
MAIN CASE

Reference No: 15/01316/FUM

Proposal: Change of use to Insect/reptile breeding centre, including new access arrangements, erection of storage buildings, reptile/insect breeding buildings, staff hostel, office/mess rooms, biomass boiler, solar panels plus refurbishment of residential dwellings and buildings.

Site Address: Arthur Rickwood Farm Chatteris Road Mepal Cambridgeshire

Applicant: Monkfield Nutrition Limited

Case Officer: Julie Barrow Senior Planning Officer

Parish: Mepal

Ward: Downham Villages

Ward Councillor/s: Councillor Anna Bailey
Councillor Mike Bradley

Date Received: 28 October 2015 **Expiry Date:** 10 February 2016

[Q181]

1.0 **RECOMMENDATION**

1.1 Members are requested to APPROVE the application subject to the conditions listed below (with any minor revisions to the conditions delegated to the Planning Manager). The full planning conditions can be read in full on the attached Appendix 1.

- 1 Approved plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Materials
- 4 Tree Survey
- 5 Surface Water Drainage
- 6 Package treatment plants
- 7 Contamination
- 8 Reporting Unexpected Contamination
- 9 Tree planting
- 10 Visibility splays
- 11 Workplace travel plan
- 12 Ecology report

- 13 Water vole survey
- 14 Noise levels
- 15 External plant
- 16 Lighting
- 17 Sustainability strategy
- 18 Biomass boiler
- 19 Staff accommodation

2.0 SUMMARY OF APPLICATION

2.1 The application seeks consent for the change of use of Arthur Rockwood Farm to an insect/reptile breeding centre, including new access arrangements, erection of storage buildings, reptile/insect breeding buildings, staff hostel, office/mess rooms, biomass boiler, solar panels plus refurbishment of residential dwellings and buildings.

2.2 The site is split into two distinct areas.

Area 1 (adjacent to the A142) –

- Currently occupied by numerous storage buildings, three residential buildings, glass houses and offices.
- Key function will be storage and packaging plus staff accommodation and associated welfare facilities.
- Three dwellings to be turned into dormitory style accommodation for up to 15 staff.
- The offices will be demolished and replaced with a hostel to accommodate up to 20 staff.
- Existing workshop will be extended to create a small mess area and an office.
- Some storage buildings will be demolished, other refurbished and a new storage building will be constructed.

Area 2 (approximately 550m to the east of Area 1) –

- Currently occupied by livestock sheds, two storage buildings and one office building.
- Will accommodate the insect live food production and reptile breeding.
- An existing storage shed will be refurbished for reptile breeding and a mezzanine floor added.
- One of the offices will be converted to a managers dwelling.
- The livestock sheds will be linked together to create larger units for insect breeding.
- Another storage building will be refurbished for machinery/storage purposes.

The development includes highway works to improve the existing site access onto the A142 to facilitate two-way working for HGVs.

Attached at Appendix 2 is an extract from the applicant's Planning Statement, which details its business activities and on-site processes.

2.3 The Local Planning Authority has carried out a Screening Opinion at the request of the applicant and considers that the proposal does not require an Environmental Impact Assessment to be carried out.

2.4 The full planning application, plans and documents submitted by the Applicant can be viewed online via East Cambridgeshire District Council's Public Access online service, via the following link <http://pa.eastcambs.gov.uk/online-applications/>. **Alternatively a paper copy is available to view at the East Cambridgeshire District Council offices, in the application file.**

3.0 PLANNING HISTORY

3.1

74/00311/GOV	ERECTION OF A BUNGALOW	Approved	13.08.1974
74/00562/FUL	RENEWAL OF PERMISSION TO PARK A CARAVAN	Approved	21.11.1974
75/00799/FUL	RENEWAL OF PERMISSION TO PARK A CARAVAN	Approved	19.12.1975
94/00771/AGN	Concrete hardstanding areas	Approved	21.10.1994
95/00520/AGN	Extension to existing tractor shed to form additional bay and lean-to accommodation for farm implements	Approved	15.06.1999
96/00353/AGN	Creation of new farm road and culvert	Approved	10.06.1996
97/00156/GOV	Proposed accommodation for sheep and associated building	Approved	29.04.1997
97/00515/AGN	Irrigation Reservoir No 1	Approved	04.08.1997
97/00839/AGN	Tractor wash down unit	Approved	28.11.1997
00/00608/GOV	Extension of existing sheep unit	Approved	12.09.2000

4.0 THE SITE AND ITS ENVIRONMENT

4.1 The site is located immediately off the A142 Ireton's Way, to the north of the village of Mepal and to the south of Chatteris, at the intersection with Mepal Long Highway.

The site amounts to approximately 99 acres in total and is a well-equipped former research farm which comprises three dwellings, office space, agricultural storage, high bio security livestock buildings, arable grassland and a reservoir. The site is located within flood zone 3 and in part adjacent to the Ouse Washes SSSI, SAC, SPA and Ramsar site.

5.0 RESPONSES FROM CONSULTEES

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

Mepal Parish Council – This application was discussed at the Parish Council meeting on 30th November. The councilors are happy for this application to be approved but ask that Engine Bank is protected from traffic using the site.

Fenland District Council – No objections.

Transport Assessment Team (CCC) – The Transport Statement dated August 2015 has been assessed. A holding objection is placed on the application until further information in relation to cycle routes, proposed traffic generation and the development impact assessment is submitted. A Travel Plan will be required prior to final occupation.

Transport Assessment Team (CCC) (following receipt of additional information) – The applicant has addressed issues raised in relation to this development and there is no objection to the proposal subject to the inclusion of appropriate conditions.

Local Highways Authority (comments contained within the Transport Assessment Team's comments – There are no objections in principle to this application. The site location benefits from an existing access onto the A142, however, the submitted information indicates that the access will be intensified by the change of use. This intensification is likely to be offset in proportion by the reduction of HGVs. The south facing inter-vehicle visibility splays shown on the plans (4.5m x 215m) crosses between a mature tree and the back of the bridges safety fencing. In order to secure this splay it is recommended that the tree is removed. The north facing splay as shown on the plans is adequate.

Environment Agency – The Flood Risk Assessment submitted has been reviewed.

The proposed development will only meet the requirements of the National Planning Policy Framework if the mitigation measures as detailed in the FRA are implemented and secured by way of condition.

The LPA must be satisfied with regards to the safety of people (including those with restricted mobility), the ability of such people to reach places of safety including safe refuges within buildings and the ability of the emergency services to access such buildings to rescue and evacuate those people.

Lead Local Flood Authority (CCC) – The application is for a change of use on existing impermeable land. Where possible the LLFA look for a reduction in surface

water runoff rates from sites that are already developed. However it is acknowledged that the proposals state that there will be no increase in surface water runoff as a result of the development. The applicant has therefore met the minimum requirements outlined in the NPPF.

Natural England – The application site is within approximately 750m of the Ouse Washes Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. The Ouse Washes is designated at national, European and international levels and is one of the most important freshwater wetland sites for wintering and breeding bird populations in lowland England.

Natural England provided advice to the applicant at the pre-application stage. A comment in the Planning Statement suggests that Natural England has confirmed that the development is not likely to adversely affect the Ouse Washes designated sites. This is slightly misleading as it actually advised that any planning application should be accompanied by sufficient information, regarding surface and foul water drainage arrangements, to demonstrate that there will be no adverse effect on the Ouse Washes SSSI, SAC, SPA and Ramsar site. Whilst the Drainage Strategy illustrates the site drainage layout, including location of sewage treatment plants etc. Natural England is not aware that any detailed consideration has been given to the potential impacts of discharges to ground or surface waters on the Ouse Washes international site. The applicant is advised that it will need to provide additional information sufficient to demonstrate that foul and surface water drainage will not have any adverse effect on the Ouse Washes N2K site. Ideally this should include confirmation that the Environment Agency is satisfied that the proposed method of foul and surface water drainage is acceptable and unlikely to have any adverse effect on the environment:

The mitigation proposals to minimise impacts on protected species including bats, birds and water vole are noted and welcomed. Natural England have not assessed this information in detail and advise the authority to refer to Natural England's Standing Advice for guidance on protected species mitigation. Natural England would expect delivery of biodiversity mitigation and enhancement measures identified in the Ecology Report to be secured through relevant planning conditions.

Natural England (following receipt of additional information) – Natural England is satisfied that the information provided in the letter from MTC Engineering (11 December 2015) provides sufficient detail regarding the proposed surface and foul water drainage systems to demonstrate that this will not have an adverse effect on the Ouse Washes Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site. Further confirmation of this is provided by the Environment Agency's response to the application which does not raise significant concerns with the proposed surface and foul water drainage systems.

It is noted that foul drainage will be to existing package treatment plants and that if the existing plants are operating at an acceptable standard then the proposed development will have no impact either adverse or beneficial, however if there are any issues at the existing plants these will be replaced to improve the quality of discharge which is considered to be a beneficial impact.

Subject to proposed measures relating to the existing packing treatment plants being implemented, Natural England does not object to this application.

Building Control Manager – At present there is not enough information to comment on renewable energy provision for this development. An energy strategy is required detailing energy demand and what percentage of renewable energy will be supplying this demand.

Environmental Health, Scientific Officer – The Planning Statement dated September 2015 and the Commercial Report prepared by Argyll Environmental dated 23 December 2014 have been considered. As a former agricultural site there is the potential for land contamination due to the storage and use of fuel, pesticides, fertilizers and other agricultural chemicals, as well as workshops. The Ecology Report makes reference to a chemical store with an asbestos roof and a workshop. The potential for land contamination does not appear to have been adequately addressed in the reports supplied. As a sensitive end use (residential) is proposed for part of the site, further investigation is required to identify any risks to human health and the environment. It is therefore recommended that contaminated land conditions are attached to any consent.

No details or specifications of the biomass boiler have been supplied and this should be requested from the applicant.

Environmental Health, Technical Officer – The acoustic report by Cambridge Acoustics and dated May 2015 has been considered.

It is noted in section 6.4 that it is unlikely the dust extraction unit will be moved to the proposed site but it has been taken into account within the report anyway. It is assumed that if this does operate on this site it will not be 24/7.

There are no concerns with regard to the report – the fork lift trucks seem to be one of the loudest activities on site and if there are issues with these, mitigation can be fitted at a later stage, along with potentially trying to minimise the need for reversing. It is advised that the layout of the site and location of plant is carefully considered and screened by buildings where possible, however from the information received there should be minimum impact from the proposal. Deliveries and collections to the site should again not be an issue at night if they are using vans rather than lorries.

As there is some uncertainty as to the type and location of plant there is agreement with section 6.19 of the acoustic report regarding the use of a condition the following is advised:

The specific rated noise level emitted from the site shall not exceed the existing background noise level or 35dB(A), whichever is the higher. The noise levels shall be measured and/or calculated at the boundary of the nearest residential property. The measurements and assessment shall be made in accordance with BS4142:2014.

ECDC Business Development Manager - The economic development team were initially involved in the pre-application discussion with Monkfield Nutrition;

The Arthur Rickwood site presents the applicant with an opportunity to expand their business in a way that has not been possible over the past few years in their current location in South Cambridgeshire. They have spent many years trying to find a suitable location once it became clear that their existing site had reached its maximum development potential and operating from separate sites was not easy to manage and expensive to run. From the analysis undertaken and presented in the application, it is clear that Mepal is currently the only site on the market in a reasonably proximate geographical area that could suit the business and we were not able to provide them with any better alternatives during the site exploration stage. This type of use does not fit very well for example on an existing industrial park for reasons outlined in their supporting statement.

The East Cambridgeshire local economy will also benefit significantly from the applicant's relocation; initially for the construction work and then subsequently via the creation of jobs through the growth of their business. Monkfield Nutrition currently employs 95 people with a turnover of £9.8m. The business is looking to continue to expand and moving towards staffing levels in the region of 150 employees and to increase turnover by £4.6 million through new market opportunities and this will have a considerable impact on jobs growth and GVA in the area.

The economic development team also understands that there will be a research and development aspect to this investment with current links being made to UK Universities on trials for reptile breeding for human consumption which is an important and topical area of scientific interest.

Head of Strategic Planning - No Comments Received

Trees Officer - The revised layout information submitted following previous comments has been considered with the planning agent to achieve the most affective site plan in relation to trees.

Discussions with the planning agent have confirmed that to achieve the construction of the main storage building, including access, will require the removal of a number of significant trees. This is because the site has a number of restrictions governing the overall layout. However an adjustment to the residential building location was possible.

The revised layout does improve the impact of the development to trees upon the site boundary. This is welcomed as for the wider landscape aspect these trees are of great value and their successful retention is sought. This will also reduce any perceived nuisance from these trees to occupants of the residential building.

If the development is to be approved this current layout is accepted as the best that can be conceived while retaining many of the trees at the site. However there is a significant loss of valuable trees in the process.

The loss of these trees could lead to the conclusion that an objection to the application should be made, however when considered as a whole it is that, although a significant compromise is required, the current layout does retain the best part of the overall tree cover upon the site. It is also acknowledged that none of the trees at the site are protected and that the applicant has shown a willingness to incorporate the trees into the design.

That said if the application is to be approved a Landscaping Scheme will be required that represents a compensatory replacement for the trees to be lost. The site has considerable land available to achieve this. A Landscaping scheme and schedule for successful establishment of the planting should be provided as a condition of planning consent to be approved by the Council.

The revised layout also makes elements of the Arboricultural Impact Assessment redundant, primarily the Tree Protection Plan. A revised Tree Protection Plan should therefore be supplied, potentially under condition, to reflect the changes. This should also include information relating to construction methods of the car parking, as it is believed that this will impact the root protection areas of a number of trees and currently there is no assurance that the construction will not damage these trees roots.

Cambs Wildlife Trust - No Comments Received

Ward Councillors - No Comments Received

The Ely Group Of Internal Drainage Board - No Comments Received

Cambridgeshire Fire And Rescue Service - No Comments Received

5.2 Neighbours – Site notice posted, advertisement placed in the Cambridge Evening News and 3 nearby properties were notified – No responses received.

6.0 The Planning Policy Context

6.1 East Cambridgeshire Local Plan 2015

GROWTH 1	Levels of housing, employment and retail growth
GROWTH 2	Locational strategy
GROWTH 5	Presumption in favour of sustainable development
HOU 5	Dwellings for rural workers
EMP 1	Retention of existing employment sites and allocations
EMP 2	Extensions to existing businesses in the countryside
EMP 3	New employment development in the countryside
EMP 4	Re-use and replacement of existing buildings in the countryside
ENV 1	Landscape and settlement character
ENV 2	Design
ENV 7	Biodiversity and geology
ENV 8	Flood risk
ENV 9	Pollution
COM 7	Transport impact
COM 8	Parking provision

6.2 Supplementary Planning Documents

Design Guide

Developer Contributions and Planning Obligations

6.3 National Planning Policy Framework 2012

3 Supporting a prosperous rural economy

7 Requiring good design

11 Conserving and enhancing the natural environment

7.0 PLANNING COMMENTS

The main issues to consider in the determination of this application are:

- The principle of development
- Visual amenity
- Flood risk and drainage
- Highways and transport
- Residential amenity
- Biodiversity and ecology

7.1 The principle of development

7.1.1 The site is located outside of any established settlement boundaries and within the countryside. The site comprises of a redundant former research farm, currently owned by DEFRA. The application seeks to bring this redundant site back into use and allow an established business to expand their operations. The proposal includes the creation of a number of jobs on the site and it is anticipated that the proposal will make a significant contribution to the local economy.

7.1.2 Policies EMP1 and EMP2 of the Local Plan seek to ensure the retention of existing employment sites and allow for extensions to existing businesses in the countryside. This proposal involves a number of extensions to existing buildings on the site and the impact of the proposal on visual amenity, highways and residential amenity is addressed further below in this report. The proposal does not relate to the extension of an existing business on the site, however Policy EMP3 does seek to support new development for small scale businesses in countryside.

7.1.3 The proposal does not strictly accord with Policy EMP3 as the site is detached from the built framework of any settlement and would not be considered small scale, however, the nature of the business seeking to relocate to this site is such that the availability of sites within the region is extremely limited. The applicant has provided details of 10 sites within the Eastern region that have been considered for relocation purposes. The sites considered were located on existing employment sites and often only one building was on offer. The nature of the business means that locating all the production under one building is impossible. This site is considered by the applicant as being the only site and buildings on the market in a reasonably proximate geographical area that could accommodate the business.

- 7.1.4 It is considered that the applicant has taken a logical, sequential approach to the choice of site as a base from which to expand its business.
- 7.1.5 The proposal includes the provision of a number of units of accommodation for staff members. Policy HOU5 states that proposals for permanent dwellings in the countryside for full-time workers in agriculture, forestry, stud and other rural activities will be permitted as an exception to the normal policies of control in certain circumstances.
- 7.1.6 The local planning authority is not currently able to demonstrate that it has an adequate five year supply of land for housing. Therefore, all Local Planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework. This means that development proposals should be approved unless any adverse effects of the development significantly and demonstrably outweigh the benefits.
- 7.1.7 Paragraph 55 of the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances, such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. Given its distance from any established settlement boundary the site could be considered to be isolated.
- 7.1.8 Due to the presence of livestock the applicant has stated that a site manager is required on site on a 24 hours, 7 day a week basis. An existing office building in Area 2 can be converted and will provide an ideal location adjacent to the livestock buildings. Given the fact that the livestock are housed in temperature sensitive buildings it is considered that there is an essential need for an employee to live close-by.
- 7.1.9 There are a number of existing dwellings within Area 1 that are to be used as houses of multiple occupation and given that these buildings are already in existence and can be used as dwellinghouses it is considered that this element of the proposal is acceptable.
- 7.1.10 In addition to this accommodation the applicant intends to construct a hostel to accommodate up to 20 people on the site of a large office building within Area 1. The applicant is unable to demonstrate that there is an essential need for these workers to live on site, however, it states that the nature of the business is very labour intensive and that a fair proportion of work on the site is of a basic level. This means that retention of staff can be difficult. The applicant cites the fact that the provision of on-site accommodation means that it is easier to retain staff and ensure that the insects are fed and looked after so that they thrive, and grow and breed. The applicant acknowledges that the site is not easy to reach on public transport and whilst bussing people to the site may be an option, it would still involve being able to secure enough accommodation within one location to make a transport scheme feasible.
- 7.1.11 On balance it is considered that the provision of the hostel accommodation adheres to the principle of sustainable development in that it can create a sense of community amongst the workers, reduce the need for multiple trips to and from the

site each day and help make the applicant's business viable in the long term. On this basis it is considered that, whilst not essential to the needs of the business, that the benefits of including the hostel accommodation are such that any adverse impacts are outweighed.

7.2 Visual amenity

7.2.1 A Landscape Assessment has been submitted with the proposal. The site is located in the Fens and reflects the typical character type; a large scale flat, open landscape with drainage ditches, shelter belts of Willow and Poplar are found in and around farm settlements.

7.2.2 Area 1
Due to the very flat nature of the land particularly to the east and south any structures may be visible where they are not screened by vegetation. Views to the north are slightly more limited due to off-site earth works creating bunds, whilst to the west tree belts around lakes afford screening. The site lies lower than the road and generally can only be noticed when directly opposite it, as direction of travel is at right angles to the site.

7.2.3 Two new structures are proposed within this area. The new main unit will be visible in the wider landscape, initially as it will be taller than the current structures. A landscape strategy submitted with the proposal indicates that the new planting of mixed trees will, as they mature help to screen the structure and reduce its dominance. There is also the opportunity to manage the existing trees and infill with new planting where appropriate.

7.2.4 Area 2
The existing units are not clearly visible in the landscape as they are set back from the main road and there are no close viewing points. Mixed hedging and/or tree belts provide a buffer to the south and east, whilst to the north and west the screening is effective at lower levels from a mix of earth bunds and hedges off site.

7.2.5 The proposed development is considered to do little to affect the current setting of the existing buildings in the landscape. The infill between the existing units will have minimal impact on any massing and the extension similarly will not be read in the vast landscape. There is limited potential for additional planting in this area, although some planting is proposed along some of the boundaries.

7.2.6 Policy ENV1 relates to landscape and settlement character and development proposals are required to demonstrate that their scale, location, form, design and materials will protect, conserve and where possible enhance the pattern of distinctive historic and traditional landscape features and the wider landscape setting. Policy ENV2 contains a similar provision in relation to scale, massing and materials.

7.2.7 The site is located within the countryside and at present appears fairly inconspicuous. The existing buildings are functional and of an agricultural nature and similar to many agricultural type buildings in the area. The proposal involves the removal of some buildings and the replacement of an unattractive office building with a new hostel. Whilst some of the new buildings will be visible in the wider

landscape setting, they will not be seen out of context in this rural area and the applicant proposes to implement a comprehensive planting scheme.

7.2.8 Concerns were raised by the Trees Officer that the siting of the hostel could place pressure on a number of trees and following discussions with the applicant's agent, the hostel has been repositioned and the car parking area within Area 1 has been adjusted. The Trees Officer notes that the proposal will involve the removal of a number of trees from the site and this could have resulted in an objection to the proposal. However, given the applicant's commitment to retain as many trees as possible and carry out new planting, as demonstrated in the submitted documentation, there is no objection to the proposal on this basis.

7.2.9 On balance it is considered that any impact on the visual amenity of the area will be limited and that, in any event, the addition of agricultural style buildings in the countryside is not uncommon. Any changes to the wider landscape setting of the area will be partially mitigated by additional tree planting and on balance it is considered that any adverse effects would not be significant or detrimentally harmful to the area. The proposal is therefore considered to comply with Policies ENV1 and ENV2.

7.3 Flood risk and drainage

7.3.1 The site is located within Flood Zone 3 and the Environment Agency's flood risk map indicates that this is a defended flood zone 3. A Flood Risk Assessment has been submitted with the application and this identifies several fluvial flood risks to the site. The primary risk is assessed as being associated with The Hundred Foot Washes, which is considered to be fluvial flood risk rather than tidal risk, with flooding the likely result of the failure of the Environment Agency's maintained defences at the Hundred Foot Washes.

7.3.2 The majority of the proposed uses on the site fall within the 'less vulnerable' use category as defined within the NPPF, which can be considered compatible with flood zone 3. The staff accommodation would however be considered a 'more vulnerable' use and is therefore subject to the sequential test.

7.3.3 The sequential test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. Given the information submitted by the applicant in respect of the choice of site (as detailed above), it is considered that a sequential based approach has already been taken. In carrying out the sequential test the local planning authority is required to identify the search area applicable. In this case it is clear that the search criteria extends beyond the boundaries of this District and it has been demonstrated that there are no other sites available that could accommodate the business. The applicant could choose to site the staff accommodation elsewhere, at lower risk of flooding, however the benefits of housing staff on site have also been set out within the application and on this basis it is considered that there are no other reasonably available sites for the staff accommodation. The sequential test has therefore been satisfied.

7.3.4 Once a development is considered to pass the sequential test it is necessary to apply the exception test, with a flood risk assessment demonstrating that the

development will be safe for its lifetime taking account of the vulnerability of its users.

- 7.3.5 The measures outlined within the flood risk assessment have been examined by the Environment Agency. It has stated that the proposed development will only meet the requirements of the NPPF if the mitigation measures in relation to floor levels and flood resistance and resilience measures are implemented. This can be secured by way of condition and on this basis the exception test is also passed.
- 7.3.6 The Lead Local Flood Authority (LLFA) has also been consulted on the application and has stated that application is for a change of use on existing impermeable land. Where possible the LLFA look for a reduction in surface water runoff rates from sites that are already developed. However it is acknowledged that the proposals state that there will be no increase in surface water runoff as a result of the development and the LLFA consider that the applicant has therefore met the minimum requirements outlined in the NPPF.
- 7.3.7 Notwithstanding the comments made by the LLFA is it considered reasonable to impose a condition requiring a detailed surface water drainage to be submitted in order to ensure that satisfactory arrangements are already in place or will be put in place prior to the site coming into use.
- 7.4 Highways and transport
 - 7.4.1 A Transport Statement (TS) has been prepared on behalf of the applicant and submitted with the application. The TS addresses the transport and traffic aspects that are likely to arise as a result of the development proposal.
 - 7.4.2 In conjunction with the site owner and the applicant the author of the TS has endeavoured to establish the former staff/visitor numbers and operational characteristics, and hence the established trip generation of the site as existing. Unfortunately this has not been possible, however the TS states that it is clear that the site has been an established trip generator, operating as a Sui Generis use between an agricultural operation and a B1 research and development use.
 - 7.4.3 The main vehicular access to the site is via the A142, with limited opportunities for pedestrians and cyclists to access the site. The proposal includes improvements to the main access and on the assumption that the former use would have generated not insignificant levels of traffic, the TS states that the proposal would not significantly increase accident risks.
 - 7.4.4 In order to assess likely trip generation levels, the TS includes an assessment of the applicant's existing operations at a site in Wendy, South Cambridgeshire and takes into account the future growth predictions of the company. The AM peak period is expected to generate 37 trips and the PM peak period is expected to generate 54 trips.
 - 7.4.5 The applicant points out that although the proposal involves the establishment of a large scale building, the primary function of the building is preparation of live food and the storage and preparation of packaging. Accordingly the level of vehicular activity is not related to the scale of the buildings. The traffic generated by the

development and the potential additional travel delay, which may be caused by the development is not considered to be perceptible to road users.

- 7.4.6 The applicant intends to prepare and promote a sustainable transport measures and an interim plan has been submitted with the TS.
- 7.4.7 The TS has been examined by the Local Highways Engineer and the Transport Planning Team at Cambridgeshire County Council. Following receipt of additional information and clarification, both parties have confirmed that the TS is acceptable. In particular, there is agreement with the development impact assessment and proposed traffic generation.
- 7.4.8 The Local Highways Engineer has no objections to the application subject to a condition in relation to visibility splays. It has been confirmed that a tree obstructing visibility towards the south will be removed. A condition requiring the final version of the Travel Plan to be agreed with the Transport Planning Team is also suggested.
- 7.4.9 There is sufficient space within the site to accommodate a number of parking spaces and subject to minor amendments to the layout, this is to be retained. There is also sufficient spaces within Areas 1 and 2 to accommodate commercial vehicles on the site.
- 7.4.10 The proposal is therefore considered to comply with Policies COM7 in relation to highways and transport and COM8 in relation to parking provision.
- 7.4.11 The Parish Council has asked that measures are taken to prevent access via Engine Bank. The applicant's agent has confirmed that it is possible to access Area 2 from Engine Bank, however, the principle access will be via the A142 and Area 1. The applicant has indicated that it would be reluctant to agree to measures preventing access via Engine Bank as it could be used for emergency access and access to the reservoir. There is no evidence to suggest that Engine Bank would routinely be used and on this basis it would be considered unreasonable to impose measures to restrict access.
- 7.5 Residential amenity
 - 7.5.1 The site is not located within a densely populated area with the closest dwelling to the storage buildings within Area 1 approximately 120m to the south-west. The closest dwellings to Area 2 are approximately 770m to the south-east, on Engine Bank.
 - 7.5.2 A Noise Impact Assessment has been submitted with the application and is based upon the applicant's existing operations at Wendy. The Assessment points to correspondence with South Cambridgeshire District Council who has confirmed that the existing business activities have not generated any complaints alleging noise nuisance. The Assessment also states that when considered in the context of the daytime background noise level, the proposed operations will give rise to no effect or at worse be noticeable but not intrusive. At night the only plant likely to run will be some low level ventilation plant and the chiller compressor. The calculated rating level of the chiller unit at the closest receptor is given to be 21.5 dB and the night time rural background locations are unlikely to drop much below 30dB. Noise

form nighttime distribution is likely to be less than the noise emanating from the existing traffic from the A142.

- 7.5.3 The Assessment has been examined by the Council's Environmental Health Team. It is advised that the layout of the site and the location of plant is carefully considered and screened by buildings were possible, however, from the information submitted there should be minimum impact from the proposal. It is recommended that the installation of any additional plant is controlled by the use of a condition and a condition is recommended in respect of noise levels emitted from the site.
- 7.5.4 It is considered that noise has been adequately addressed by the applicant and that subject to appropriate conditions the proposal would not have a significantly detrimental effect on the amenity of the nearest occupiers.
- 7.5.5 The site is large enough to provide members of staff living on site with a satisfactory level of amenity and the staff accommodation has been designed with staff welfare in mind.
- 7.5.6 The proposal is therefore considered to comply with Policies ENV2 and ENV9 in relation to residential amenity and noise pollution.
- 7.6 Biodiversity and ecology
- 7.6.1 An Ecology Report has been submitted with the application. The Ouse Washes SSSI is located adjacent to the site, for about 250m of the site's eastern boundary. The proposed development works are within existing built up areas located outside the Ouse washes site and there will be no loss of habitat. Existing arable operations will continue in and around the site. The site has also been assessed in relation to potential impacts on water voles and otters, bats, birds, reptiles, badgers and other animals. A number of mitigation and enhancements are recommended in relation to these species and the proposal was not considered to result in the loss of any protected habitats. No further survey work was recommended unless it becomes apparent that works within a protective buffer zone to be placed around the dykes on the southern and eastern edges of the site are needed. If this is the case a water vole survey would be required prior to works taking place.
- 7.6.2 Natural England has been consulted on the application and initially placed a holding objection on the proposal. Further information was requested from the applicant in relation to foul and surface water drainage arrangements, to demonstrate that there will be no adverse effect on the Ouse washes. On receipt of the additional information (letter from MTC Engineering dated 11 December 2015) the holding objection has been withdrawn. This is on the basis that the applicant has stated that foul drainage will be to existing package treatment plants and that if the existing plants are operating at an acceptable standard then the proposed development will have no impact, either adverse or beneficial. If there are any issues at the existing plants however, these will be replaced to improve the quality of discharge which is considered to be a beneficial impact.
- 7.6.3 Subject to the implementation of the mitigation and enhancement measures detailed in the Ecology Report and a condition relating to the foul drainage package treatment plants, it is considered that the proposal will not have an adverse effect

on biodiversity or ecology and the proposal therefore complies with Policy ENV7 of the Local Plan.

7.7 Other material matters

7.7.1 The applicant has submitted details of a biomass boiler to be installed on the site and these have been examined by the Council's Scientific Officer, who has confirmed that no issues are raised in relation to this.

7.7.2 The Scientific Officer has also examined the Commercial Report prepared by Argyll Environmental dated 23 December 2014, submitted with the application. As a former agricultural site there is the potential for land contamination due to the storage and use of fuel, pesticides, fertilizers and other agricultural chemicals, as well as workshops. The Ecology Report makes reference to a chemical store with an asbestos roof and a workshop. The potential for land contamination does not appear to have been adequately addressed in the reports supplied and as a sensitive end use (residential) is proposed for part of the site, further investigation is required to identify any risks to human health and the environment. It is therefore recommended that contaminated land conditions are attached to any consent.

7.7.3 The applicant has submitted a Sustainability Report with the application, however this is considered to contain insufficient detail to assess the energy and water efficiency merits of the application. Policy ENV 4 states that all non-domestic development of 1000m² or more are required to meet BREEAM Very Good standard or equivalent. It is acknowledged that due to the location of the site and the nature of the proposal that the applicant will be unable to meet the Very Good Standard. However, the applicant is encouraged to consider the incorporation of energy and water efficiency measures into the scheme and it is recommended that a condition requiring the submission of a detailed strategy, in the spirit of BREEAM is imposed.

7.8 Planning balance

7.8.1 The proposal involves the re-use of a redundant agricultural research and development facility that has stood empty for a number of years. The applicant has demonstrated that it is a current, successful business with a significant turnover and operating within a growth industry. The Planning Statement submitted with the application refers to at least 42 people being employed on the site, with projections for this number to increase as the business grows.

7.8.2 The East Cambridgeshire local economy is considered to benefit significantly from the applicant's relocation, initially for the construction work and then subsequently via the creation jobs through the growth of the business. The applicant has also confirmed that the site may accommodate a research and development function in the future. These benefits are considered to weigh heavily in favour of the proposal.

7.8.3 In addition, the proposal provides an opportunity for biodiversity enhancements on the site in relation to certain species and in relation to tree planting. This also attracts some weight in favour of the proposal.

7.8.4 The proposal will have an impact on the visual amenity of the area, however, the scale and design of the buildings proposed would not be out of character with the rural area and a certain level of mitigation is achieved through existing screening from vegetation and new planting. The applicant has demonstrated that there will be no adverse effects in relation to flood risk and drainage, highways and transport, residential amenity and biodiversity and ecology that cannot be addressed by way of condition. On the basis that there are no adverse affects that significantly and demonstrably outweigh the benefits of the scheme, the application is therefore recommended for approval.

8.0 COSTS

8.1 An appeal can be lodged against a refusal of planning permission or a condition imposed upon a planning permission. If a local planning authority is found to have acted unreasonably and this has incurred costs for the applicant (referred to as appellant through the appeal process) then a cost award can be made against the Council.

8.2 Unreasonable behaviour can be either procedural ie relating to the way a matter has been dealt with or substantive ie relating to the issues at appeal and whether a local planning authority has been able to provide evidence to justify a refusal reason or a condition.

8.3 Members do not have to follow an officer recommendation indeed they can legitimately decide to give a different weight to a material consideration than officers. However, it is often these cases where an appellant submits a claim for costs. The Committee therefore needs to consider and document its reasons for going against an officer recommendation very carefully.

8.4 In this case members' attention is particularly drawn to the following points:

- No objection from highways;
- No objections on a flood risk or ecology basis;

9.0 APPENDICES

9.1 Appendix 1 - Draft conditions

Appendix 2 – Extract from Planning Statement 'Summary of Activities'

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
15/01316/FUM	Julie Barrow Room No. 011 The Grange	Julie Barrow Senior Planning Officer
74/00311/GOV	Ely	01353 665555
74/00562/FUL		julie.barrow@eastca
75/00799/FUL		mbs.gov.uk
94/00771/AGN		
95/00520/AGN		
96/00353/AGN		
97/00156/GOV		

97/00515/AGN
97/00839/AGN
00/00608/GOV

National Planning Policy Framework -

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

East Cambridgeshire Local Plan 2015 -

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

APPENDIX 1 - 15/01316/FUM Conditions

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

Plan Reference	Version No	Date Received
1566.05		28th October 2015
15:650-010 EMPLOYEES HOSTEL		28th October 2015
15:650-011 OFFICE/MESS ROOM		28th October 2015
15-065-012 STORAGE BUILDING		28th October 2015
15065-013 STORAGE BUILDING		28th October 2015
15:065-015 REPTILE BREEDING		28th October 2015
15:065-016 STORAGE BUILDING		28th October 2015
15:065-017EX A/B/C		28th October 2015
15:065-018 EX A/B/C		28th October 2015
15:065-019 PRO A/B/C		28th October 2015
15:065-020 PRO A/B/C		28th October 2015
15:065-021 EX D/E/F		28th October 2015
15:065-022 EX D/E/F		28th October 2015
15:065-023 PRO D/E/F		28th October 2015
15:065-024 PRO D/E/F		28th October 2015
15:065-025 REPTILE BREEDING		28th October 2015
9826-ATR-003	B	28th October 2015
1006-SK-003	C	28th October 2015
9826-SK-005	A	28th October 2015
15065-004	A	15th January 2016
LOCATION PLAN		28th October 2015

- 1 Reason: To define the scope and extent of this permission.
- 2 The development hereby permitted shall be commenced within 3 years of the date of this permission.
- 2 Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.
- 3 No above ground construction shall take place on site until a schedule of materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 3 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 4 Prior to commencement of development in Area 1 a follow up Tree Survey shall be submitted to the Local Planning Authority for approval. The Tree Survey shall address the re-positioning of the hostel within Area 1. No trees shall be felled or hedges removed within Area 1 until such time as the revised Tree Survey has been agreed. the works shall be carried out in accordance with the approved details.

- 4 Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
- 5 Notwithstanding the details submitted with the application, no development shall take place until a Surface Water Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority.
- 5 Reason: To prevent the increased risk of flooding and to improve and protect water quality, in accordance with policies ENV2 and ENV8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement in order to ensure that the necessary infrastructure can be accommodated into the development.
- 6 Prior to commencement of use details of the existing package treatment plants shall be submitted to the Local Planning Authority. The details shall include the assessments undertaken to establish whether the existing plants are operating at an acceptable standard and details of any new plants required. The details and any necessary replacement works shall be approved in writing by the Local Planning Authority and the works carried out in accordance with the approved details.
- 6 Reason: To ensure that the existing package treatment plants are operating at an acceptable standard to protect and improve the quality of discharge from the plants, in accordance with policies ENV7 and ENV9 of the East Cambridgeshire Local Plan 2015.
- 7 Notwithstanding the information submitted within the Commercial Report prepared by Argyll Environmental dated 23 December 2014, no development shall take place until a further investigation and risk assessment of the nature and extent of any land contamination of the site, whether it originates on the site, has been undertaken. The report shall include reference to the potential for land contamination due to the storage of fuel, pesticides, fertilisers and other agricultural chemicals, as well as workshops. Any remediation works proposed shall be carried out in accordance with the approved details prior to works commencing on the hostel and other units of residential accommodation.
- 7 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.
- 8 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing to the Local Planning Authority within 24 hours. An investigation and risk assessment must be undertaken and approved in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the Local Planning Authority. The necessary remediation works shall be undertaken, and following completion of measures identified in the approved remediation scheme a

verification report must be prepared, and approved in writing by the Local Planning Authority.

- 8 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 9 Prior to the commencement of use details of new and replacement tree planting, indicating positions or density, species, and planting size shall be submitted to and approved by the Local Planning Authority. Planting shall take place in accordance with the approved details within the first planting season following completion of the development or in accordance with the program of planting approved by the LPA. Any such trees that are removed die or become, in the opinion of the LPA, seriously damaged or defective within a period of 5 years of planting shall be replaced with specimens of a similar size and species as originally required.
- 9 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 10 Prior to commencement of use visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on Drawing No. 1006-SK-003 Rrev C. The splays shall measure a minimum of 4.5x x 215m. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.
- 10 Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that the access will operate in a safe manner prior to commercial activities taking place on site.
- 11 Prior to commencement of use a Workplace Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details.
- 11 Reason: To promote sustainable forms of transport and reduce reliance on private motor vehicles, in accordance with policy COM7 of the East Cambridgeshire Local Plan 2015. The condition is pre-commencement to ensure that appropriate arrangements are put in place prior to workers accessing the site and to further the aim of sustainable development.
- 12 The development shall be carried out strictly in accordance with the recommendations and conclusions contained within the Ecology Report dated 11 May 2015, prepared by Greenlight Environmental Consultancy.
- 12 Reason: To protect species and sites of nature conservation, in accordance with policies ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 13 Prior to any works taking place within the 10m buffer zone to be set up along the ditches on the southern and eastern edges of the site, a water vole survey shall be carried out

and submitted to the Local Planning Authority. No works shall take place until details of any mitigation have been agreed by the Local Planning Authority.

- 13 Reason: To protect species and sites of nature conservation, in accordance with policies ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 14 The specific rated noise level emitted from the site shall not exceed the existing background noise level or 35dB(A), whichever is the higher. The noise levels shall be measured and/or calculated at the boundary of the nearest residential property. The measurements and assessment shall be made in accordance with BS4142:2014.
- 14 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 15 No external plant or machinery shall be brought onto the site other than that expressly authorised by this permission unless otherwise agreed in writing by the Local Planning Authority.
- 15 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 16 Prior to the erection of any exterior lights within the site (either freestanding or building-mounted), full details of the type of lighting proposed hours of operation shall be submitted to and approved in writing by the Local Planning Authority.
- 16 Reason: To safeguard the character and appearance of the area, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.
- 17 Prior to commencement of development an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures incorporated into the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved strategy.
- 17 Reason: To ensure that the development takes the opportunities available to contribute to delivering the Government's Climate Change Programme and energy policies, and in doing so contributes to global sustainability, and to contribute to tackling climate change in accordance with policy ENV4 of the East Cambridgeshire Local Plan 2015.
- 18 The biomass boiler shall be installed in accordance with the details submitted with the application on 28 October 2015 and 19 January 2015, unless otherwise agreed in writing with the Local Planning Authority.
- 18 Reason: To ensure that risks from pollution and land contamination are minimised, together with those to controlled waters, property and ecological systems, in accordance with policy ENV9 of the East Cambridgeshire Local Plan 2015.
- 19 The staff accommodation hereby permitted shall be occupied only in connection with the operation and use of the site by Monkfield Nutrition Limited (or any other future or subsequent trading name of that company).

- 19 Reason: The application has been assessed as acceptable and complying with paragraph 55 of the National Planning Policy Framework on this basis.