

## **SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Planning Committee

6 November 2013

**AUTHOR/S:** Planning and New Communities Director

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### **S/1249/13/FL– FOWLMERE**

**New offices, research and production facilities with associated car parking and landscaping for Ion Science**

**Recommendation: Delegated Approval**

**Date for Determination: 9 September 2013**

#### **Notes:**

**This Application has been reported to the Planning Committee for determination as the officer recommendation of delegated approval is contrary to the recommendation of refusal from the Parish Council**

#### **Departure Application**

**Members will visit this site on 5 November 2013**

**To be presented to the Committee by Paul Sexton**

#### **Site and Proposal**

1. This full application, registered on 10 June 2013, proposes the erection of new offices, research and production facilities, with associated car parking and landscaping on a 0.69ha site, which forms part of a larger area of land located to the south of the existing light industrial estate at Butts Farm.
2. The proposed building will have a footprint of 1295m<sup>2</sup>, and is designed with a series of interconnecting steel frames of 6m width, but varying heights. The maximum ridge height will be 9.2m. The proposed building is to be set into the northern bank by 1.5m. Materials proposed are brick plinth, with timber effect rain screen cladding aluminium composite panel walls, and a sinusoidal steel roof cladding with a silver finish
3. A total of 53 car parking spaces are provided on the west side of the building. Access will be from the existing entrance to Butts Farm Business Units off Long Close.
4. To the west the site is bounded by the access roadway to Butts Farm Business Units, with a line of trees, the subject of a Tree Preservation Order set 2m into the site from the roadway. Two of these trees have recently been removed where the access into the proposed site is to be constructed. The site rises 2m from east to west, and falls by a similar amount from north to south. The application states that the building has been located as close to the existing industrial units as possible, on the north boundary of the site.
5. To the south are open fields, with a pair of small disused chicken sheds. To the east are residential properties located in Butts Lane and High Street.

6. The applicant, Ion Science has been located in Fowlmere since 1989 and develops and manufactures gas detection, leak detection and corrosion monitoring equipment, and sells its products globally. It currently occupies premises at The Way off High Street, on a small industrial estate, in a building which was originally a bungalow and has been extended and adapted to suit the needs of the business over the years. The application states that the Company has now outgrown these premises and is in urgent need of a new, larger purpose built premises to cater for its future growth. The Company currently employ 40 people, and states that it is committed to remain in the UK, and specifically to Fowlmere in order to retain the local and loyal workforce that it currently has. The application form indicates that proposed employees will rise to 70 persons.
7. The site is outside the village framework, but adjoins it on its north and east boundaries. The land which comprises the remainder of the field is designated as an Important Countryside Frontage at the point it abuts High Street.
8. The application is accompanied by a Design and Access Statement, Planning Statement, Sustainability Statement, Sequential Test Assessment, HIA Screening Report, Historic Environment Assessment, Transport Assessment, Tree Survey and Draft Plant Schedule, Extended Phase 1 Ecology and Reptile Surveys, and Drainage Strategy Report. A presentation was held in the village by the applicant prior to submission of the application

### **History**

9. No relevant history

### **Planning Policy**

10. National Planning Policy Framework 2012

### **South Cambridgeshire LDF Core Strategy DPD 2007**

11. ST/6 Group Villages

### **Local Development Framework Development Control Policies 2007:**

12. DP/1 Sustainable Development  
 DP/2 Design of New Development  
 DP/3 Development Criteria  
 DP/7 Development Frameworks  
 ET/1 Limitations on the Occupancy of New Premises in South Cambridgeshire  
 ET/4 New Employment Development in Villages  
 ET/5 Development for the Expansion of Firms  
 SF/6 Public Art  
 CH/2 Archaeological Sites  
 CH/5 Conservation Areas  
 CH/6 Protected Village Amenity Areas  
 CH/7 Important Countryside Frontages  
 NE/1 Energy Efficiency  
 NE/3 Renewable Energy Technology in New Developments  
 NE/6 Biodiversity  
 NE/11 Flood Risk  
 NE/12 Water Conservation  
 NE/14 Lighting Proposals  
 NE/15 Noise

NE/16 Emissions  
TR/2 Car and Cycle Parking Standards

13. South Cambridgeshire LDF Supplementary Planning Documents  
District Design Guide SPD – adopted March 2010  
Development Affecting Conservation Areas SPD  
Landscape in New Developments SPD  
Health Impact Assessment SPD  
Public Art SPD
14. South Cambridgeshire Proposed Submission Local Plan 2013  
Policy E/13 New Employment Development on the Edges of Villages  
Policy E/16 Expansion of Existing Businesses in the Countryside

**Consultation by South Cambridgeshire District Council as Local Planning Authority**

15. **Fowlmere Parish Council** recommends refusal. A full copy of its response to the application, and appendices, are attached as Appendix 1.
16. The Parish Council concludes ‘Sustainability is one of the most important criteria in relocating the business. It is abundantly clear from the sequential list that other sites in the general area are more eminently sustainable, suitable and currently available with appropriate planning permission.
17. Fowlmere Parish Council continues its support for local businesses and Ion Science in particular. However we consider that the present planning application is ill-advised and contrary to all relevant policies and therefore CANNOT be supported. This application is so contrary to SCDC policies that it would be deemed a departure from the LDF. Indeed planning officers state that it would be classified as a “major departure” requiring a necessity to advertise it as such (SCDC letter of 13 March 2012, para 3).
18. This is so far removed from that which South Cambridgeshire District Council itself has indicated should be happening to Fowlmere for the next twenty years in the draft LDF that Fowlmere Parish Council wishes in the strongest possible terms to support and uphold both the LDF and the principles of sound and sustainable planning, and would therefore ask that the South Cambridgeshire District Council also confirm its intention to do likewise by an unequivocal refusal of this application.’
19. The **Local Highway Authority** comments that the use of the main access is acceptable as appropriate inter-vehicle visibility splays can be achieved. The internal site layout demonstrates that delivery vehicles can enter and leave in forward gear.
20. The **Environment Agency** originally objected to the application as submitted as it failed to demonstrate that the development would not result in a significant risk of pollution to the water environment, and the possibility of ground contamination associated with the sites previous brownfield usage.

The applicant has subsequently submitted a ground contamination report and the Agency has withdrawn its objection subject to conditions being included in any consent, which require further site contamination investigation and remediation, the submission of a scheme for surface water disposal, and pollution control.

21. The **Conservation Manager** recommends refusal, stating that the proposal would not preserve or enhance the setting of the Conservation Area or The Manor House (a non-designated heritage asset within) and would therefore have an adverse effect on the adjacent Protected Village Amenity Area. The proposal does not therefore conform to LDF policies CH/5 or CH/6, NPPF paras 7, 8, 9, 131, 132, 134 and 135, or the advice contained in the Development Affecting Conservation Areas SPD.

The proposal is stated as causing some harm. The loss of trees to make way for the building and amenity area would not preserve the setting of the conservation area and the Protected Village Amenity Area. The building is very large and if seen through the trees when the leaves have fallen would not preserve the setting of the conservation area. The design seeks to reduce the bulk and particularly the two-storey parts by evoking a collection of traditional agricultural buildings. It would be considered preferable to avoid two-storeys but seek to keep roofs low by creating a series of pavilions relating to the various processes which are shown on the plans, although a degree of flexibility would be advisable in case of future changes of user.

22. The **Trees Officer** comments that the TPO that is on the site was served in 1975 and only Elms are listed in the schedule, therefore the Ash, Sycamore, Horse chestnut etc. that are present are not afforded any statutory protection. The trees on the site are considered mature to over mature, with a mix of smaller domestic trees, as a group on the north and west boundary. The trees are a prominent feature, however the tree survey undertaken by David Brown does identify that they are not the best specimens some requiring removal and others having failed limbs. This is reflected by the categorisation of the trees under BS 5837 2012 with the 'R' ones being removed and category 'C' trees not being considered a constraint in delivering the proposals.

Due to the area not having been under any formal management there is much 'scrub' undergrowth which makes the area look a lot more densely planted, the proposals retain the better trees along the north eastern boundaries, and the proposals for new tree planting and hedging being planted are perfectly acceptable.

T6 – Ash is identified for removal, possibly the most prominent tree on the site as it stands alone however it is a mature tree and previous layout identified the tree to be retained as a feature tree, however its retention time would have been compromised therefore removal and replacement with trees that can grow into the environment are more acceptable.

G1 is a line of mixed Sycamore and Ash, the loss of three trees are proposed within the line to create an access, the trees are young and the loss of these three is not detrimental on the wider landscape given the new planting being proposed.

Overall there are no objections to the proposed development and the trees identified for removal, ultimately with the proposed landscaping the site will benefit from a diverse age structure within the treed landscape retaining the tree cover in the area.

23. The **Landscapes Officer** has no objection in principle, but requires further clarification/revisions to the landscaping scheme.
24. **Cambridgeshire Archaeology** has commented that the site lies within an area of high archaeological potential and considers that the site should be subject to a programme of investigation, to be commissioned and undertaken at the expense of the developer. The programme of work can be secured by condition.
25. **Anglian Water** has no objection.

26. The comments of the **Ecology Officer** and the **Environmental Health Officer** will be reported.

#### **Representations by Members of the Public**

27. Five letters have been received from residents of Fowlmere supporting the application on the following grounds:
- i. Exactly the sort of development that should be encouraged bringing high tech jobs to the village. Offers employment opportunities now and in the future.
  - ii. The village has recently lost its shop and two pubs so the added trade employees would bring to local businesses and services should be welcomed.
  - iii. The village needs sustainable development otherwise it risks decline and stagnation.
  - iv. Site was previously developed but is currently an unsightly and dispiriting introduction to Fowlmere when approaching the village from the south. Plans represent a sympathetic and sensible approach to minimising environmental impact in terms of drainage, screening and building construction.
  - v. Makes best use of a brownfield site by a high value science based company, with low environmental impact.
  - vi. One letter supports the application provided it would not set a precedent and therefore officers should be satisfied that there is no alternative site within a 10 mile radius of the village and the land should be re-designated within the framework before any planning permission is granted.
28. Five letters have been received from residents of Fowlmere, including the occupiers of 3 Butts View which adjoins the north east boundary of the site, objecting to the application on the following grounds:
- i. Breaches planning guidelines and policies.
  - ii. The site is outside the village framework.
  - iii. Site in its undeveloped form makes the entrance to Fowlmere more attractive and this view will be disturbed and will impact on the Important Countryside Frontage. The policy of protecting such area should be upheld. Although the site is at the top end of the field approval would weaken the case for refusing further development.
  - iv. There are other more suitable sites available, for example on the road between Fowlmere and Foxton.
  - v. There are few local people employed so most journeys will be by car, mostly from Royston and there is no bus service. A location closer to Royston would be more suitable.
  - vi. The application does not demonstrate that the development will represent any gain to the village or why the business needs to be located in the countryside. 90% of the current workforce currently 'commutes' and therefore the argument

that it is of paramount importance that the company must remain in the village has not been proven.

- vii. Since the public meeting in April the growth of the company has been restated significantly. At that point the existing workforce was expected to grow from around 40 to less than 50 within the next 5 years, so the number of car parking spaces would be adequate. The application now forecasts 70-80 persons in the short-term and more in the long-term. There will therefore be a major increase in traffic generated due to the lack of available public transport. There is not enough parking provided which will lead to parking on the access road or within the village.
- viii. A two-storey building as proposed would be viewed from existing houses for significant periods of the year as the existing tree screen is deciduous. The existing Horse Chestnut tree, which forms a major part of the screening from 3 Butts View, and appears to be flourishing, is to be removed.
- ix. Plans show a pedestrian access to The Butts. This is currently prohibited by condition of planning consent S/1393/89 which states that all access should be from the access road to the south. This restriction should be maintained. To allow pedestrian access along The Butts would encourage parking on the unadopted road on the south side of The Butts. The area is used for everyday as a play and sports area by the village school as well as a recreation area by young families and therefore allowing access from the industrial units would not be desirable.
- x. The application refers to the NPPF as supporting sustainable development, however applications must be determined in accordance with the development plan unless material considerations indicate otherwise, with the Local Plan being the starting point.
- xi. Precedent for further building outside the village framework.
- xii. The site is currently an important wildlife habitat and is one of the few open spaces within the village. The ecological survey demonstrates that the site contains a variety of habitats including grassland and scrub, which support many species. These areas should be protected and the proposed mitigation is insufficient when compare to the size of the field as a whole, and does not make up for the loss of habitat caused by the development.
- xiii. Site considered unsuitable for development after recent consultation. There are no grounds on which to reverse that decision.
- xiv. There is space at the current Butts site for further development and this should be the preferred option.
- xv. Company is offering nothing to the village through the application in terms of money for schools or the Parish Council, which might come with housing development.
- xvi. One reason quoted why other sites looked at were deemed not to be acceptable is cost. Is the current site therefore being offered below market price?

## Material Planning Considerations

29. The site is outside the village framework and therefore the proposed development represents a departure from the development plan, and has been advertised as such. Members will therefore need to consider whether the case put forward by the applicant for the development of this site is sufficient to outweigh the normal presumption against development of the site in principle, and any other specific harm identified as a result of the development. In respect of the latter the main areas to be considered will be the impact on residential amenity, highway safety, loss of trees, ecological impact, visual impact including impact on adjacent Conservation Area and Important Countryside Frontage.

### *Principle of development, including consideration of other sites*

30. Whilst Policy ET/5 supports the principle of the expansion of existing firms, it states that sites should either be within village frameworks, or previously developed sites next to or very close to village frameworks. This site is not considered to comprise brownfield land, and therefore the criteria of Policy ET/5 are not met in this case.
31. The applicant was advised at the pre-application stage that the development of this site would be contrary to the adopted Local Development Framework, and that any application would have to put forward sufficient information to justify the need for the company to relocate to a new site, and in particular in respect of this proposal, the need for the company to remain in Fowlmere as opposed to relocation in a nearby town or village.
32. The Company currently employs 40 persons. Of that number it states that 5 key staff are currently resident in Fowlmere. These are a Production Manager, 2 Production Assistants, Service Supervisor, Logistics Co-ordinator, and Test Engineer. 14 staff are currently resident in Royston and nearby villages, with 2 staff near Sawston. In total the Company states that 50% of its staff are within a 5 mile radius of the proposed site, and 90% are south of Cambridge. A copy of a letter from Ion Science is attached as Appendix 2.
33. The application is accompanied by a Sequential Test and Sustainability Statement to support the use of the proposed site, which can be viewed in full as part of the background papers. It concludes that there are no more sequentially sustainable sites or premises that are available, suitable or viable, having regard to the specific requirements of the proposed development, and the specific business considerations of Ion Science in seeking to relocate to enable further expansion of its existing business. The report considers employment sites specifically identified in the adopted Local Plan, as well as a number of sites identified as part of the pre-application discussions both in and around Fowlmere and surrounding settlements, both in and outside village frameworks. In addition sites around the Royston and Baldock area have also been considered. The applicants current site is not considered to be of sufficient size to accommodate the required expansion, even when taking into account an extant planning consent for a first floor addition to the existing building, which would provide for a total floor area of 529m<sup>2</sup>.
34. Officers requested that additional information was submitted in respect of the possibility of relocating to an existing site on the road between Fowlmere and Foxton, which is currently used for B8 Warehousing and Storage by Frederick Smart and Son, but which is currently on the market due to the proposed relocation of that Company to Papworth Everard. This is a brownfield site, and although located some 900m from the edge of village was considered by officers to warrant further

consideration, although it would be in a less sustainable location for those employees currently resident in Fowlmere. The applicant has commented that the majority of the existing building is warehousing with coldstore, and that it requires a completely different building environment suitable for research and development. It states that part of the building is below ground level, which would cause issues with the delicate and sensitive instruments that are assembled on site, and serious alteration or demolition would need to take place to make these buildings suitable from both a practical and visual point of view. The applicant states that the existing buildings on the site are almost twice the size it requires, as is the size area as a whole, and in its view the division of the building or site to allow part to be let to another business would be extremely problematic. It states that there is no footpath from the site to the village, and is not within convenient walking distance, and therefore not as sustainable as The Butts. When compared to the site at The Butts the Company considers it to be unviable.

35. The application site, along with the larger remaining area of the open land to the south has been put forward under the SHLAA as a site for possible residential development, which was rejected. Officers are of the view that the proposed use of this smaller section of land for the purposes proposed should be considered on its merits, and are of the view that if the application is approved it would not set an automatic precedent for further development for the remaining area to the south.

*Visual impact (including impact on the adjacent conservation area and protected countryside frontage)*

36. The site is not within, but adjoins the Conservation Area on its east boundary. The proposed building will be located approximately 40m from the east boundary of the site at its closest point, although this section of the building comprises a single storey projection from the main building, which is a further 13m from the boundary. The area between the proposed building and the east boundary is to be landscaped. The protected village amenity area covers the site of the former recreation ground, to the north east of the site.
37. The concerns of the Conservation Manager are noted, however the proposed building has been well designed, with its mass being broken up by the use of the narrow sections and varying roof heights. Whilst some existing planting will be removed new landscaping is proposed. Paragraph 134 of the NPPF states that where a proposal has been identified as causing less than substantial harm to the significance of a designated heritage asset, as is the case here, this harm should be weighed against the public benefits of the proposal.
38. A landscaping strip is to be provided on the southern boundary of the site, which when established, will form a reasonable boundary between the application site and the remainder of the undeveloped land to the south.
39. The Important Countryside Frontage is identified along the frontage of the existing larger area of open land, of which the application site comprises the northern section, with, opposite Pipers Close. Policy CH/7 states that such areas are designated where land with a strong countryside character either penetrates or sweeps into the built-up area providing a significant connection between the street scene and the surrounding rural area or, provides an important rural break between two nearby but detached parts of a village framework. In this instance officers are of the view that whilst the development of the application site will erode part of the currently open area of land, the site itself does not front the area of Important Countryside Frontage,

and the proposed planting along the south boundary of the site will sufficiently mitigate the impact on the designated area.

*Residential amenity*

40. The comments of the Environmental Health Section will be reported, however the Company currently operates from a site in close proximity to residential properties. The main section of the proposed building will be 53m from the boundary with residential properties to the east, and officers are of the view that whilst some existing planting will be lost, that retained along with the proposed planting, will sufficiently mitigate the visual impact of the site on adjacent properties.
41. The application form states that the Company will operate from 08.30 to 18.00 Mondays to Fridays, with no weekend working. Parking and servicing areas are located to the west of the proposed building, away from adjoining dwellings.
42. A condition should be included in any consent requiring the approval of any external lighting to ensure that it is carried out in a way which does not adversely impact in residential amenity.

*Impact of trees*

43. The proposed development will require the removal of some of the existing trees along the northern edge of the site, which are within the area covered by the Tree Preservation Order, and two younger trees along the west boundary have already been removed at the point of access to the existing road serving Butts Farm.
44. The Trees Officers has not objected to the removal of the existing trees and has commented that the Trees Preservation Order refers only to Elms. The existing trees on site are considered to be over mature and therefore some removal and replanting is considered beneficial in the longer term.
45. The revisions required to the landscaping scheme by the Landscapes Officer can be secured by condition.

*Highway safety*

46. The existing access from High Street, to the south, is considered by the Local Highway Authority to be adequate in terms of visibility and geometry to cater for the additional vehicles which will be generated by the proposed development, and is satisfied that no adverse impact on the existing highway network will result from the proposal. The level of car parking provided within the site is considered adequate.
47. Access to the Butts Farm Business Units from the north east is currently prohibited by condition. A similar condition should be imposed on any consent for this site, as it would encourage parking along the narrow road to the north west, and detract from the amenity of residents along that stretch of road.

*Drainage*

48. The site is within Flood Zone 1 and therefore a Flood Risk Assessment is not required. The Environment Agency has assessed the application and is content that the scheme can be approved subject to conditions in respect of potential contamination, surface water drainage and pollution control. The surface water drainage scheme should be designed to ensure that run-off does not exceed existing

greenfield rates. The applicant is proposing that surface water be dealt with in accordance with SUDS.

49. Anglian Water has raised no objection in respect of drainage matters.

*Renewable Energy*

50. The applicant states that the building will comprise a well-insulated shell, above Building Regulation requirements, and that all spaces have been designed to provide natural light, either from windows or rooflights, particularly the production area. A biomass boiler is proposed which will contribute to the scheme providing a minimum of 10% renewable energy. Rain water harvesting is proposed.

*Other matters*

51. A condition can be included in any consent requiring an archaeological investigation of the site.
52. The applicant should be encouraged to make provision for public art under Policy SF/6

*Conclusion*

53. Officers are of the view that issues in this case are finely balanced. The Local Plan aims to support the expansion of existing local companies, and the applicant has provided information in respect of its assessment of other possible sites, both in Fowlmere and the surrounding area, and why these are not considered suitable. Officers have considered this information and accept the case made for the use of this site. Although some harm has been identified in terms of impact on the countryside and adjacent conservation area in particular officers are of the view that these are outweighed in this case by the benefits in supporting the relocation and expansion of an existing local company such that a departure from the adopted Local Plan is justified

**Recommendation**

54. That subject to the comments of the Environmental Health Officer that delegated approval is granted subject to conditions, to include the following:

3 year time limit  
Approved plans  
Materials  
First occupier  
Landscaping  
Levels  
Contamination  
Surface water drainage  
Pollution control  
Archaeology  
External lighting  
Renewable energy  
Water conservation  
Public art  
Traffic management plan  
Travel plan

**Background Papers:** the following background papers were used in the preparation of this report:

- South Cambridgeshire Local Development Framework Core Strategy (adopted January 2007)
- South Cambridgeshire Local Development Framework Development Control Policies (adopted July 2007)
- Planning File Ref: S/1249/13/FL

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