



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/011

Development Control Committee 12 March 2018

Planning Application DC/17/2429/VAR – Haverhill Research Park, Hanchett End, Haverhill

Date Registered: 15.11.2017 **Expiry Date:** 14.02.2018 (EOT until 05.03.2018)

Case Officer: Gary Hancox **Recommendation:** Approve Application

Parish: Withersfield **Ward:** Withersfield

Proposal: Variation of condition 8 of DC/14/2087/OUT to remove use class restrictions limiting B1 (c) light industry to ancillary areas of individual buildings only, allowing for a general B1 (a) (b) (c) light industrial use across the whole site.

Site: Haverhill Research Park, Hanchett End, Haverhill

Applicant: Mr Nic Rumsey

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

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Background:

The application being a major has been referred to the Development Control Committee because Withersfield Parish Council have objected to the proposal contrary to the Officer recommendation of APPROVAL.

Proposal:

1. The application seeks the variation of condition 8 of DC/14/2087/OUT to remove use class restrictions limiting B1 (c) light industry to ancillary areas of individual buildings only, and instead allowing for a general B1 (a) (b) (c) business use across the whole site.

Site Details:

2. The site extends to approximately 7 hectares and is allocated for employment use having the benefit of outline planning permission for a research and development business park and a hotel. It is located at the western edge of Haverhill but within the parish of Withersfield and beyond the residential development at Hanchet village. It is adjoined by the Haverhill by-pass (A1017) to the south west and Cambridge Road to the north (A1307). Adjoining the site to the east is the residential development known as the 'Arboretum'. This development shares the main spine road serving the site with access to the A1017 and is serviced with infrastructure having already been provided, including sustainable drainage attenuation features and a landscaped pond.

Planning History:

Reference	Proposal	Status	Decision Date
DC/14/2087/OUT	Outline Planning Application (Means of Access to be considered) - Construction of research/business park (Class B1) and hotel (Class C1) (previously approved under applications SE/11/1062 and SE/11/1063)	Application Granted	22.12.2014
	See Working Paper 2 for relevant committee report.		
DC/14/0180/FUL	Planning Application - Erection of four storey building comprising Innovation Centre for Haverhill Research Park, including car parking areas and new vehicular access as amended by agents	Application Granted	10.06.2014

email dated 30th April 2014 requesting that the Innovation Centre be allowed to operate on a 24 hour basis

SE/12/1339/RM	Reserved Matters - Application Submission of details under SE/11/1064 - The layout, siting, design and external appearance of buildings and details of open space and landscape design to serve the erection of 150 dwellings as amended by plans received 29 November 2012 showing revised layout and building types with associated changes to open space, landscaping and highways	Approved	11.01.2013
SE/11/1062	Outline Planning Application - Erection of Research/Business Park (Class B1) development	Application Granted	18.01.2012
SE/11/1061	Planning Application - Ground remodelling, provision of services, infrastructure and new access road together with structural landscaping in connection with proposed development of site for employment and residential purposes as amended by plan received 30.09.2011 showing extent of highway boundary	Application Granted	18.01.2012

Consultations:

Withersfield Parish Council – Object.

- The existing restriction on use class B1c as being ancillary to B1a and b use was considered to be a reasonable and valuable safeguard to the type of development permitted and ensured that any such development would be compatible with its position adjacent to and sharing access with a residential development;
- Two of the four development sites were accessed solely via the housing estate access road, and the addition of vehicles associated with

predominantly light industrial usage would be incompatible and lead to a danger for families resident in the area;

- A change of use would lead to a significant change in the character of the research park and the Arboretum development which had been marketed as providing a high quality environment;
- The change of use, if permitted, would have a detrimental impact on the concept of the research park which formed a gateway to Haverhill. It could significantly undermine the future of the Town.

Haverhill Town Council – Object.

- The Research Park is an iconic 'Gateway to Haverhill', aspirations for this site are for a high-end research related activity, to capitalise on our proximity to Cambridge. There remains a significant amount of industrial land zoned elsewhere along the by-pass.
- Policy HV10 needs to be read in conjunction with paragraph 6.11 'the site known as Haverhill Research Park, has the potential to deliver a high quality research and business park to attract high technology firms and related activities' (our emphasis). The Vision 2031 Local Plan, still has 12 years to run, so calling time on this aspiration is precipitous.
- General Industrial Use would affect the quality of life for existing residents, air quality, noise from industrial operations, as well as HGV movement. The latter may be both heavier and slow moving vehicles, which compromise the safety of vehicles emerging onto the A1307 given the proximity to two roundabouts from which traffic will be accelerating.
- Impact on air quality is of particular concern in respect of the early years nursery located on the site in expectation of no industrial activity.
- The potential move away from the original aspirations for the Research Park would be a significant blow to the Town given the intention that the site was to attract some of the prosperity being generated by research around Cambridge. The Borough Council and the LEP/s have invested significant public funds to this end. The opportunity to benefit from this remains and therefore should not be easily discarded.
- In order for the applicant to demonstrate the Change of Use is unavoidably necessary, they must demonstrate the existing use is unsustainable. Given that the sustainability of the site is predicated on the construction of the Innovation Centre, until this is actually built and occupied, the applicant is not in a position to successfully prove an argument for Change of Use.
- In addition to the concerns held by the Town Council, we are aware that residents on the Arboretum feel very strongly that this proposed change betrays the ways their houses were marketed, for example: when purchasing their properties some residents specifically sought to live at the Arboretum due to the development being a Research Park.'

Uttlesford District Council – No comments.

South Cambridgeshire District Council – No comments.

SCC Highways - accepts the change of use class on this site, providing that each site when it comes forward meets all Suffolk parking guidance and other relevant guidance and policy that applies at that time.

Public Health and Housing – No objection.

Economic Development & Growth (EDG) - Supports the application to vary condition 8 of the existing consent to allow for B1c uses.

- Initial studies undertaken with regard to the future potential and viability of the concept of a research park at Haverhill were originally based around Policy HAV3 which allocated the land at Hanchett End, Haverhill as a strategic employment site for B1 and B8 uses. This included a) light industrial, research and office use; b) units for new and small firms involved in high technology and related activities; or c) low density development with extensive landscaping.
- More recently policy HV10 of the Vision 2031 document stated that development at Haverhill Research Park (HRP) will comprise the following B1 classes - light industrial, research and office use; units for new and small firms involved in high technology and related activities; or low density development with extensive landscaping. Both these policies, therefore, envisaged that a high quality research park would include light industrial uses.
- From an economic development point of view allowing this wider range of uses within HRP increases the likelihood of the site being used for employment purposes.
- EDG is aware of at least one company that chose not to locate on HRP because it was not able to apply under the Outline consent – even though its B1c operation would have been acceptable in Policy terms.

Representations:

Cllr Jane Midwood (Local Member) – fully supports the decision taken by Withersfield Parish Council to object to the planning application.

- Withersfield Parish Council reached their decision following a public meeting at which a large number of residents from The Arboretum, Hanchett End and Barsey Close and other areas of the village were present. The meeting was conducted in a fair and proper manner and fully enabled residents to voice their concerns. I attended the public meeting by invitation as Borough Councillor for the ward and remained to observe the extraordinary meeting of the Parish Council which followed.
- My chief concern is access to the proposed development sites. Light industrial traffic would share the access road to the already occupied residential area.
- The significant change of status from Research Park to a light industrial site would, I believe, be detrimental to the quality of life of nearby residents. These residents bought their properties in the knowledge that they would be living in a high quality environment – the focus of the marketing strategy.
- The existing restriction to Class B1c use of the site should be retained as a safeguard to maintain the residential nature of this part of the Research Park, forming an attractive gateway to Haverhill and fulfilling the original objectives for the future of the site.

Local Residents – 20 letters of objection received mainly from residents of The Arboretum estate, but also from Hanchett End and Surreiges Farmhouse.

- Inappropriate to use this area for light industry. It will create noise and traffic for the residents of the Arboretum, the Flying Feathers and the Nursery.
- Further residential development would be more appropriate.
- Lorries and extra cars parking will cause congestion and a safety concerns when the children are dropped off.
- Already traffic issues at the junction to the estate due to restricted vision.
- Would affect the quality of life for existing residents.
- Industrial units here would involve Heavy vehicles coming and going into the estate day and night and on the weekends.
- People bought houses with the promise of high spec office buildings.
- There is already a mass of existing & vacant industrial sites available in Haverhill.
- Buildings typically associated with light industry would not be in keeping with the vision or the surrounding countryside.

(Note: the above is only a summary of the key objections to the development from local residents. The full objections can be viewed on the Council's website.)

Policy:

3. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

Joint Development Management Policies Document:

- Policy DM1 - Presumption in Favour of Sustainable Development
- Policy DM2 - Development Principles/Local Distinctiveness

St Edmundsbury Core Strategy December 2010

- Policy CS1 - Spatial Strategy
- Policy CS2 - Sustainable Development
- Policy CS3 - Design and Local Distinctiveness
- Policy CS7 - Sustainable Transport
- Policy CS9 - Employment and the Local Economy
- Policy CS12 - Haverhill Strategic Growth
- Policy CS14 - Community Infrastructure

Haverhill Vision 2031:

- Policy HV1 - Presumption in Favour of Sustainable Development
- Policy HV10 - Strategic employment site - Hanchett End, Haverhill

12 hectares of land at Hanchett End, Haverhill are allocated as a strategic employment site for class B1 use of the Town & Country Planning (Use Classes) Order 1987 (as amended).

Development at the Haverhill Research Park will comprise the following:

- *light industrial, research and office use;*
- *units for new and small firms involved in high technology and related activities; or*
- *low density development with extensive landscaping.*

The amount of land available for development, location of uses, access arrangements, design and landscaping will be informed by a masterplan for the site (a masterplan was adopted in 2011 for a limited period of 3 years)

Other Planning Policy:

4. National Planning Policy Framework (2012) core principles and paragraphs 22, 56 - 68

Officer Comment:

5. Haverhill Vision Policy HV10 allocates a strategic employment site in a gateway location at the western approach to the town at Hanchett End adjacent to the Spirit of Enterprise roundabout. This site is known as the Haverhill Research Park, and its aim is to deliver a high quality research and business park to attract high technology firms and related activities. A masterplan for the development of the site was adopted in 2011 for a period of three years recognising likely issues concerning the viability of developing the site due to high infrastructure costs. The masterplan therefore allowed, as an exception to policy, the construction of new homes on part of the site to assist in the delivery of the wider employment site. Planning permission for 150 dwellings was approved in January 2013, and the 'Arboretum' development has now been completed.
6. Policy HV10 states that development at the Haverhill Research Park will comprise the following:
 - light industrial, research and office use;
 - units for new and small firms involved in high technology and related activities; or
 - low density development with extensive landscaping.
7. This policy does not seek to restrict or limit B1 use to office and research and development only, but merely gives in principle support for all forms of light industry, but especially to high end technology businesses both new and established.
8. Outline planning permission DC/14/2087/OUT, sets out the parameters for the development of the site and includes the following condition:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order), the site and all buildings erected thereon shall be used for Class B1 (Business) purposes and Class C1 (hotel) as defined in the Town and Country Planning (Use Classes) Order 1987 as amended, or in any legislation revocating or re-enacting that class, save that any uses falling within Class B1C (light industry) shall be limited to ancillary areas of any individual buildings where the predominant use of any building shall remain B1A (offices) or B1B (research and development).

Reason: To ensure the appropriate use of the site in accordance with Policy HV10 of the Haverhill Vision 2031.

9. This condition effectively restricts any business wishing to locate at the site to a very specific type of use in line with the vision set out in the policy. It also allows for a hotel (Class C1) on the site as shown in the approved masterplan. Control of future buildings is maintained through the submission of reserved matters. However, a restriction of this type is not necessarily required to meet the aims of the policy.
10. For member's information the Use Classes Order 1987 splits business uses into the following classes, having regard to the type and scale of use being carried out.

B1 Business – (a) offices, (b) research and development and (c) industrial process (which can be carried out in a residential area without causing detriment to the amenity of the area)

(Note: - B1 (c) uses can include manufacturing of small goods, however it is the impact on the amenity of the local area that will dictate its inclusion in this class)

B2 General Industry – industrial process not falling within B1. Uses in this class can often include much noisier and intrusive industrial process, perhaps using solvents and chemicals.

B8 Storage or distribution – uses in this class tend to involve warehouses and or distribution centres.

See link below for full explanation of the Town and Country Planning (Use Classes) Order 1987, as amended:

<http://lichfields.uk/media/2913/lichfields-use-class-order.pdf>

11. The applicants contend that the condition restriction is no longer necessary and is in fact contributing to the lack of interest in businesses locating to the site. The applicants state that development plots within the site have been actively marketed for B1 Use, in accordance with the outline planning permission, for over six years. However, to date no businesses have chosen to locate at the Research Park. Prospective occupiers for new buildings on the site have expressed the view that the planning condition places an unwelcome restriction on their likely occupation and business use of any building and have cited the wording of the condition as a reason not to move to the Research Park.
12. In support of their request, the applicants cite paragraph 22 of the NPPF *"planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose"....."applications for alternative uses of land or buildings should be treated on their merits having regard to market signals.."*. Marketing evidence since 2012 has also been provided including the following:
- Dedicated website set up in 2012 – pays particular attention to cost comparison with the Cambridge market, creation of high quality, well landscaped environment, and deliverability.

- Three agents appointed (also in 2012) – Cheffins (well-established local agents), Carter Jonas (national agents with specific R&D/science park expertise), and Bray Fox Smith (to cover the London market).
- Property press – regular advertising and PR events to promote site.
- Local initiatives – Agent/occupier functions on and off-site; continuous dialogue with, and membership of, Haverhill and Suffolk Chambers of Commerce, including several presentations at their Breakfast Meetings; HRP had membership for several years of UKSPA, Cambridge Network, Cambridge Wireless, and Cambridge Cleantech.
- Targeted marketing – regular, targeted contact made with specific R&D occupiers and local companies.
- Two different attempts at ‘branding’ of the HRP have been made.
- Local incentives strongly pursued, with good degree of success - e.g. Enterprise Zone status achieved for site in March 2016.
- Obtained detailed planning permission twice for an Innovation Centre and engaged in detailed discussions with St John’s College in respect of joint working on the Innovation Centre.

13. The applicants also indicate that they have failed to attract business from the Cambridge market and that the R&D/Technology market is not cost sensitive with businesses being willing to pay more to be in the established Cambridge clusters. The aspirations to create a viable Research Park development are unachievable at present, and recent evidence suggest that this situation will not change in the foreseeable future. Five years of extensive and continuous marketing for B1 uses without a single deal with any prospective occupier illustrates this fact.

14. If approved, the relaxation of the condition to allow light industrial uses to occupy the site would potentially widen the marketing opportunity to include solely light industrial occupiers. This may attract business to the site and kick start development. The Council’s own Economic Development & Growth team supports this approach, and also note that Policy HV10 envisages that a high quality research park would include light industrial units. The Council would still have control over the scale and appearance of any buildings through the submission of reserved matters or full applications.

15. The variation of the condition as proposed will still result in development that accords with development plan policies, and is one that would assist in bringing forward economic development on a site that has sat vacant for some time now. Condition 8 as detailed in the recommendation also ensures that the only uses that can be developed are those listed and the wording of the condition removes the permitted development rights for changes between uses classes otherwise conveyed by the Town and Country Planning (General Permitted Development) Order 1995 as amended.

16. The strong views of the Parish Council and some local residents against the proposal are noted. However, many of the concerns raised are based on a

supposition that the proposed variation of the condition will allow for B2 general industrial uses to occupy the site. These being uses that may not be compatible with residential dwellings. This is not correct. The application proposes a B1 'Business' use across the site, and this use can include offices, research and development of products and processes, and light industry appropriate in a residential area. (i.e. capable of operating with minimal amenity impact.)

17. Many residents of 'The Aboretum' have stated that there would be additional harm to amenity from increased traffic including HGV's. However, there is no reason to suggest that this would be the case, as even if there was interest and take up of light industrial units, these would be unlikely to generate significant levels of HGV traffic. Furthermore, no concerns have been raised by the Local Highway Authority in this respect.

Conclusion:

18. In conclusion, the proposed variation of the condition to allow for a general B1 use across the site will still result in a development that accords with Policy HV10 and other development plan policies. The proposal is supported by the Council's Economic Development & Growth team, and allowing this wider range of uses within the Haverhill Research Park increases the likelihood of the site being used for employment purposes in the future. Whilst this proposal is not suggesting alternative land uses, the NPPF is clear that the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose should be avoided. This application accords with this approach.

Recommendation:

19. It is recommended that planning permission be **APPROVED** subject to the all conditions as per outline permission DC/14/2087/OUT (see Working Paper 1) except:

Condition 1 to read

(a) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than 22nd Dec 2024 (this being 10 years from the date of outline permission DC/14/2087/OUT). (Officer note – see Working Paper 2)

(b) The development hereby permitted shall be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990.

Condition 8 to read

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order), the site and all buildings erected thereon shall be used for Class B1 (Business) purposes only and a single hotel (Class C1) as defined in the

Town and Country Planning (Use Classes) Order 1987 as amended, or in any legislation revoking or re-enacting that class.

Reason: To ensure the appropriate use of the site in accordance with Policy HV10 of the Haverhill Vision 2031 and the approved masterplan.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/17/2429/VAR](#)

Working Paper 1 – Decision notice for DC/14/2087/OUT

Working Paper 2 – Officer report for DC/14/2087/OUT