

MAIN CASE

Reference No: 16/00481/FUM

Proposal: Demolition of existing disused / derelict agricultural barns.
New Sake Brewery and Visitor Centre.
Change of use from agricultural to Mixed Use including:
B2 Brewery
A3 Cafe
D1 Classroom
D1 Exhibition space

Site Address: Fordham Abbey Farms 39 Newmarket Road Fordham CB7 5LL

Applicant: Fordham Abbey Dojima Sake Brewery UK & Co.

Case Officer: Rebecca Saunt Planning Manager

Parish: Fordham

Ward: Fordham Villages
Ward Councillor/s: Councillor Joshua Schumann
Councillor Julia Huffer

Date Received: 20 April 2016 **Expiry Date:** 8th August 2016

[R69]

1.0 RECOMMENDATION

1.1 Members are requested that **Approval** of the application be delegated to the Planning Manager, subject to the withdrawal of the Lead Local Flood Authorities objection and subject to the recommended conditions below. The conditions can be read in full on the attached appendix 1.

- 1 Approved Plans
- 2 Time Limit -FUL/FUM/LBC
- 3 Archaeological Work
- 4 Sample materials
- 5 Works to Fordham Abbey
- 6 Gate Location
- 7 Access
- 8 Access Construction
- 9 Travel Plan
- 10 Tree Protection Measures
- 11 Soft Landscaping Scheme
- 12 Landscaping Maintenance

- 13 Biodiversity Enhancements
- 14 Energy and Sustainability Strategy
- 15 Hours of Use

2.0 SUMMARY OF APPLICATION

- 2.1 The applicant seeks permission for the demolition of the existing disused and derelict agricultural barns and the erection of a new Sake Brewery and Visitors Centre. The applicant also seeks permission for the change of use from agricultural barns to mixed use including B2 brewery, A3 café, D1 classroom and D1 exhibition space.
- 2.2 The proposed building will replace a group of existing agricultural buildings, which have a total area of 619m² and comprise four attached barn structures which are currently disused. The Sake Brewery occupies a ground floor area of 406m² at the west end of the proposed building. The Visitor Centre, including the café, exhibition space and classroom has a total gross area of 362m² at the east end of the proposed building over ground and first floor levels.
- 2.3 The proposed building is an asymmetric single aisled barn, with a deep overhanging roof at the east end. The building is 13.8 metres wide and 47metres long. The asymmetric pitched roof has an eaves height of 5.6 metres on the north side rising to 8.7 metres at the ridge of the roof and falling to a lower eaves height of 2.6 metres on the south side. The external cladding to the roof and the north and south elevation external walls is a profiled aluminium sheet with stainless steel fastenings. Three chimneys will be spaced equally along the roof, extending above the ridge height to provide ventilation and extraction and translucent GRP triple sheet roof lights are located at various heights on both sides of the pitched roof. The east and west gable end elevations will be clad in oak vertical timber planks which over time will weather to a light silvery grey.
- 2.4 Dedicated visitor parking is located at the west of the new building, immediately west of the access road providing 18 car parking spaces, including 3 disabled spaces. Visitor parking spaces for a further 12 vehicles is provided further south along the access road, on the east side. A covered cycle stand is also proposed to accommodate up to 40 bicycles. The application also proposes new entrance gates, fencing and the widening of the access road, with the planting of avenue trees. The grass island at the end of the entrance road will also be re-shaped and specimen trees planted.
- 2.5 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.**
- 2.6 This application has been called into Planning Committee by Cllr Schumann as he believe this application potentially has large community and economic impacts and has already generated a great deal of interest and as such should be considered by

the Planning Committee.

3.0 PLANNING HISTORY

3.1

77/00247/RMA	CONVERSION OF TWO STOREY DWELLINGS TO SINGLE STOREY FARM BUNGALOWS	Approved	24.05.1977
83/00412/FUL	COVERED YARD AND STORAGE BUILDINGS	Approved	07.07.1983
84/01033/FUL	ERECTION OF 12 LOOSE BOXES, TACK ROOM, 2 W.C.'S AND WASHBASIN	Approved	25.01.1985
16/00818/FUL	Change of use of the ground floor of the house and immediate garden to Sui-Generis use class. The Ground floor and immediate garden will be used for corporate hospitality, conferences and local community events.		

4.0 THE SITE AND ITS ENVIRONMENT

- 4.1 The site forms part of the Fordham Abbey Estate which was created in the C18 on the site of the Fordham Priory. The Estate is located to the south of Fordham and is accessed via the existing main access on Newmarket Road.
- 4.2 The application site for the Sake Brewery and Visitor Centre building covers 1.32 hectares and is located to the south of the walled kitchen garden, where there are a number of C20 disused agricultural buildings. The application site includes the existing farm yards to the north and south of this group of buildings. To the north and south of the site are further agricultural buildings, the east of the site follows the extent of the farmyard and to the west of the site are paddocks. The site extends north up to the Estate boundary and includes the existing main site entrance from Newmarket Road and south to the existing lower entrance from Newmarket Road.

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.

Cambridgeshire Fire and Rescue Service - No Comments Received

Local Highways Authority – As a result of the revised TS submitted in support of the application the Transport Assessment Team have removed their objection subject to securing a Travel Plan and the provision of a pair of northbound and southbound bus stops, which are installed within 400m of the site access at a location agreed with CCC. A condition should be attached to ensure any gates are set back at least 5 meters into the applicant's property from the boundary of the adopted highway.

The proposed development benefits from an existing access with the adopted highway with adequate visibility in both directions which are entirely within the adopted highway.

Lead Local Flood Authority – Infiltration testing will need to be in line with BRE365/CIRIA 156. It should be undertaken across the site, as close as possible to the locations where soakaways are proposed – in addition, it is currently unclear as to whether the soakage test submitted was undertaken at trial pit 1 or 2. The volumes of attenuation provided will need to be demonstrated on the plans and calculations demonstrating how the system operates during a 1 in 100 annual probability storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. These details are required in order for the current objection to be removed.

Senior Trees Officer – No objection with the application. Fordham Abbey is set in a high quality landscape with a diverse tree population. The significant trees at the site are demonstrated to be successfully retained, except for trees adjacent to the entrance of the site. I can approve the removal of trees at this location as the overall impact of these removals will be minimal and replacement planting is anticipated. The information within the associated tree report is supported. This includes a Tree Protection Plan, drawing SHA 059 TPP Rev A, which will need to be implemented under condition of planning approval. The proposal recommends landscaping however there are no details with this application. Therefore a full landscaping scheme and landscaping maintenance schedule will be required to be submitted under condition if the application is to be approved.

Conservation Officer – (29 June) The submitted schedule of works is acceptable and has identified a number of works that are urgently necessary to secure the long-term preservation of the Abbey. A condition is required to ensure the implementation of these works to ensure an appointment with the Conservation Officer within 2 months of consent being granted to agree methodology of the urgent works required.

Conservation Officer – (16 May) This application affects the wider setting of the Grade II listed Fordham Abbey, a number of curtilage listed buildings and the setting of the historic parkland associated with the main house. The barns to be demolished are completely modern in construction and are of no architectural or historic significance. They were previously used as cattle sheds and their demolition will not have a detrimental impact on the listed buildings. The building seeks to be a modern interpretation of a traditional agricultural building. The proposed brewery building is positioned some 155m to the south of the original manor house and between the two structures are a walled garden and a kitchen garden. Therefore intervisibility between the two buildings is minimal and any direct impact on the immediate setting of the listed building will be minimal also. The brewery is no larger

than the existing building on the site and is of considerably higher quality design. The replacement building will not result in harm being caused to the significance of the historic buildings or parkland. Samples should be conditioned for the final colour of the building.

The proposed construction of the Sake brewery forms part of a larger masterplan for the site and it is important that the range of heritage assets on the site are appropriately managed and a comprehensive scheme for their development and continued use is brought forward. Would be useful to see details of the proposed cycle store, timber structures and boundary treatments or these could be secured by condition. No objections, subject to relevant conditions.

Environmental Health – Due to the location and distance to the nearest residential premise now owned by the applicant I do not have any issues to raise. I not on the proposed block plan there is mention of a bar. I am assuming that if the applicants wished to hold functions they would require permission and if they wished to turn this into a function venue we may want to advise conditions to reduce impacts from factors such as noise.

Environmental Health Commercial Team – Please add an informative to any decision in relation to the layout, design and construction to comply with health and safety legislative requirements.

Economic Development – The economic development team is fully supportive of the proposals from Dojima for a new sake brewery and visitor centre at Fordham Abbey Estate and has been working with the applicant since autumn 2014 with external partners from UK Trade and Investment and the Greater Peterborough Local Enterprise Partnership, as well as internal colleagues at ECDC including planning, conservation and tourism/town centres to develop the proposals. This included regular contact with the applicant following the initial investment enquiry from UKTI to supporting the public consultation for local residents held on the 13th December 2015, which attracted over 150 people.

The Sake brewery represents a significant investment on the estate and for the district of East Cambridgeshire and will be the UK's first facility dedicated to the production of Sake with the potential to be a leading tourism and visitor attraction for the area. Dojima's plans to develop the site will involve an investment of around £9 million and a staff of over 100 in the next 5 years. The project can also become an economic catalyst for the area and discussions have taken place at a senior level within UKTI as to how the project can help attract future inward investment from Japanese companies and pension funds who wish to be associated with such a prestigious facility.

The broader plans for the site as set out in the masterplan are equally exciting and the economic development team will continue to provide support to the applicant and project team to develop these further. It has been apparent from the outset that Dojima are keen to work with the local community and develop a scheme which is sensitive to its location and historic setting and we are confident that this will continue to be the case.

Natural England – No comments to make on the application.

Minerals and Waste Development Control Team - No Comments Received

Cambridgeshire Archaeology – The site is located within the grounds of Fordham Abbey (HER 07449). The Abbey is sited within the grounds of a Gilbertine priory, active from its foundation in the early 13th century until its dissolution in 1538. A hospital was also maintained on the site. The present house dates from the early 18th century. Any surviving archaeological remains associated with the religious house would be vulnerable to damage or destruction through redevelopment of the site.

We do not object to the proposed development, but would recommend that the site should be subject to a programme of archaeological investigation and recommend that this work should be commissioned and undertaken at the expense of the developer and secured through a negative condition.

Historic England – Do not consider that it is necessary for this application to be notified to Historic England.

Technical Officer Access – If the manor house is to be used by the general public it would need some accessible parking or safe, level and slip resistant footway from the rest of the site. The platform lift should be sufficiently powered to take a modern wheelchair. The accessible toilets should be laid out to Part M. Good signage from entrance to site and within the public buildings. Decorate to Part M again. Consult Fire Officer for emergency egress advice. If the manor house and the retained housing are to be accessed by the public – repairs and alterations should comply with BS8300:2009.

Parish – No concerns regarding this proposal but have concerns regarding possible CO2 emissions – presume thorough checks will be carried out on this and any other emission, aroma and possible pollution of nearby river.

Ward Councillors (Cllr J Schumann) – I believe this application potentially has large community and economic impacts and has already generated a great deal of interest and as such should be considered by the Planning Committee.

5.2 Neighbours – Site notices were posted adjacent to the site on Newmarket Road and an advert placed in the Cambridge Evening News. No responses have been 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 3	Infrastructure requirements
GROWTH 5	Presumption in favour of sustainable development
EMP3	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 12	Listed Buildings
ENV 14	Sites of archaeological interest
ENV 16	Enabling development associated with heritage assets
EMP7	Tourist facilities visitor attractions
COM 1	Location of retail and town centre uses
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

Core Planning Policies

- 1 Building a strong, competitive economy
- 2 Ensuring the vitality of town centres
- 7 Requiring good design
- 11 Conserving and enhancing the natural environment
- 12 Conserving and enhancing the historic environment

6.4 Planning Practice Guidance

7.0 PLANNING COMMENTS

7.1 Principle of Development

7.2 The proposal seeks to demolish existing agricultural barns and replace these with a new building which will house the new Sake Brewery and Visitor Centre. Due to the unique nature of the proposal it does not sit comfortably within a specific policy of the Local Plan. The proposal would fall within policy EMP3, New employment development in the countryside and policy EMP4, Re-use and replacement of existing buildings in the countryside. The proposal also includes a café for seating up to 40 people; a cafe is classified as a town centre use and therefore falls within policy COM1, Location of retail and town centre uses.

7.3 Policy EMP3 relates to small scale businesses which are B1, B2 and B8. The proposal does not fall within any of these use classes but is classed as new employment development. The site location relates well to the built framework of the settlement and is located within the ground of Fordham Abbey. The proposal will be replacing existing buildings and therefore should be assessed against policy EMP4 of the Local Plan as well. The site can easily be reached by foot or cycle from the settlement and the impact on the character and appearance of the area, the amenity of neighbouring occupiers and on traffic are all assessed in this report.

- 7.4 Policy EMP4 relates to proposals for the re-use of existing buildings in the countryside for business (B1, B2, B8), tourism, outdoor recreation or community related uses which require a planning application. The policy states that the replacement of existing buildings in the countryside will only be permitted where it would result in a more acceptable and sustainable development than would be achieved through conversion. The policy requires the building to be in keeping with its surroundings, the proposal to not harm the character and appearance of the building or the locality, to not have a significant adverse impact in terms of the amount or nature of traffic generated and to accord with other relevant Local Plan policies.
- 7.5 The proposal includes a café, which is classified as a town centre use and therefore would need to comply with policy COM1. This policy allows for tourist facilities and attractions which include town centre uses and which require a rural location to be acceptable if they accord with the criteria in policy EMP7.
- 7.6 Policy EMP7 supports proposals for new or extended tourist facilities or attractions where it can be demonstrated that there is an identified need, the proposal is of an appropriate scale and nature relative to its location and would not have a significant adverse impact in terms of the amount and nature of traffic generated, the character and appearance of the area and natural assets would be maintained and enhanced and it maximises opportunities for sustainable travel including walking, cycling and public transport. This application represents a significant investment on the estate and for the district of East Cambridgeshire and will be the UK's first facility dedicated to the production of Sake with the potential to be a leading tourism and visitor attraction for the area and therefore it is considered that there is a need. The proposal is of an appropriate scale and nature relative to its location within the Fordham Abbey Estate. Sustainable travel is achievable and is discussed later within this report, as well as the traffic generated and the character and appearance of the area.
- 7.7 The economic development team is fully supportive of the proposals from Dojima for a new Sake brewery and visitor centre at Fordham Abbey Estate and has been working with the applicant since autumn 2014 with external partners from UK Trade and Investment and the Greater Peterborough Local Enterprise Partnership, as well as internal colleagues at ECDC including planning, conservation and tourism/town centres to develop the proposals. Dojima's plans to develop the site will involve an investment of around £9 million and a staff of over 100 in the next 5 years. The project can also become an economic catalyst for the area and discussions have taken place at a senior level within UKTI as to how the project can help attract future inward investment from Japanese companies and pension funds who wish to be associated with such a prestigious facility.
- 7.8 Economic Development have advised that the broader plans for the site as set out in the masterplan are equally exciting and the economic development team will continue to provide support to the applicant and project team to develop these further. It has been apparent from the outset that Dojima are keen to work with the local community and develop a scheme which is sensitive to its location and historic setting and we are confident that this will continue to be the case.

- 7.9 It is therefore considered that the principle of the development is acceptable subject to the scheme complying with other policies in the Local Plan and material planning considerations.
- 7.10 Residential Amenity
- 7.11 Policy ENV2 of the Local Plan seeks to protect residential amenity. Environment Health were consulted on the application and commented that due to the location and distance to the nearest residential premise not owned by the applicant there were no issues to raise in relation to the proposal. Due to the siting of the property and its extensive grounds the proposal would not create an adverse impact on residential amenity.
- 7.12 Historic Environment and Visual Amenity
- 7.13 This application affects the wider setting of the Grade II listed Fordham Abbey, a number of curtilage listed building and the setting of the historic parkland associated with the main house and therefore the requirements of policy ENV12 of the Local Plan need to be taken into consideration to ensure the proposals would not have a detrimental impact on the visual, architectural or historic significance of the asset.
- 7.14 The proposal seeks consent for the demolition of a number of existing agricultural barns on the site. These barns are located to the south of the walled kitchen gardens and are noted on the existing site plan as 'Middle Barns'. The barns to be demolished are entirely modern in construction and are of no architectural or historic significance. They were previously used as cattle sheds and their demolition will not have a detrimental impact on the character, appearance or setting of the listed buildings.
- 7.15 The proposal seeks consent to replace these barns with a new building which will house the new Sake Brewery and Visitor Centre. Associated with this it is also proposed to reconfigure a parking area, install a Gas Absorption Heat Pump, and a new entrance to the site. The existing building measures 9.3m to its highest point, the proposed building measures 9.5m to the ridge and features three louvre for the air filtration systems which measure 10.4m to their ridge. The proposed building will not be visible from outside of the Fordham Abbey estate.
- 7.16 The building is of a contemporary design and is constructed of aluminium cladding to the north and south elevations and oak cladding to the gables. To the west elevation it is proposed to feature a glazed Japanese symbol detail and to the eastern elevation full height glazing. The building seeks to be a modern interpretation of a traditional agricultural building. The kitchen garden to the north has been considerably altered in the past, with the barns and stables having been significantly modified (often unsympathetically).
- 7.17 The area to the north of the application site is not directly included as part of this application, however consideration must be given to the impact of any proposal on the character, appearance and setting of the remaining heritage assets. The proposed brewery building is positioned some 155m to the south of the original manor house and between the two structures are a walled garden and a kitchen garden. Therefore intervisibility between the two buildings is minimal and therefore any direct impact on the immediate setting of the listed building will also be

minimal. In terms of the wider setting, the proposed brewery is no larger than the existing building on the site and is of considerably higher quality design.

- 7.18 The proposed building is to be finished in a red colour and it is recommended that samples should be conditioned to ensure the final colour is appropriate. The proposed construction of the Sake Brewery also forms part of a larger masterplan for the site and the Conservation Officer has advised that it is important that the range of heritage assets on the site are appropriately managed and a comprehensive scheme for their development and continued use is brought forward. The applicant has recently submitted an application for the change of use of the ground floor of the house and immediate garden to Sui-Generis use, so that they can be used for corporate hospitality, conferences and local community events (16/00818/FUL). A masterplan for the whole site has also been submitted for information purposes alongside this application to show how the applicants wish to develop the site in the future. The applicant has also submitted a schedule of works in association with the house and the Conservation Officer has commented that this identifies a number of works that are urgently necessary to secure the long-term preservation of the Abbey. It is recommended that a condition to ensure the implementation of these works and to ensure an appointment with the Conservation Officer within 2 months of consent being granted to agree the methodology of the urgent works required.
- 7.19 The Abbey is sited within the grounds of a Gilbertine priory, active from its foundation in the early 13th century until its dissolution in 1538. A hospital was also maintained on the site. The present house dates from the early 18th century. County Archaeology have commented that any surviving archaeological remains associated with the religious house would be vulnerable to damage or destruction through redevelopment of the site and therefore they recommend that the site should be subject to a programme of archaeological investigation and they recommend that this is secured by condition.
- 7.20 It is therefore considered, that subject to appropriate conditions the proposed development would not result in harm being caused to the significance of the historic buildings or parkland.
- 7.21 Highways
- 7.22 An objection was originally received from County Highways. The applicant submitted a revised Transport Assessment to address the concerns raised. As a result of the revised Transport Assessment County Highways withdrew their objection subject to conditions securing the submission of a Travel Plan and also the provision of a pair of northbound and southbound bus stops, which should be installed within 400 metres of the site.
- 7.23 The site is easily accessible by road. Newmarket Road has a shared footway and cycleway on its east side which continues south along the A142, allowing pedestrian and cycle access to the site. The Stagecoach route 12 runs hourly between Cambridge and Ely via Newmarket and passes the site on Mondays to Saturdays and it is approximately a 14 minute walk from the nearest bus stop. There is no official bus stop at the site and therefore it is recommended by County Highways that the applicant provides a pair of bus stops as outlined in their comments. However, while County Highways have stated that they believe the bus

stops are necessary and could be secured via a S278 Agreement, subject to the location being agreed, the applicant would need to arrange for the bus company to stop at this location. As this is completely outside the applicants and County Highways control it is not considered reasonable to condition the provision of the two bus stops.

- 7.24 The applicant has calculated that 30,000 visitors per annum is the expected level based on around 200 people on an average weekend day and 40 people on an average weekday. Data on traffic generation by Sake breweries in the UK are non-existent. The Transport Assessment has therefore looked at data from whiskey distilleries which are of a similar nature to the proposal. The data suggests that the amount of traffic generated is unlikely to be excessive. On the basis of the Transport Assessment it is considered that the level of visitors arriving by car could be easily accommodated on the local road network. The vehicle access points will be modified to allow easy access and egress and there have been no injury accidents recorded in the vicinity of the site and it is therefore considered that the proposal complies with policy COM7 of the Local Plan.
- 7.25 Policy COM8 of the Local Plan does not have a specific parking provision outlined for the proposed use. The applicant proposed a total of 30 car parking spaces and 40 cycle parking spaces. The provision outlined for D1 uses specifies that there should be 1 car space provided per 30m² or 1 space per class. The classroom and education part of the development only occupy a small section of the site. Given the unique proposal and the information submitted as part of the Transport Statement it is considered that the proposed car and cycle parking would be sufficient to meet the demands of the proposal.
- 7.26 Ecology
- 7.27 An Extended Phase 1 Habitat Survey was submitted with the application. No evidence of roosting bats was identified in any of the buildings. However, it is probable the bats will forage across the site and in the adjoining areas. It is expected that this behaviour would continue after any building works had been completed and the survey concludes that a planning approval for the site would not have a detrimental effect on the local bat population. However, it is recommended that a low impact lighting solution be employed and that boundary hedgerows/tree lines are not subject to lighting.
- 7.28 Given that the proposed development site is comprised largely of existing buildings and hardstanding, it is not considered that the proposal would result in the loss of potential suitable reptile/terrestrial great crested newt habitat. In addition to this no ponds or water bodies would be lost/affected by the development proposals and terrestrial connectivity to ponds within the wider estate are considered to be poor.
- 7.29 The survey identified that buildings receive regular disturbance and have a lack of suitable nesting sites and are unsuitable for occupation by barn owls. The survey recommends that two barn owl nesting boxes be erected on trees in the wider grounds so that nesting opportunities are provided at the site. There was no evidence of badger activity and the site is not considered to provide habitat for rare/protected invertebrates.

- 7.30 The proposed development presents a good opportunity to enhance biodiversity, including bats and features such as bat boxes could be installed around the site on mature trees and buildings as appropriate. The survey makes a number of recommendations and it is recommended that these are conditioned to form part of the development.
- 7.31 Fordham Abbey is set within a high quality landscape with a diverse tree population. The significant trees at the site are to be retained, except for trees adjacent to the entrance of the site. The Tree Officer has raised no concerns in relation to the removal of these trees as the overall impact will be minimal and replacement planting is anticipated. A Tree Protection Plan has been submitted with the application and this should be conditioned. Further conditions are recommended in relation to a landscaping scheme and maintenance.
- 7.32 Flood Risk and Drainage
- 7.33 The Lead Local Flood Authority has objected to the development. They have advised that the infiltration testing needs to be in line with BRE365/CIRIA 156 and should be undertaken across the site, as close as possible to the locations where soakaways are proposed – in addition, it is currently unclear as to whether the soakage test submitted was undertaken at trial pit 1 or 2. The volumes of attenuation provided will need to be demonstrated on the plans and calculations demonstrating how the system operates during a 1 in 100 annual probability storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. These details are required in order for the current objection to be removed. The agent has been informed and they are working with the Lead Local Flood Authority to ensure the required information can be submitted to address the concerns. The recommendation of the application reflects the current holding objection and Members will be updated at Planning Committee.
- 7.34 Other Material Matters
- 7.35 Policy ENV4 of the Local Plan requires all proposals for new development should aim for reduced or zero carbon development. Applicants are required to demonstrate how they have considered maximising all aspects of sustainable design and construction. A condition is recommended requiring an energy and sustainability strategy for the proposed development.
- 7.36 The Parish Council raised concerns in relation to CO2 emissions. The applicant would need to comply with the Clean Air Act and this is a separate requirement from the planning system. The applicant has been in contact with Environmental Health to discuss this.
- 7.37 Planning Balance
- 7.38 This application represents a significant investment on the Estate and for the district of East Cambridgeshire and will be the UK's first facility dedicated to the production of Sake with the potential to be a leading tourism and visitor attraction for the area. The proposal is of an appropriate scale and nature relative to its location within the Fordham Abbey Estate. Sustainable travel is achievable and the proposal would not have any adverse impact on highways safety, residential amenity, the character and appearance of the area and no harm would be caused to the significance of the historic buildings or parkland. The applicant is currently working

with the Lead Local Flood Authority to overcome their objection and the recommendation of the application reflects this. Members will be updated at Planning Committee in relation to this matter.

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.

9.0 APPENDICES

- 9.1 Appendix 1 – Planning Conditions

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer(s)</u>
16/00481/FUM 77/00247/RMA 83/00412/FUL 84/01033/FUL 16/00818/FUL	Rebecca Saunt Room No. 011 The Grange Ely	Rebecca Saunt Planning Manager 01353 665555 rebecca.saunt@eastcambs.gov.uk

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 - 16/00481/FUM Conditions

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

Plan Reference	Version No	Date Received
TRANSPORT STATEMENT	2	10th June 2016
2311	External Works	10th June 2016
2290	External works	10th June 2016
2292	Entrance Road	10th June 2016
2294	Brewery	10th June 2016
2300	Balustrade details	10th June 2016
2305	Ramp, stairs, balustrade	10th June 2016
2310	Ramp, stairs, balustrade	10th June 2016
2311	Ramp, stairs, balustrade	10th June 2016
2312	Hazard paving and nosing	10th June 2016
2320	Refuge store plan	10th June 2016
2321	Refuge store	10th June 2016
2340	Borehole chamber	10th June 2016
2350	Fences brewery yard	10th June 2016
1001	Masterplan	29th April 2016
0001	Existing Location Plan	18th April 2016
0010	Existing Block Plan	18th April 2016
0011	Existing Site Plan	18th April 2016
0200	Middle Barns Elevations	18th April 2016
0201	North Barns Elevations	18th April 2016
0202	South Barns Elevations	18th April 2016
1010	Block Plan	18th April 2016
1011	Site Plan	18th April 2016
1100	Ground Floor	18th April 2016
1101	First Floor	18th April 2016
1102	Roof Plan	18th April 2016
1200	Elevations	18th April 2016
1300	Sections AA & DD	18th April 2016
1301	Section EE	18th April 2016
5000	Bird's Eye View NW	18th April 2016
5001	Bird's Eye View Sth	18th April 2016
5002	Bird's Eye View SE	18th April 2016
5003	Bird's Eye View NE	18th April 2016
5010	Bird's Eye View NW	18th April 2016
5011	Bird's Eye View Sth	18th April 2016
5012	Bird's Eye View SE	18th April 2016
5013	Bird's Eye View NE	18th April 2016
5020	View SE	18th April 2016
5021	View NE	18th April 2016
5022	View NW	18th April 2016
SCHEDULE OF ACCOMMODATION		18th April 2016
COMMUNITY CONSULTATION		18th April 2016
PHASE 1 HABITAT SURVEY		18th April 2016
ARBORICULTURAL IMPACT ASSESSMENT		18th April 2016

STRUCTURAL REPORT
COMPLIANCE & ENERGY REPORT
SCHEDULE REPAIRS + MAINTENANCE
INITIAL DRAINAGE REPORT

18th April 2016
18th April 2016
13th June 2016
18th April 2016

- 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 development shall take place within the area indicated until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- 3 Reason: To ensure that any archaeological remains are suitably recorded in accordance with policy ENV14 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.
- 4 No above ground construction shall take place on site until details of the materials (including samples of the proposed colour) 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.
- 4 Reason: To safeguard the special architectural or historic interest, character and appearance, integrity and the setting of the Listed Building, in accordance with policies ENV2 and ENV12 of the East Cambridgeshire Local Plan 2015.
- 5 Within 2 months of the date of this Decision Notice the applicant shall make an appointment with the Conservation Officer to agree the methodology of the urgent works required to Fordham Abbey Manor House, in connection with the Schedule of Repairs and Maintenance, dated February 2016. A timescale for the works shall be agreed in writing and carried out in accordance with the approved timescale.
- 5 Reason: To ensure that the important architectural features are suitably preserved/protected, in accordance with policy ENV12 of the East Cambridgeshire Local Plan 2015.
- 6 The proposed gates shall be set back at least 15 metres into the applicant's property from the boundary of the adopted public highway.
- 6 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 7 The access shall be provided as shown on the approved drawings and a width of access of 6 metres provided for a minimum distance of ten metres from the highway boundary and retained free of obstruction.

- 7 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 8 Prior to the commencement of the first use the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.
- 8 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 9 Prior to the commencement of use a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The proposed development/use shall be carried out in accordance with the details of the Travel Plan.
- 9 Reason: In the interests of highway safety, in accordance with policies COM7 and COM8 of the East Cambridgeshire Local Plan 2015.
- 10 The tree protection measures as shown on Drawing No. SHA 059 TPP Rev A shall be implemented prior to the commencement of development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.
- 10 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.
- 11 Prior to first occupation or commencement of use a full schedule of all soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include, planting plans, a written specification; schedules of plants noting species, plant sizes, proposed numbers/densities; and a detailed implementation programme. It shall also indicate all existing trees and hedgerows on the land and details of any to be retained. The works shall be carried out in accordance with the approved details prior to the end of the first planting season following occupation of the development. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 11 Reason: To assimilate the development into its surroundings, in accordance with policies ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 12 Prior to any occupation of the development, a scheme for the maintenance of the soft landscaping for a minimum period of 5 years from last occupation, shall be submitted to and agreed in writing by the Local Planning Authority. All works shall be maintained in accordance with the agreed scheme. The scheme shall include the following:

- i) methods for the proposed maintenance regime;
- ii) detailed schedule;
- iii) details of who will be responsible for the continuing implementation
- iv) details of any phasing arrangements

- 12 Reason: To ensure the longevity of the landscaping scheme, in accordance with policy ENV1 and ENV2 of the East Cambridgeshire Local Plan 2015.
- 13 The development shall be carried out in accordance with the 'Recommendations and Further Action' as specified in Section 5.2 of the Extended Phase 1 Habitat Survey by t4 ecology Ltd and dated July 2015.
- 13 Reason: To protect and enhance species in accordance with policies ENV1, ENV2 and ENV7 of the East Cambridgeshire Local Plan 2015.
- 14 Prior to the commencement of development, an energy and sustainability strategy for the development, including details of any on site renewable energy technology and energy efficiency measures, 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.
- 14 Reason: To ensure that the proposal meets with the requirements of sustainability as stated in Policy ENV4 of the East Cambridgeshire Local Plan 2015. This condition is pre-commencement as some of the measures may be below ground level.
- 15 The development hereby permitted shall be open for use by the general public only between the hours 07:00 - 19:00 each day.
- 15 Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy ENV2 of the East Cambridgeshire Local Plan 2015.