom Farm Site Broadway**

Applicant:

Grid Ref: **519461 293337**

DESCRIPTION OF SITE AND APPLICATION

This application seeks approval for the demolition of an existing building (retrospective) and erection of a new building for uses within Use Classes E(g), B2 and B8 at Enterprise Park, Yaxley. The application site lies to the east of Yaxley on the south side of Broadway and comprises the north-eastern remaining part of the former mushroom farm site which has been redeveloped as an industrial estate (plot 1 and 2).

Planning permission was previously granted for the conversion of the existing Building (described as Building G) for conversion to an office building, along with the erection of 6 new buildings for uses within Use Classes E, B2 and B8, and the erection of 1 new building for hot food takeaway under reference 24/01036/FUL.

However, the accompanying Planning, Design and Access Statement confirms that the requirement for additional landscaping along the site frontage to Broadway meant that car parking spaces were removed from that part of the scheme such that the conversion of the building became financially unviable. The frame of the building that was being retained to facilitate the conversion has now been demolished. For this reason, the demolition part of the application is retrospective.

It is now proposed to provide a single industrial building containing 2 units each measuring 113m2, as part of the wider plot 1 development. The building will back onto the northeast boundary of the site and will be accessed from the approved loop road which leads off the main spine road from Broadway into the wider Enterprise Park site.

Officers have scrutinised the plans and have familiarised themselves with the site and surrounding area.

NATIONAL GUIDANCE

The National Planning Policy Framework (NPPF 2024) sets out the three objectives - economic, social and environmental - of the planning system to contribute to the achievement of sustainable development. The NPPF 2024 at paragraph 10 provides as follows: 'So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).'

The NPPF 2024 sets out the Government's planning policies for (amongst other things):

* delivering a sufficient supply of homes;

* building a strong, competitive economy;
* achieving well-designed, beautiful and safe places;
* conserving and enhancing the natural, built and historic environment.

Planning Practice Guidance and the National Design Guide 2021 are also relevant and material considerations.

For full details visit the government website: https://www.gov.uk

PLANNING POLICIES

Huntingdonshire's Local Plan to 2036 - adopted May 2019

LP1: Amount of Development
LP2: Strategy for Development
LP3: Green Infrastructure
LP4: Contributing to Infrastructure Delivery
LP5: Flood Risk
LP6: Waste Water Management
LP8: Key Service Centres
LP11: Design Context
LP12: Design Implementation
LP14: Amenity
LP15: Surface Water
LP16: Sustainable Travel
LP17: Parking Provision and Vehicle Movement
LP18: Established Employment Areas
LP21: Town Centre Vitality and Viability
LP29: Health Impact Assessment
LP30: Biodiversity and Geodiversity
LP31: Trees, Woodland, Hedges and Hedgerows
LP35: Renewable and Low Carbon Energy
LP36: Air Quality
LP37: Ground Contamination and Groundwater Pollution

Local policies are viewable at https://www.huntingdonshire.gov.uk

Supplementary Planning Documents (SPD) and Guidance:

Huntingdonshire Design Guide Supplementary Planning Document 2017
Developer Contributions SPD 2011
Huntingdonshire Landscape and Townscape SPD (2022)
Huntingdonshire Strategic Flood Risk Assessment (2024)
Cambridgeshire Flood and Water SPD 2017

The National Design Guide (2021)

* C1 - Understand and relate well to the site, its local and wider context
* I1 - Respond to existing local character and identity
* I2 - Well-designed, high quality and attractive
* B2 - Appropriate building types and forms
*M3 - Well-considered parking, servicing and utilities infrastructure for all users
* N3 - Support rich and varied biodiversity
* H1 - Healthy, comfortable and safe internal and external environment
* H2 - Well-related to external amenity and public spaces
* H3 - Attention to detail: storage, waste, servicing and utilities

Local policies are viewable at https://www.huntingdonshire.gov.uk

RELEVANT PLANNING HISTORY

There is extensive planning history for Enterprise Park with the most relevant being:

25/00209/FUL - Erection of building for use as food retail outlet (Use Class E(a) and (b)) - pending consideration

24/02294/NMA - Non-material amendment of 24/01036/FUL to change description of development to read: conversion of existing building to offices, erection of 7 new buildings for uses within Use Classes E, B2 and B8 - Refused.

24/02260/S73 - Variation of Conditions 3 (Drainage Strategy), 4 (Drainage during construction), 5 (Levels), 6 (BNG), 7 (Roof Treatment), 8 (External Lighting), 10 (Cycle Storage), 12 (Landscape) and 17 (Use Class Restriction) to comply with the submitted details and removal of condition 9 (Cycle Ramp) of 24/01036/FUL - Pending Consideration

24/01036/FUL - conversion of the existing Building to offices, erection of 6 new buildings for uses within Use Classes E, B2 and B8, and erection of 1 new building for hot food takeaway (sui generis) - Permission granted on 15 November 2024.

20/01855/FUL - Hybrid application comprising: Outline planning permission for the erection of up to 10,959 square metres of commercial floorspace falling within Use Classes E, B2 and B8. Phased Development. All matters reserved (with the exception of the means of access). Full planning permission for the construction of an access road and for Phase One of the development for up to 6,118 square metres of commercial floorspace falling within Use Classes E, B2 and B8 - Permission granted on 25 October 2021.

CONSULTATIONS

Yaxley Parish Council - Support the application, however, reiterates concerns previously submitted relating to traffic and the impact on Broadway.

Cambridgeshire County Council's Highway Authority - No objection. No significant adverse effect upon the Public Highway should result from the proposal.

Cambridgeshire County Council's Transport Assessment Team - No objections to the Travel Plan submitted.

Huntingdonshire District Council's Environmental Protection Officer - No objections. The reports submitted demonstrate that the site is safe and suitable for its intended use with regard to land contamination and there is no need to include a land contamination condition. Recommend the CEMP approved under permission 24/01036/FUL is used for this proposal.

Huntingdonshire District Council's Urban Design Officer - No objections in design terms following the submission of amended plans.
Cambridgeshire County Council's Archaeology - No objections.

Cambridgeshire County Council Lead Local Flood Authority (LLFA) - Initially objected to the application due to insufficient information being submitted. However, following the submission of further documents they have removed their objection.

The documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving on the parking areas, before discharge into the adjacent

existing surface water sewer within the ownership of the site. Therefore no objections subject to the imposition of a condition.

Huntingdonshire District Council's Economic Development Officer - support the application. The proposed development aligns with key objectives of the Huntingdonshire Economic Growth Strategy.

Cambridgeshire Constabulary - No objection. Recommendations to help reduce any vulnerability to the risk of crime.

Anglian Water - No comments - falls outside the remit.

REPRESENTATIONS

No third party representations were received during the course of the application.

SUMMARY OF ISSUES

When determining planning applications, it is necessary to establish what weight should be given to each plan's policies in order to come to a decision. The following legislation, government policy and guidance outline how this should be done.

As set out within the Planning and Compulsory Purchase Act 2004 (Section 38(6)) and the Town and Country Planning Act 1990 (Section 70(2)) in dealing with planning applications the Local Planning Authority shall have regard to have provisions of the development plan, so far as material to the application, and to any other material considerations. This is reiterated within paragraph 47 of the NPPF (2024). The development plan is defined in Section 38(3)(b) of the 2004 Act as "the development plan documents (taken as a whole) that have been adopted or approved in that area".

In Huntingdonshire the Development Plan consists of:

o Huntingdonshire's Local Plan to 2036 (2019)
o Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021)
o Various Neighbourhood Plans

The statutory term 'material considerations' has been broadly construed to include any consideration relevant in the circumstances which bears on the use or development of the land: Cala Homes (South) Ltd v Secretary of State for Communities and Local Government & Anor [2011] EWHC 97 (Admin); [2011] 1 P. & C.R. 22, per Lindblom J. Whilst accepting that the NPPF does not change the statutory status of the Development Plan, paragraph 2 confirms that it is a material consideration and significant weight is given to this in determining applications.

The main issues to consider are:

- The Principle of Development
- Design and Visual Amenity
- Residential Amenity
- Highway Safety and Parking Provision
- Flood Risk and Surface Water
- Biodiversity
- Other matters

*The Principle of the Development

The site is located within the built-up area of Yaxley, which the adopted Huntingdonshire Local Plan to 2036 identifies as a Key Service Centre (Policy LP8). Whilst the site is not identified as being within an Established Employment Area, it is adjacent to the Eagle Business Park which is identified as an EEA.

Outline permission for the site for the erection of up to 10,959 square metres of commercial floorspace falling within Use Classes E, B2 and B8 was approved on 29th March 2018 with all matters reserved except access. This included full planning permission for the construction of an access road and for Phase One of the development for up to 6,118 square metres of commercial floorspace falling within Use Classes E, B2 and B8.

The principle of commercial development on the site has therefore already been established by the implemented hybrid permission.
Therefore, in regard to this proposal, it is considered to be acceptable on an established Business Park and furthermore the proposal is capable of being integrated into the existing development.

The proposal is therefore considered to be in accordance with Policy LP2, LP18 and LP21 of the adopted Local Plan and the principle of development is therefore acceptable, subject to all other planning matters being addressed.

*Design, Visual Amenity and Impact Upon the Character of the Area

Policy LP11 of the Local Plan states that a proposal will be supported where it is demonstrated that it responds positively to its context. Policy LP12 states that new development will be expected to be well designed and that a proposal will be supported where it can be demonstrated that it contributes positively to the area's character and identity and successfully integrates with adjoining buildings and landscape.

The proposed building is considered to be small in scale with a floorspace of 226 sqm, divided into two equal units. It will be located adjacent to the north-east boundary of the site, in a similar location to the demolished building. The building will therefore line-up with the rear elevation of building A adjacent, allowing additional landscaping on the boundaries of the Enterprise Park, particularly along the Broadway frontage.

The proposed design reflects other buildings in the immediate locality and on the wider business park. The proposed elevation drawings indicate the building would be constructed from cladding panels in moonstone and anthracite, with a profiled roof cladding panels in Goosewing Grey and powder coated windows, doors flashing and guttering in Black. These are considered to be acceptable and in keeping with the adjacent buildings.

A lighting scheme has also been submitted with this application which follows the general themes of lighting that have been provided for the wider Enterprise Park Site.

Policy LP12 requires non-residential uses meet Building Research Establishment Environmental Assessment Method (BREEAM) standards (or successor or equivalent standards) 'Good' as a minimum. A 'Sustainable Design and Construction Method' report has been submitted to demonstrate how the development would achieve this. A condition is recommended to ensure that the development is constructed to meet the required standard.

Overall, the scale, design, appearance and siting of the proposed building is considered to be acceptable and would not result in any detrimental impacts on the character and appearance of the site, the streetscene or the surrounding area. As such, the proposal is deemed to be in accordance with Policies LP11 and LP12 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework in this regard.

*Residential Amenity

Policy LP14 of the Local Plan to 2036 states a proposal will be supported where a high standard of amenity is provided for all users and occupiers of the proposed development and maintained for users and occupiers of neighbouring land and buildings.

Given the small scale of the proposed building and its location within an existing business park with no neighbouring residential properties in close proximity, the Local Planning Authority are satisfied that the proposal would not result in any detrimental impacts on residential amenity. Furthermore, it is not considered that the design or use of the building would adversely impact the amenities of the users of adjacent buildings on the wider Business Park or vice versa.

As such, the proposal is considered to be acceptable with regard to its impact on residential amenity and therefore accords with Policy LP14 of Huntingdonshire's Local Plan to 2036, the Huntingdonshire Design Guide SPD and Section 12 of the National Planning Policy Framework in this regard.

*Highway Safety and Parking Provision

Policies LP16 and LP17 of the Local Plan to 2036 seeks to ensure that new development incorporates appropriate space for vehicle movements, facilitates access for emergency vehicles and service vehicles and incorporates adequate parking for vehicles and cycles.
The proposed building would be accessed directly off the approved loop road which is a one-way loop leading from the spine road serving Enterprise Park which leads off Broadway.

Seven car parking spaces, including two disabled spaces are provided at the front of the building. This represents a parking ratio of 1 space per 32sqm which is similar to other units on Enterprise Park and is considered acceptable. Employee cycle parking is provided within each unit (4 per unit) with cycle parking for visitors also provided in the form of Sheffield stands located in a shelter adjacent to the access to plots 1 and 2.

Cambridgeshire County Council as the Local Highways Authority have reviewed the proposals and have no objection.

As such, the proposal is considered acceptable in terms of its impact on highway safety and therefore accords with Policy LP17 of Huntingdonshire's Local Plan to 2036 and Section 9 of the National Planning Policy Framework in this regard.

*Flood Risk and Surface Water

National guidance and Policy LP5 of the Local Plan to 2036 seek to steer new developments to areas at lowest risk of flooding and advises this should be done through application of the Sequential Test, and if appropriate the Exceptions Test.

The application site is situated in Flood Zone 1 based on the Environment Agency Floods Maps and the Strategic Flood Risk Assessment (2024). The site is also at low risk of surface water and ground water flooding according to the SFRA (2024). As such, the sequential and exception tests are not required.

The LLFA have been consulted on the proposal and have confirmed that the submitted Drainage Strategy documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving on the parking areas, before discharge into the adjacent existing surface water sewer within the ownership of the site, at a maximum rate of 4.0l/s in all storms up to and including the 1% AEP including a 40% allowance for climate change.

Given the small scale of the proposed building and use of the wider sites existing drainage systems, the Local Planning Authority are satisfied that the proposal would not result in any detrimental surface water drainage impacts.

Therefore, subject to conditions the proposal is considered to be acceptable with regard to its impact on both flood risk and surface water and therefore accords with Policies LP5, LP6 and LP15 of Huntingdonshire's Local Plan to 2036 and Section 14 of the National Planning Policy Framework in this regard.

*Biodiversity

Paragraph 187 of the NPPF (2024) states planning policies and decisions should contribute to and enhance the natural and local environment. Policy LP30 of the Local Plan to 2036 requires proposals to demonstrate that all potential adverse impacts on biodiversity and geodiversity have been investigated and ensure no net loss in biodiversity and provide a net gain where possible, through the planned retention, enhancement and creation of habitats and wildlife features, appropriate to the scale, type, and location of development.

The application has been accompanied by a Preliminary Ecology Appraisal for the wider site which confirms that the retained eastern boundary hedgerow (Plots 1 and 2) represents the only important ecological feature. Habitats within the site have limited potential to support protected species. The proposal would remain unaltered in regard to biodiversity and is therefore considered to be acceptable.

The application has also been accompanied by a Biodiversity Net Gain Assessment. The site comprises previously developed land with no vegetated habitats present. Accordingly, and on the basis that the development impacts less that 25 sq m of onsite habitat, it is considered to fall within the de minimis threshold exemption from the requirements of Statutory Biodiversity Net Gain.

As such, the proposal is considered to broadly be in accordance with Policy LP30 of Huntingdonshire's Local Plan to 2036 and Section 15 of the National Planning Policy Framework (2024) in this regard.

*Other Matters

Fire hydrants

The site layout plan shows the position of the existing fire hydrant to serve the building which is located within the loop road. It is therefore considered that the proposal will achieve a satisfactory form of development in the interest of public safety in accordance with Policy LP12 of the Local Plan.

Community safety

The application has been assessed by Cambridgeshire Constabulary who raise no objections to the development. It is considered that the proposed development would not impact adversely on the safety and security of the users and the general public and therefore, it is in accordance with Policy LP14 of the Huntingdonshire's Local Plan to 2036.

Community Infrastructure Levy (CIL)

The development will be CIL liable in accordance with the Council's adopted charging schedule; CIL payments will cover footpaths and access, health, community facilities, libraries and lifelong learning and education.

*Conclusion

The proposed development is considered to be compliant with the relevant national and local policy as it is:

*Acceptable in principle

And it:

* Is of an appropriate scale and design;
* Would not be detrimental to highway safety in the locality;
* Would not result in an increased risk of flooding in the locality;
* Is acceptable with regards to the impact on biodiversity;
* There are no other material planning considerations which lead to the conclusion that the proposal is unacceptable.

Taking national and local planning policies into account, and having regard for all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions.

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CONTACT OFFICER:
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