

# Special Development Control Committee



*St Edmundsbury*  
BOROUGH COUNCIL

|  |   |  |  |
|--|---|--|--|
| <b>Title:</b>  | <b>Agenda</b>   |  |  |
| <b>Date:</b>   | <b>Thursday 2 November 2017</b>   |  |  |
| <b>Time:</b>   | <b>10.00 am</b>   |  |  |
| <b>Venue:</b>  | <b>Conference Chamber<br/>West Suffolk House</b><br>Western Way<br>Bury St Edmunds<br>IP33 3YU  |  |  |
| <b>Full Members:</b>   | <div><div><b>Chairman</b> Jim Thorndyke</div><div><b>Vice Chairman</b> Carol Bull and David Roach</div><div><div><u>Conservative Members (12)</u></div><div>Terry Clements<br/>Robert Everitt<br/>Paula Fox<br/>Susan Glossop<br/>Ian Houlder</div><div>Ivor Mclatchy<br/>Alaric Pugh<br/>Andrew Smith<br/>Peter Stevens</div></div><div><div><u>Charter Group Members (2)</u></div><div>David Nettleton</div><div>Julia Wakelam</div></div><div><div><u>UKIP Group Member (1)</u></div><div>Jason Crooks</div><div></div></div><div><div><u>Haverhill Indys Member (1)</u></div><div>John Burns</div><div></div></div></div> |  |  |
| <b>Substitutes:</b>  | <div><div><u>Conservative Members (5)</u></div><div>Awaiting nominations from the Group</div></div> <div><div><u>Charter Group Member (1)</u></div><div>Diane Hind</div></div> <div><div><u>UKIP Group Member (1)</u></div><div>Barry Robbins</div></div> <div><div><u>Haverhill Indys Member (1)</u></div><div>Tony Brown</div></div>  |  |  |
| <b>** THERE ARE NO SITE VISITS REQUIRED FOR THIS AGENDA **</b>   |   |  |  |
| <b>Interests – Declaration and Restriction on Participation:</b> | Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.   |  |  |

|                                 |  |
|---------------------------------|--|
| <b>Quorum:</b>                  | Six Members  |
| <b>Committee administrator:</b> | <b>Helen Hardinge</b><br>Democratic Services Officer<br><b>Tel:</b> 01638 719363<br><b>Email:</b> <a href="mailto:helen.hardinge@westsuffolk.gov.uk">helen.hardinge@westsuffolk.gov.uk</a> |

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## DEVELOPMENT CONTROL COMMITTEE: AGENDA NOTES

Subject to the provisions of the Local Government (Access to Information) Act 1985, all the files itemised in this Schedule, together with the consultation replies, documents and letters referred to (which form the background papers) are available for public inspection.

All applications and other matters have been considered having regard to the Human Rights Act 1998 and the rights which it guarantees.

### Material Planning Considerations

**1. It must be noted that when considering planning applications (and related matters) only relevant planning considerations can be taken into account. Councillors and their Officers must adhere to this important principle which is set out in legislation and Central Government Guidance.**

**2. Material Planning Considerations include:**

- Statutory provisions contained in Planning Acts and Statutory regulations and Planning Case Law
- Central Government planning policy and advice as contained in Circulars and the National Planning Policy Framework (NPPF)
- The following Planning Local Plan Documents

| <b>Forest Heath District Council</b>   | <b>St Edmundsbury Borough Council</b>   |
|--|---|
| Forest Heath Local Plan 1995   | St Edmundsbury Borough Local Plan 1998 and the Replacement St Edmundsbury Borough Local Plan 2016 |
| The Forest Heath Core Strategy 2010, as amended by the High Court Order (2011) | St Edmundsbury Borough Council Core Strategy 2010   |
| Joint Development Management Policies 2015                                     | Joint Development Management Policies 2015  |
|  | Vision 2031 (2014)  |
| <b>Emerging Policy documents</b>   |   |
| Core Strategy – Single Issue review  |   |
| Site Specific Allocations  |   |

- Supplementary Planning Guidance/Documents eg. Affordable Housing SPD
- Master Plans, Development Briefs
- Site specific issues such as availability of infrastructure, density, car parking
- Environmental; effects such as effect on light, noise overlooking, effect on street scene
- The need to preserve or enhance the special character or appearance of designated Conservation Areas and protect Listed Buildings
- Previous planning decisions, including appeal decisions
- Desire to retain and promote certain uses e.g. stables in Newmarket.

3. The following are **not** Material Planning Considerations and such matters must not be taken into account when determining planning applications and related matters:

- Moral and religious issues
  - Competition (unless in relation to adverse effects on a town centre as a whole)
  - Breach of private covenants or other private property / access rights
  - Devaluation of property
  - Protection of a private view
  - Council interests such as land ownership or contractual issues
  - Identity or motives of an applicant or occupier
4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the Development Plan (see table above) unless material planning considerations indicate otherwise.
5. A key role of the planning system is to enable the provision of homes, buildings and jobs in a way that is consistent with the principles of sustainable development. It needs to be positive in promoting competition while being protective towards the environment and amenity. The policies that underpin the planning system both nationally and locally seek to balance these aims.

### **Documentation Received after the Distribution of Committee Papers**

Any papers, including plans and photographs, received relating to items on this Development Control Committee agenda, but which are received after the agenda has been circulated will be subject to the following arrangements:

- (a) Officers will prepare a single Committee Update Report summarising all representations that have been received up to 5pm on the **Thursday** before each Committee meeting. This report will identify each application and what representations, if any, have been received in the same way as representations are reported within the Committee report;
- (b) the Update Report will be sent out to Members by first class post and electronically by noon on the **Friday** before the Committee meeting and will be placed on the website next to the Committee report.

Any late representations received after 5pm on the **Thursday** before the Committee meeting will not be distributed but will be reported orally by officers at the meeting.

### **Public Speaking**

Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available on the Councils' websites.

Extended speaking arrangements have been agreed for this special meeting, please contact Democratic Services for further information.

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## **DEVELOPMENT CONTROL COMMITTEE: DECISION MAKING PROTOCOL**

The Development Control Committee usually sits once a month. The meeting is open to the general public and there are opportunities for members of the public to speak to the Committee prior to the debate.

### **Decision Making Protocol**

This protocol sets out our normal practice for decision making on development control applications at Development Control Committee. It covers those circumstances where the officer recommendation for approval or refusal is to be deferred, altered or overturned. The protocol is based on the desirability of clarity and consistency in decision making and of minimising financial and reputational risk, and requires decisions to be based on material planning considerations and that conditions meet the tests of Circular 11/95: "The Use of Conditions in Planning Permissions." This protocol recognises and accepts that, on occasions, it may be advisable or necessary to defer determination of an application or for a recommendation to be amended and consequently for conditions or refusal reasons to be added, deleted or altered in any one of the circumstances below.

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
  - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
  - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a Member wishes to alter a recommendation:
  - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
  - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
  - Members can choose to;
    - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory);
    - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee.
- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Assistant Director (Planning and Regulatory) and the Assistant Director (Human Resources, Legal and Democratic) (or Officers attending Committee on their behalf);

- A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
  - An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
  - In making a decision to overturn a recommendation, Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
    - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
    - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/alterd, together with the material planning basis for that change.
    - Members can choose to;
      - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory)
      - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee
- Member Training
    - In order to ensure robust decision-making all members of Development Control Committee are required to attend annual Development Control training.

## Notes

Planning Services (Development Control) maintains a catalogue of 'standard conditions' for use in determining applications and seeks to comply with Circular 11/95 "The Use of Conditions in Planning Permissions."

Members/Officers should have proper regard to probity considerations and relevant codes of conduct and best practice when considering and determining applications.

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# **Agenda**

## **Procedural Matters**

### **Part 1 – Public**

***Page No***

**1. Apologies for Absence**

**2. Substitutes**

Any Member who is substituting for another Member should so indicate together with the name of the relevant absent Member.

**3. Planning Application DC/17/0521/FUL - Land North of Hollow Road Farm, Hollow Road, Fornham St Martin**

**1 - 104**

Report No: **DEV/SE/17/041**

Creation of municipal operational hub comprising waste transfer station, household waste recycling centre (including reuse building), fleet depot (including offices), public realm maintenance depot and associated infrastructure including accesses, internal roads, parking, weighbridges, landscaping scheme and shared use path to connect existing footway on Barton Hill to proposed accesses

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*St Edmundsbury*  
BOROUGH COUNCIL

**DEV/SE/17/041**

# **Special Development Control Committee 2 November 2017**

**Planning Application DC/17/0521/FUL - Land  
North of Hollow Road Farm, Hollow Road, Fornham  
St Martin**

|                    |               |                     |                                |
|--------------------|---------------|---------------------|--------------------------------|
| <b>Date</b>        | 17 March 2017 | <b>Expiry Date:</b> | 16 June 2017                   |
| <b>Registered:</b> |               | <b>EOT:</b>         | 14 <sup>th</sup> November 2017 |

|                      |                |                        |                           |
|----------------------|----------------|------------------------|---------------------------|
| <b>Case Officer:</b> | Gareth Durrant | <b>Recommendation:</b> | Grant planning permission |
|----------------------|----------------|------------------------|---------------------------|

|                |   |              |         |
|----------------|---|--------------|---------|
| <b>Parish:</b> | Fornham St.<br>Martin-cum- St.<br>Genevieve | <b>Ward:</b> | Fornham |
|----------------|---|--------------|---------|

**Proposal:** Creation of municipal operational hub comprising waste transfer station, household waste recycling centre (including reuse building), fleet depot (including offices), public realm maintenance depot and associated infrastructure including accesses, internal roads, parking, weighbridges, landscaping scheme and shared use path to connect existing footway on Barton Hill to proposed accesses

**Site:** Land North Of Hollow Road Farm, Hollow Road, Fornham St Martin

**Applicant:** Mr Mark Walsh, Forest Heath District Council, St Edmundsbury Borough Council and Suffolk County Council

**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.

**CONTACT CASE OFFICER:**

Gareth Durrant

Email: [gareth.durrant@westsuffolk.gov.uk](mailto:gareth.durrant@westsuffolk.gov.uk)

Telephone: 01284 757345

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**Background:**

**This application is referred to the Development Control Committee because the application is a Major development and three separate Parish Council's have objected. Furthermore, the Council is the applicant and the recommendation to grant planning permission is contrary to the adopted Development Plan.**

**The planning application has been reported to the Committee on two occasions previously. On the first occasion (19<sup>th</sup> July 2017) the item was deferred for further information. On the second occasion (21<sup>st</sup> September 2017) the Committee resolved to grant planning permission.**

**A matter of policy was raised during the public speaking section of the Committee which resolved to grant planning permission for the development. Following the Committee meeting officers' provided the Chair with further advice with respect to this matter. Officers' advised that further clarification of planning policy was required. As a consequence, the Chair asked officers to provide a further report for the committee on the application.**

**This is a comprehensive and stand-alone Committee report. No regard should be given to previous reports provided to the Development Control Committee with respect to this planning application. Furthermore, the Committee must consider the planning application again and reach a fresh resolution. No weight is to be given to the Committee's resolution to grant planning permission for the planning application proposals reached at its meeting on 21<sup>st</sup> September 2017.**

**In accordance with the Town and Country Planning (Consultation) (England) Direction 2009, if the Development Control Committee resolves to grant planning permission, the Committee is advised that officers will consult the Secretary of State to provide him with an opportunity to consider whether to call the application in for his determination. A (potential) decision to grant planning permission would not be issued until the secretary of State has confirmed whether he intends to call in the planning application.**

## **Proposal:**

1. Full planning permission is sought for the creation of municipal operational hub comprising fleet depot (including offices), public realm maintenance depot waste transfer station (WTS), household waste recycling centre (HWRC) (including reuse building), and associated infrastructure accesses, internal roads, parking, weighbridges and landscaping scheme.
2. The principal element of the application proposals is the provision of 'public realm' and 'fleet' depot facilities for the District Council. The purpose of the fleet depot facilities is to provide a building for fleet maintenance with offices and welfare facilities, a depot for vehicles and equipment associated with the Councils' street scene and environment services and a stabling area comprised of external parking for 46 heavy goods vehicles (HGVs) and 24 light goods vehicles (LGVs). The fleet depot would have a length of 70m, width of 25m and height of 10.12m. The street scene building would have a length of 36m, maximum width of 39.4m and height of 6m. Both buildings would be of clad steel portal frame construction.
3. The purpose of the WTS is to receive residual, organic, dry recyclable and green waste to be sorted and bulked prior to onward transportation to the Energy from Waste facility at Great Blakenham or to reprocessing or composting facilities. The WTS includes a baling facility to receive materials such as cardboard and plastic film and bale them for more efficient handling and onward transportation. The WTS and baling facility would be of a clad steel portal frame construction. The WTS would have a length of 84.1m, width of 32.8m and height of 12.5m. The baling facility would have a length of 25m, width of 13m and height of 5.5m. Also proposed as part of the WTS are external open bays, skips and container bays for the storage of wood, glass, hard plastic, hazardous waste (which includes TVs and computers, fluorescent tubes, gas bottles, batteries and used engine oil) and tyres. Whilst the WTS would not receive asbestos, facilities are proposed should any asbestos containing material be discovered at the site.
4. The purpose of the HWRC is to provide facilities for the public and businesses to deposit waste such as domestic waste, glass, cardboard, green waste, plastics, wood, paper, metal, electrical items, textiles, plasterboard and furniture within 40 (no.) 31m<sup>3</sup> skips. In addition to the HWRC it is proposed to provide a reuse building where reusable recycled items can be resold to the public. The reuse building would have a length of 9m, width of 18m and height of 3.4m and be of clad steel portal frame construction.
5. To support the development it is necessary to provide associated facilities including 2 No points of vehicular access on to the public highway, road widening and the provision of shared use footpath/cycleway, weighbridges, portakabins, landscaping and

sustainable urban drainage features.

6. It is estimated that 106,496 tonnes of waste would pass through the WTS annually including 607 tonnes of hazardous waste by the year 2038/39.
7. The application has been altered since submission to include amendments to the surface water drainage and landscaping schemes, to provide additional information regarding fuel storage and pollution prevention and to remove the proposed provision of a new shared use path along Barton Hill.
8. Furthermore, the applicants submitted the following information on 10 August 2017:
  - Amended plans proposing removal of path to south of Barton Hill
  - A134/A143 Roundabout Access Appraisal Summary report
  - Revised Travel Plan
  - letter regarding Highway Authority pre-application advice on speed limits
  - Indicative 'signs and lines' drawing
  - Additional Information on HGV Vehicles and Movements report
  - Letter regarding electric vehicle charging points (subsequently amended on 29th August 2017).
9. On receipt of this information Officers undertook further consultation, the results of which are reported in the relevant 'consultation' and 'representation' sections of the report below.

#### *The Applicants Case*

10. The application is a joint submission by Suffolk County Council, St Edmundsbury Borough Council and Forest Heath District Council (hereafter referred to as 'the Applicant'). The Suffolk Waste Partnership (SWP) is a strategic partnership comprising the County Council and District and Borough councils within Suffolk and has identified the need for a network of waste transfer stations to serve the Energy from Waste facility at Great Blakenham which uses waste left over after recycling to generate electricity. A report produced by the SWP in 2011 concluded that a waste transfer station needed to be located in or near to Bury St Edmunds. The existing waste transfer facilities serving West Suffolk are located in Red Lodge, Thetford and Haverhill. These are located to the west of the area and the majority of waste they handle comes from the east. Furthermore, the majority of waste that they handle is destined for facilities to the east of Suffolk. Initially Suffolk County Council sought to establish this new waste transfer station at Rougham Hill, Bury St Edmunds, where an existing household waste recycling centre was located. A planning application was therefore submitted and subsequently approved by Suffolk County Council in 2013 in response to this identified need. This permission is extant having been lawfully implemented.

11. In addition to the need for a new waste transfer station identified by the SWP, Forest Heath District Council and St Edmundsbury Borough Council (the West Suffolk Councils) have also identified a need to address what they consider to be deficiencies with their existing depot facilities and an inability of existing facilities to expand to meet future demands. There are currently three Council waste and street scene depots in West Suffolk. These are located at Olding Road in Bury St Edmunds, at Holborn Avenue in Mildenhall and at Homefield Road in Haverhill. The proposal would result in the closure of the Olding Road and Holborn Avenue facilities. The applicants have identified that the Olding Road depot is a building constructed over 50 years ago and in need of modernisation with associated costs and ongoing maintenance costs and that its size, location and age present operational difficulties. The applicants have also advised that the site at Holborn Avenue, whilst a relatively new facility has limited room to expand to address future waste generation and has underutilised office based facilities following the relocation of administrative functions to Bury St Edmunds.
12. Since the granting of the permission for the waste transfer station at Rougham Hill, the applicants have explored the opportunity to co-locate waste management facilities and associated services on a single site which has led to the submission of this planning application. The applicants consider that the co-location of facilities is the most appropriate option and have undertaken an assessment of 5 options:
  - Option 1: Do nothing
  - Option 2: Implement Rougham Hill planning permission and leave depots where they are.
  - Option 3: Implement Rougham Hill planning permission and relocate and merge depot facilities
  - Option 4: Co-locate all facilities on new site
  - Option 5: Co-locate waste transfer station and depots on a new site and leave Household Waste Recycling Centre at Rougham Hill.
13. Their assessment of these options covers 24 criteria (including issues such as cost, access, travel distances, planning status, adjacent land uses, commercial opportunity and sustainability) and applied a score of between -2 to +2 for each of the 24 criteria. This assessment results in the following scores for each of the above options:
  - Option 1: -16
  - Option 2: +6
  - Option 3: +16
  - Option 4: +20
  - Option 5: +14
14. Through this process the applicants identified that Option 4 (co-locate all facilities on a new site) was considered to be the option with the highest score and they have therefore sought to identify suitable sites for the location of such a facility. Through a process of site selection the applicants did not identify any allocated or previously developed

sites that they considered suitable and they therefore sought to identify a suitable and available greenfield site on which to deliver the proposed development at which point the application site was identified. Through a public engagement exercise which was undertaken by the applicants the proposal attracted a significant level of interest and in response to this the Councils re-assessed previously considered sites or assessed new sites proposed by the public, the outcome being that they still regarded the application site as the most suitable to deliver their proposals. The Councils formalised and presented their options and site assessment work by producing an Identification of Potential Options and Sites Report (IAPOS Report) referred to in the submitted Planning Statement.

15. In support of co-locating facilities the applicants have identified a number of benefits which they consider would materialise and these include an improved ability to meet future demand for waste services; improved efficiency; reduced costs of delivering services; the release of existing sites for redevelopment to alternate uses; an improvement in the quality of service for the public; the provision of facilities not currently available (such as the resale building); economic benefits associated with construction; improved working conditions for staff; improved building standards; and a reduction in waste miles and the planting of new trees and hedgerows.

**Application Supporting Material:**

16. Information submitted with the application as follows:

- Application Forms
- Location Plan
- Floorplans and Elevations
- Propose Site Plans
- Ecology Report
- Archaeological Statement and Brief for Excavation
- Ground Investigation Report
- Land Quality Assessment
- Landscape Management Plan
- Bat Roost Potential Survey
- Lighting Strategy
- Landscape and Visual Impact Appraisal
- Noise Assessment
- Lorry Management Plan
- Statement of Community Involvement
- Design and Access Statement
- Arboricultural Impact Assessment
- Lighting Layout Plan
- CCTV Location Plan
- Footpath Plans
- Existing Topography Plan
- Fencing and Kerbing Plan
- Site Sections

- Finished Levels Plan
- Transport Assessment
- Suds Drainage Proforma
- Flood Exceedance Plan
- Access Options Assessment Report
- Sustainability Assessment
- Odour Management Report
- Flood Risk Assessment
- Travel Plan
- Air Quality Assessment
- Landscaping Plan
- Drainage Layout
- Drainage Statement
- Infiltration Trench Section
- Planning Statement

### **Site Details:**

17. The site is 6.06 hectares in area and roughly rectangular in shape with arms extending to the east and west to incorporate areas of the highway where works within the highway are proposed. It is located to the north-east of Bury St Edmunds within the parish of Fornham St Martin Cum St Genevieve. The site is bounded to the north by the C735 Fornham Road and to the west by the A134. To the south is Hollow Road Farm with a variety of agricultural buildings and industrial and commercial premises.
18. The site was last used for arable agriculture and has an existing point of access to its north-east corner with an access road heading south to serve the farm building complex. Levels fall approximately 13m from the north-east corner to the south-west corner. Land outside of the site to the south is at a lower level.
19. To the northern boundary the site is predominantly open to the highway verge with a mature group of trees at its north-west corner which continues along the west boundary of the site where a mature landscaped belt slopes down to the A134. A landscaped bund exists along the southern boundary of the site and a mature hedgerow sits on the western site boundary.

### **Planning History:**

20. The following application relates to the application site:
  - DC/17/0123/EIASC.R. EIA not required for proposed West Suffolk Operational Hub
21. The following applications relate to land immediately adjacent to the site:

- E/78/3101/P Conversion of existing farm building to office accommodation. Approved
- E/83/2249/P Use of an area for earthworks facilities including temporary storage of topsoil and the disposal of soft materials off 143 Bury Link Road. Approved
- E/85/2605/P. Change of use of building from general agricultural to agrochemical store. Approved
- E/87/1362/P Conversion of existing garage to additional office accommodation. Approved
- E/95/2752/P Change of use from agricultural buildings and workshops to contractor's workshop and yard with ancillary office accommodation for servicing/repairs and parking of Heavy Goods Vehicles. Approved
- SE/00/3307/P Waste transfer and treatment station. Approved
- SE/02/3282/P Outline Planning Application - (i) General purpose agricultural storage building and (ii) vehicular access. Submission of details in Dec 2002. Approved
- SE/02/3995/P Submission of details – Erection of agricultural storage building and construction of vehicular access. Approved
- SE/03/2496/P Outline Planning Application – Two agricultural buildings as supported by drawing received 7th July 2003 indicating means of access to the site and by letter dated 7th August 2003. Approved
- SE/04/1420/P Change if use of ground floor of farmhouse to offices (class B1) and erection of workshop building. Approved
- SE/05/1080/P Submission of details – Erection of attached agricultural storage building. Approved
- SE/05/0196 Submission of Details - Erection of agricultural building. Approved
- SE/07/1455 Erection of agricultural building for the storage of crops. Approved
- SE/11/0380 Erection of agricultural building. Approved
- SE/13/0006/A G1 - Determination in Respect of Agricultural Permitted Development – Installation of solar PV system on 5 no. agricultural buildings. Approved
- DC/15/1538/CMW County Matter Planning Application (Minerals and Waste) - rationalisation of land through the demolition and



reorganisation of a number of buildings, the extension to a workshop and the change of use of land to allow to relocation of a recycling facility and the distribution of aggregates. Approved

- DC/15/2505/FUL Construction of agricultural building. Approved.
- DC/16/0632/FUL Vegetable store adjoining building and 2.5m high earth bund. Approved
- DC/16/0934/HAZ Application for Hazardous Substance Consent - Storage of a maximum of 30 tonnes of liquid petroleum gas. Approved
- DC/16/2189/FUL – Agricultural Storage Building. Approved
- DC/16/2721/FUL B2 General Industrial Office/Workshop Building (demolition of existing farm Buildings. Approved

### **Consultations:**

#### **22. SEBC Conservation Officer:**

The proposed development does not involve physical alteration to a heritage asset however has the potential to impact on the setting of a number of listed buildings, a conservation area and scheduled monuments. For the purpose of this consultation consideration has been given the potential impact on the setting of listed buildings and the conservation area within the 2km radius as identified in the landscape and visual assessment.

Given the location, topography and intervening development, the proposed development is not considered to impact on the nearby conservation areas. The heritage assets most likely affected are those towards the southern end of Fornham St Martin. However, even here the buildings are located outside the 1km radius and views of the site are likely to be limited and seen in context with the sugar beet factory and other intervening development.

Based on the information provided, whilst glimpses of the site may be possible from the heritage assets located towards the southern end of Fornham St Martin, the longer wider views currently enjoyed are currently interrupted by intervening development. It is therefore considered glimpses of the proposed development which may be experienced are unlikely to cause harm to the setting of the heritage assets affected. **I therefore have no objections.**

#### **23. SEBC Development Implementation and Management Officer:**

All the requirements of a Travel Plan as requested by the County Council can be secured by a planning condition, indeed we are guided

to do so where possible (NPPF Para 203). The only exception is the monitoring fee, which is not Community Infrastructure Levy (CIL) compliant from the outset, because it acknowledges there may only be a possibility of failure, not a certainty for this requirement. The applicant may choose not to pay this and therefore, it cannot be agreed that it is necessary to grant planning permission and therefore it will not be requested via s106 or be CIL compliant. If the applicant agrees to pay the monitoring fee (and therefore agrees that it is necessary) we can secure via s106 and it will be CIL compliant on the agreed basis that it is necessary.

24. Environment Agency (original comments, now superseded):

We object to this application as submitted because the proposed development would pose an unacceptable risk of pollution of groundwater and the water environment. We recommend that planning permission should be refused on this basis. To overcome our objection further information should be provided including details of the proposed fuel storage and distribution system and an assessment of the resultant risks to the environment; composition of the street sweepings bay or a revised drainage plan to contain and remove water from the street sweepings for treatment or by revising the street sweepings storage arrangements to prevent mixing with surface water.

This operation will require an environmental permit. The operations will involve processing more than 100,000 tonnes of waste per year, for which there is no standard rules permit. As such, the applicant will need to apply for a bespoke permit in due course to ensure issue before operations begin. The applicants have already approached us for, and have been provided with, pre-permit application advice.

25. Environment Agency (on amendments received 25<sup>th</sup> May 2017):  
Further to our letter of objection dated 3rd April 2017 we have received additional information from the applicant. The submitted details regarding the proposed fuel storage tank are considered acceptable. The revised street sweepings bay drainage plans show that they will drain to a contained tank. This proposal is considered acceptable. Sufficient information has been provided to enable us to withdraw our objection 1 ground water and contaminated land (new fuel storage tanks) and our objection 2 pollution prevention (surface water drainage from sweepings bay). **Our objections are withdrawn** subject to comments, and conditions regarding previously unidentified contamination, surface water drainage and the need for a construction environment management plan.

26. SEBC Environment Officer:

i) Contaminated Land:

We agree with the conclusions of the submitted Land Quality Assessment report that the site presents no unacceptable risks to

either human health or to groundwater or surface water receptors, for the proposed commercial end use. **We do therefore not object** to the development or require any specific planning conditions in relation to this proposal. However, should the proposal be approved, we would recommend an advisory note in the case of unexpected contamination.

ii) Air Quality:

We note in the Lorry Management Plan that lorries operating from the proposed facility will be prevented from using the B1106 (Fornham St Martin) to reach Bury St Edmunds due to weight restrictions on that road. Lorry movements will distribute along the Suffolk strategic lorry route to reach their collection areas. Therefore there will be no impact in terms of air quality from additional lorry movements to residential properties in the immediate area. It should be noted that lorry movements along the A143 to Great Barton and beyond would be unchanged from the existing movements starting from the existing Olding Road Depot.

This Service would normally expect a full detailed air quality assessment if the thresholds as specified in the Land-Use Planning & Development Control: Planning For Air Quality document, published by Environmental Protection UK and the Institute of Air Quality Management, dated January 2017 are met. These thresholds are additional movements of 500 Light Duty Vehicles (LDV) or 100 Heavy Duty Vehicles (HDV) at relevant receptor locations. From reviewing the documents, it is extremely unlikely that any of these thresholds will be met and therefore the simple screening exercise undertaken would appear appropriate. However, the threshold is decreased in or adjacent to an AQMA to 100 additional LDV movements. The transport assessment considers that an additional 128 movements will occur on the A143 in Great Barton, where an AQMA is proposed (but not yet in place), which is marginally above the threshold of 100 additional movements. However, given that this is only a marginal exceedance, represents an increase of only 1% on the AADT and would likely consist of movements outside of the peak hours, this is not considered a material factor and we are satisfied no further work is required in this instance.

To provide enhancements points for electric vehicle charging should be provided.

iii) Sustainability Statement:

This Service has assessed the Sustainability Statement (March 2017) and is generally satisfied with the principles identified and the proposed sustainability measures that will be adopted to manage energy and water use in the development.

27. SEBC Environment Officer: (following re-consultation carried out in August 2017) - We have additional comments in relation to air quality

only, comments in relation to contaminated land and sustainability remain unchanged from those made in our response dated 13th April 2017. We welcome the increase in electric vehicle charging points as outlined in item 1 of the Currie & Brown letter to Carter Jonas dated 8<sup>th</sup> August 2017, which is in line with our recommendations made in our response of the 13th April 2017. We would, however, note that items 2 and 3 on the Currie & Brown letter appear to refer to the staff car parking only. Although we are generally welcoming of the futureproofing within the staff parking area, additional charging infrastructure would seem more sensible in the fleet parking area for standard sized vehicles. Staff are likely to have access to charging facilities at home or elsewhere, whilst fleet vehicles are likely to undertake all of their charging at the WSOH, therefore, to effectively futureproof the development, ducting for future charging infrastructure would be more beneficial in the fleet car parking areas.

We would therefore recommend that the Currie & Brown letter is amended to confirm/clarify that the additional ducting for future electric vehicle charge points includes the fleet parking area.

Conditions as previous response.

28. SCC Highway Authority:

**No objection** subject to conditions.

In further correspondence the Highway Authority have confirmed that:

They would only expect to model an industrial development such as this to the date of opening (2019). In this case the approach has been robust as the developer has modelled beyond the year of opening (2022).

The Transport Assessment used 'Tempo' growth rates. The 'Tempo' growth rates are based on historical Department for Transport data projected into the future and includes traffic growth resulting from all sources including allocated developments. In this case we are accepting that these are realistic values and on the basis that this site is not a residential or industrial site but for local service vehicles or household waste trips that are already on the network. From pre application conversations we have had with the applicant, it is our understanding that the main vehicle movements will be out of the peak traffic movement hours. The traffic generated from this site is unusual in that it can be more closely controlled than residential or commercial sites with minimal extra traffic in peak times. To formalise this we have recommended a planning condition of an operational movement plan to be agreed by the Planning Authority before first use.

The junction of the A14 and A143 is maintained in part by SCC and in part by Highways England (HE). HE maintain the slip roads and SCC

the gyratory and roads into Bury St Eds. From local observations traffic using this junction tend to queue in the direction of the town centre, sometimes affecting the A14 off slips. This is considered to be a result of the lack of junction capacity nearer the town centre. This area is subject to review and there are a number of proposed junction improvements that are being considered for implementation by SCC in the short term to address these issues. We note that HE did not raise any objections regarding the effects of this application on the junction. For these reasons this junction was not included in the scope for the Transport Assessment. The A14 / A143 roundabout is being addressed as part of the Bury Radial Routes scheme with improvements being funded by five large developments in the Bury St Edmunds area. It is likely that the junction will have been modified, if not before the WSOH is open then shortly after. The traffic generated by the WSOH is a far smaller proportion to that from the residential developments which generate the need for the mitigation at the roundabout. Table 8-8 in the TA shows a small but not significant increase in the Ratio to Flow Capacity when the development traffic is added the base and projected growth. The NPPF paragraph 32 states that an impact has to be severe in order to refuse an application. And this application does not represent a severe impact upon the highway network.

The traffic effects on the B1106 Barton Hill junction were modelled over the same timescale as the other junctions i.e. 2022 (TA table 8-7). This junction is currently operating at overcapacity in the pm peak. The TA shows this junction demonstrates a slight reduction in traffic queues. The data presented in the TA shows that the development does not have a severe impact on this junction and thus it is difficult to argue that this development should contribute to any mitigation.

The layout is considered to provide suitable emergency access and is acceptable in highway terms. I note that Suffolk Fire and Rescue have not raised this as an issue in their response.

The timings of the traffic surveys undertaken in support of the TA are acceptable as the applicant has gathered all the data and provided just the highest peak hour ranges as stated in the TA as is usual in TA's.

The ability to achieve visibility on Fornham Road has been considered and will be conditioned - 4.5m x 215m is considered acceptable.

A Stage 1 Safety Audit has been undertaken which addresses safety issues.

29. SCC Highway Authority: (following reconsultation carried out in August 2017): In general the revised drawings are acceptable provided that the signing is designed to the Traffic Signs Regulations and General Directions 2016 and additional warning signs are required to provide the same standard of signing that is present at Foxhall and Mildenhall

HWRC's. Conditions recommended.

30. Highways England:

**No objection.** The Transport Assessment is satisfactory. It would have been preferable for the A14 junction to have included in the scope of the Transport Assessment from the outset but having undertaken my own checks it became clear that the scale of any impacts of the development on the A14 were unlikely to be severe in this instance.

31. Highways England (in response to consultation carried out in August 2017) provided the following comments: The changes made to this application have no further effect on the A14 trunk. Our previous recommendation remains in place.

32. Historic England:

The site does not lie within or contain any designated heritage assets; however there are a number of designated heritage assets within the wider landscape, including the grade II\* listed Church of St Martin c. 1km to the northwest. It is our view that any adverse impact from the development upon the setting of this church would be minimal and would not result in harm to its significance. We therefore have **no objection** on heritage grounds. We would recommend consultation with the Local Planning Authority Conservation Officers regarding the impact on any grade II listed buildings and with the Archaeological Officers on the impact upon the non-designated archaeology within the site itself.

33. Historic England: (following re-consultation carried out in August 2017) did not wish to offer any further comments and suggested views of specialist conservation and archaeological advisers was sought.

34. Health and Safety Executive: Does not advise, on safety grounds, against the granting of planning permission.

35. SEBC Landscape and Ecology Officer (on amended plans received 5 July 2017):

Trees:

The loss of the mature Oak tree in the north east corner will have an adverse landscape and ecological impact. The mitigation offered is a replacement tree to the south east within the agricultural field. A better solution would be to move the access to the west to retain the tree however section 5 of the Development Access Options Assessment March 2017 is noted. A revised tree protection plan should be submitted for the location and design of tree protection fencing and implemented.

## Ecology:

The ecology report confirms that risks to protected species to be relatively low but recommendations should be implemented through. The lighting layout shows the effect of the lighting does not extend beyond the site boundaries but does extend into the tree belt however the height of the vegetation (12m) relative to the height of the light posts (10m) will screen and further reduce light levels. It has been confirmed that there will be no additional lighting to Barton Hill or Fornham Road which is welcomed. The loss of trees and the effects of lighting represent a short-term disbenefit of the scheme. The landscape scheme is the mitigation.

## Visual Assessment:

It is noted that the proposed development will be visible from a number of locations but the most significant effects would be from Fornham Road.

The design of the scheme has utilised the landform and existing site features to minimise impacts, and other mitigation in the form of landscape planting is proposed. However it will take a number of years (up to 15) for the soft landscaping to mature sufficient to totally screen or soften the effects of the development. The nocturnal character of the landscape has been considered and the lighting strategy is noted and whilst the site is characterised as being a *rural environmental zone* and that there is the potential for ecological effects, the focus is on providing lighting for the safe operation and security of the facility.

## Landscape Plan:

New trees must be at least 5m from any proposed street light. It is also recommended that root barriers are used where trees are located close to roads or footways. The location of CCTV's should also be consistent with tree positions to ensure there is no future conflict. It is noted that the new landscape plan is consistent with these principals.

The main landscape buffer to the site has now been reduced in width and located to the north of the proposed infiltration trench. The infiltration trench has been re-designed so that it sits alongside the landscaping and a 3m easement has been agreed to be the appropriate. A root barrier would also be included so that the landscaping will not impede the operation of the drainage trench and so that the infrastructure can be maintained as and when required. The landscape drawing should be clear about this easement prior to the planning permission being granted. Details of the final mound profiles should be approved once they are designed to ensure that the landscape treatment can be adequately maintained.

The hedge to the east of the proposed site should be strengthened

with additional planting and some trees. I note that the hedge is at least now shown as retained although no additional planting, other than the one oak tree, is included.

The number of trees within the woodland planting matrix should be reduced to reflect the location on the edge of the access roads and adjacent to lighting.

SuDs:

The previous issues where the drainage plan showed a drainage infiltration trench within the site landscape area has been resolved.

Conclusion:

Whilst the application will have an impact on the character of the landscape and will be visible from places in the surrounding landscape and from Bury St Edmunds, the design of the proposals has had regard to location, scale, design and materials. The scheme will not unduly affect the setting of adjacent settlements and the effect on the nocturnal landscape has also been considered. A number of trees are to be lost as a result of the proposals in particular a number of mature oak trees adjacent to the site and on Barton Hill. **These will have an effect on amenity but some mitigation is proposed.**

36. Natural England:

Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has **no objection**.

Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply the requirements of the NPPF.

We advise you to refer to standing advice to understand impact on protected species.

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraph 113 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity.

You should consider any impacts on ancient woodland and veteran trees in line with paragraph 118 of the NPPF.

Development provides opportunities to secure a net gain for nature and local communities, as outlined in paragraphs 9, 109 and 152 of the NPPF. We advise you to follow the mitigation hierarchy as set out in paragraph 118 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or



enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you may wish to consider off site measures, including sites for biodiversity offsetting.

37. Natural England: (following reconsultation carried out in August 2017)  
– Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which Horringer Court Caves SSSI and the Glen Calk Caves, Bury St Edmunds SSSI have been notified. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application.

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework and the Natural Environment and Rural Communities Act (2006).

38. SEBC Planning Policy Officer:

The proposal should be determined in accordance with the development plan unless material considerations indicate otherwise. The relevant policy and material considerations in relation to the principle of the development on the site are summarised below:

- A waste site for this combination of uses is not allocated in the development plan
- The proposal will also give rise to loss of countryside which is considered in response to DM5 and BV26.
- The proposal does not fully meet the requirements of policy DM7 Sustainable design however non-compliance is considered acceptable given the function and nature of the WTS. Some 10% of the site's energy requirements will be met

- by on site solar panels
- Article 32 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 allows local planning authorities to depart from development plan policy where material considerations indicate that the plan should not be followed.
- The proposal will not have a detrimental impact on the highway network and will improve sustainable transport links to the town.
- The site lies outside the settlement boundary but relates well to the urban area with the proposed development making best use of the topography and being seen against the backdrop of the sugar beet factory in views from the countryside to the north.
- The site lies in an urban fringe / edge of settlement location with reasonable accessibility. Public transport links are limited, but due to the nature of the site most trips will be by private vehicle. The proposed site layout plan shows a new shared use path to Barton Hill which will improve accessibility and pedestrian / cycle access to the site. *[these comments were made prior to the planning application being amended to withdraw the shared use path]*.
- The proposal is acceptable under the policies of the SCC Waste Core Strategy and Development Management Policies.
- The site is part of the strategic green infrastructure network (BV26) around Bury St Edmunds, the integrity and connectivity of which should be maintained, protected and enhanced. Planning permission for development that would harm the Green Infrastructure network will only be granted if it can incorporate measures that avoid the harm arising or sufficiently mitigate its effects. Although new mitigation planting is planned the proposed loss of the A grade Oak, the prominent landscape feature of the site and existing planting along Barton Hill is a negative of the scheme.
- The operational need for and benefits of the proposed WSOH have been adequately demonstrated in the reports and studies supporting the application.
- The applicants have carried out sufficient consultation in line with para 66 of the NPPF.
- It has been demonstrated that the application will not increase the risk of flooding on or off the site.
- Levels of odour, light, soil and noise pollution will be minimal and have been demonstrated to be acceptable.
- The scheme will not have an adverse effect on any historic asset or its setting
- Biodiversity will not be adversely impacted by development and the landscaping scheme is likely to lead to increased biodiversity in the immediate area.

Taking into account the above, on balance, **the proposal is considered to be acceptable in principle** in terms of satisfactorily addressing planning policy and other material considerations. The

economic, social and environmental benefits of the proposal outweigh any harm identified and justify a departure the development plan. However matters related to details of the proposal, including the retention of important landscape features, planting and drainage will need to be addressed by condition on any consent.

39. SEBC Public Health and Housing:

**No objection.** The development has the potential to give rise to noise impacts due to its construction, operation, and from visiting traffic especially heavy vehicles accessing the site. The submitted report demonstrates that during the construction no significant impacts are expected. During Phase 3 of the construction there is a potential for "minor" increases in traffic noise on Fornham Road. The assessment of the operational noise at the proposed site shows that during peak normal operational hours no significant impacts are expected. There is a potential for "minor" increases in traffic noise on Fornham Road during operation. Conditions are suggested regarding the need to employ best practice during construction, hours of construction, the burning of waste, security lighting, the routing of traffic, hours of operation and the use of reversing alarms. The details contained in the noise assessment should be implemented.

**No objection on odour grounds** subject to the details contained in the Odour Management Plan being implemented.

40. SCC Strategic Planning – Minerals and Waste has provided the following comments as the Waste Planning Authority:

- I will restrict my comments to the consideration of the waste elements of the development against the policies contained in the Waste Core Strategy.
- In respect of the policies in the Suffolk Waste Core Strategy that was adopted in 2011, I think the proposed development is capable of being in accordance with Policy WDM2 "General considerations relevant to all waste management facilities."
- It terms of Policy WDM5 "General waste management facilities" the proposed development does not comply with that policy in terms of the siting of the waste transfer element even though clause d) indicates that general waste management facilities can be sited "within or adjacent to agricultural or forestry buildings. This is because even though there are agricultural buildings adjacent to the proposed waste transfer station the intention was never that clause d) would apply to strategic sized facilities such as this one.
- Policy WDM7 "Waste transfer stations, materials recycling facilities, end of life vehicle facilities and waste electrical and electronic equipment recovery facilities" cross references policies WDM2 and WDM5 and hence the same comments apply.

- Policy WDM8 “Household waste recycling centres” (HWRC) cross references policies WDM2 and hence the same comments apply. Policy WDM8 also cross references Policy WDM5 and goes on to say that if no types of sites identified under Policy WDM5 are available within the area to be served by the HWRC then other sites would be acceptable so long as they are consistent with Policy WDM2 and accessible to the public. This policy was however intended for standalone HWRCs which tend to be relatively small in extent rather than strategic sized facilities such as this one.
- Policy WDM19 “Design of waste management facilities” makes reference to good design features. The proposed development is entirely new and designed specifically for the intended use and complies with Policy WDM19 where appropriate to do so.

41. SCC Archaeology:

The site is in an area of archaeological potential for Prehistoric, Roman and Medieval occupation. The application is supported by an Archaeological Statement following pre application geophysical surveys and trenched evaluation. The results of these investigations have revealed significant archaeological remains that span from at least the Middle Iron Age to the Roman period with features focussed in the eastern field. Groundworks associated with the proposed development would have the potential to damage or destroy significant archaeological remains. **There are no grounds to consider refusal** of permission in order to achieve preservation in situ of any heritage assets but two conditions will be required to record and advance understanding of the significance of any heritage asset.

42. Suffolk County Council Archaeological Service: (following reconsultation carried out in August 2017) confirmed their advice remains the same as that sent on 6 June 2017.

43. SCC Flood and Water Engineer (following amended plans received 23 May 2017:

SCC Flood and Water Management have reviewed the amended drainage documents and **we can now remove our initial holding objection**. However further monitoring of groundwater levels will be required onsite, thus conditions will be required.

44. SCC Flood and Water Engineer: (following re-consultation carried out in August 2017) – no further comments to make.

45. SCC Suffolk Fire and Rescue:

The Fire Authority request that adequate provision is made for fire hydrants by the imposition of a suitable planning condition.

46. SCC Travel Plan Officer:

There has been some sustainable measures identified to help mitigate the impact that the employees of the site will have on the local highway infrastructure. However, the location of the site is quite remote and will be very difficult to encourage most the employees to utilise sustainable alternatives to single-occupancy vehicle travel. Also the Travel Plan will not be able to influence the travel habits of visitors, due to the main purpose of the site.

The Travel Plan did identify that the existing bus services that serve the stops on Barton Hill are not suitable for most employees that will be working on the site, so the only realistic sustainable transport options are cycling and car sharing. Walking may also be possible if there are any employees that live in the North-west Bury St Edmunds area, due to the proposed footway link that connects Barton Hill to the site.

There have also been some strong measures identified to encourage cycling on site, such as providing suitable storage, showers and changing facilities to encourage employees to cycle to the site. The car sharing measures identified are also sufficient and will help encourage employees to car share. These measures, if implemented in full may provide some suitable alternatives to single-occupancy car travel and highway mitigation for a remote location.

A legal agreement would ideally be required to secure the Travel Plan and required for the monitoring fee. The use of planning conditions, in addition to securing a Section 106 or Unilateral Undertaking may also be considered as an option to effectively secure the Travel Plan.

Full comments made by consultees can be found on the Council's website using the link at the end of this report.

### **Representations:**

47. Bury St Edmunds Town Council: **No objection** based on information received.
48. Bury Town Council: (following reconsultation carried out in August 2017) - **supports** the creation of a municipal operational hub, notes the submission of the Suffolk Preservation Society and the amendments and measures proposed by the applicant.
49. Fornham All Saints Parish Council: **Object**. Attention is drawn to the transport appraisal submitted by Great Barton Parish Council, Fornham St Martin cum Genevieve and Fornham All Saints which will be submitted with the response from Great Barton Parish Council. Application fails to appropriately forecast traffic impacts of growth. Traffic congestion is a major concern and with the effect that additional hub traffic will have on an 'already dangerous' roundabout at the A134 Fornham Road junction on Barton Hill where vehicles

speeds are 70mph and visibility is low and where traffic is already congested or high in volume. Concerned at conflict with policy BV14 which identifies employment land and why Hollow Road Farm has been chosen when it is not allocated for employment/industrial uses. Pleased to see that the application will go before Secretary of State for determination. The Parish Council acknowledges improvements to the layout with additional safety features.

50. Fornham All Saints Parish Council: (following reconsultation carried out in August 2017) Site is only likely to be accessed by public by private car. The Parish Council continues to object to this application on health and safety grounds for those crossing the A134 carrying or transporting refuse, or just accessing the site. It is felt to be logical to remove HGVs from using a shared access and the proposed access from the southern roundabout appears sound on all grounds and would allow the removal of second access onto Fornham Road and will reduce capital costs and allow parking and buildings to be at a lower level. At the DCC meeting it was agreed that there should be additional discussions over vehicle speed issues, but there is no evidence of post 19th July discussions nor is there a record of any response. The Parish Council expects in the interim period that there should be some record of additional consultative measures having been undertaken.
51. Fornham St Martin Cum St Genevieve Parish Council: **Unanimous objection.** The infringement of existing Borough policies (SEBC Green Infrastructure Strategy; Core Strategy CS11 and Bury Vision BV14) is fundamentally wrong.

Traffic and infrastructure is a major concern and the application has a lack of detailed plans and appropriate traffic density forecasting. The creation of a ghost lane at the entrances is insufficient provision and such facilities usually have independent road access routes. Average speed on Fornham Road is 55mph. The forecasting of the traffic impact should be undertaken to 2039 not 2022 as has been done. Concerned that no provision is made for improving the A134/Barton Hill/Fornham Road roundabout where traffic speeds are 70mph and visibility is restricted with 4 accidents in the last year. The Parish Council also feel it extremely unlikely that residents will use the footpath and crossing the A134 will be dangerous. We acknowledge the improvements to the layout of the site.

Concerns raised unanimously regarding air quality due to diesel fumes and from the odour/gases from the waste impacting on residents and workers health. Also a fire risk from the site which associates itself with the aquifer which provides drinking water. Noise pollution needs to be addressed on the western boundary.

The financial report and business plan have not been updated since spring 2015 and the Parish Council expect an update on the financials going forward.

52. Great Barton Parish Council: **Objection.** There are significant safety factors with the co-location of services onto one site. A transport/traffic appraisal has been commissioned by Great Barton Parish Council, Fornham St Martin Cum St Genevieve Parish Council and Fornham All Saints Parish Council. The Planning Statement does not contain feedback from the Council meeting of 6<sup>th</sup> June 2016. The impacts on the countryside and loss of prime arable land is not acceptable and exacerbated by the removal of 2 oak trees. The landscaping on the western boundary will not provide sound attenuation in the Autumn/Winter and use of tip hook skips and hours of operation needs reconsideration. The layout should be revised to separate the traffic to HWRC and reuse building and egress onto A134 allowing the public ingress to be relocated and a slip road for exiting operational vehicles. The site is susceptible to flooding and no mention of back up to vertical pumps. Contamination of principal aquifer must be avoided. The centrally placed lighting tower in the WTS yard will have safety implications especially with reversing HGVs. The centrally located car park should be re-located. The WTS should be a drive-through facility. Why is active management of odour now not being proposed? Opening hours to HWRC should be reconsidered. An Environmental Assessment should be undertaken due to presence of principle aquifer and scope of ground investigations is incomplete/insufficient. The development conflicts with Borough policies (SEBC Green Infrastructure Strategy; Core Strategy CS11 and Bury Vision BV14). The application considers the need for the Secretary of State to determine this proposal as a matter of necessity.

A Transport Appraisal has been submitted which states that the cumulative impact of committed development (including allocations) should be considered which has not been done by the applicants. The A14/A134 junction should be analysed up to 2027 in accordance with Highways England guidance as there will be a material impact on this junction and congestion already exists. The Rougham Hill site is better located for access and the proposal would therefore lead to an increase in vehicles and an increase in the distances people travel contrary to sustainability objectives. The B1106/Barton Hill junction exceeds capacity significantly and will continue to do so. No safety audits have been undertaken of visibility. The site is poorly served by buses especially when compared to Rougham Hill/Fornham Road limiting options for staff and contrary to sustainability objectives.

53. Ixworth and Ixworth Thorpe Parish Council: **No comment** as the application is not within this Parish.
54. A further letter was received from the Chair's of Fornham St Martin cum St Genevieve, Fornham All Saints and Great Barton Parish Councils. This raised the following matters:
- We are writing to you now to challenge the submissions you have received from various external agencies as woefully inadequate – actually revealing a serious lack of recognition or understanding of the area – or the certain cumulative impact of the WSOH proposals on our villages and the surrounding road networks.

- Suffolk Highways modelling claims to be robust by considering the immediate Hollow Road Farm area up to 2022. By that time, maybe just 20% or less of the Vision 2031 future housing development (and thus WSOH users) on the five strategic development sites will have been delivered. We note also that the forecasting parameters are different for WSOH than for residential developments, simply because it is 'industrial'. HRF is an 'industrial' site, which will be used by large numbers of 'residential' traffic.
- In addition, developments across the 'Northern Arc' of Bury St. Edmunds, which include 200 homes at Ixworth, 200 in Stanton, up to 800 in Thurston, St Genevieve Lakes, etcetera are not even considered.
- Your question to Highways following our first meeting asked specifically about the Traffic Assessment of the A14 / A134 junction. One of the answers addresses the issues only of the A14 and A143. Our issues are with both the A134 and A143. Moreover, if Highways submit that the major problem with J43 of the A14 is traffic backing up due to lack of capacity on the town-bound route, then why has it just submitted no comments of concern on a planning application for a major hotel and drive-through in Etna Road?
- In the case of WSOH, it is noted that S106 contributions are not available anyway as the five site threshold has already been reached. We regard this as wrong in principle – but is maybe linked to the fact that it would be St Edmundsbury (as the developer) and the public purse which would be the S106 contributor.
- None of the responses address the serious concerns we have about traffic safety in the immediate areas around Hollow Road Farm. For example, on the A134 southbound carriageway of the Fornham Bypass, vehicles will arrive at the national speed limit or above onto a small, tight radius roundabout with poor visibility, to be confronted very possibly by a maximum weight 44 tonne prime mover and drawbar outfit emerging from HRF and needing to cross lanes in order to make its way to J43. Similarly, on the western approach to HRF from Great Barton, we have statistical evidence that the average vehicle speed at the entrance to HRF is 55 mph – again, likely to be confronted by an emerging slow moving HGV – or in this case a farm tractor – or other passenger vehicles.
- Collectively, these sum up a very serious potential situation which our councils have a responsibility to both our communities and the wider public to draw to your attention. These are conditions which are completely unacceptable in the context of approval of the WSOH Planning Application without suitable mitigating measures and highway improvements to make the area fit for purpose.
- Regrettably, these responses reflect our own experience dealing



with Suffolk Highways, where it either submits that improvements are the responsibility of another agency – be that Highways England, the local authority or developers making contributions under Section 106 ... but seldom that it has an obligation to deliver improvements itself. Routine maintenance on the existing infrastructure is difficult enough – and is frequently dogged by excessive delays.

55. Letters of representation raising either **objections or comments** have been received from the following 93 addresses:

- Oak House, 12 Gleneagles Close, Fornham St Martin, Suffolk IP28 6XA
- Three Oaks, Mill road, Great Barton, Bury St. Edmunds, Suffolk IP31 2RU
- The Crooked House, Bury Road, Great Barton, Bury St. Edmunds, Suffolk IP31 2TS
- 5 Dunwich Place, Great Barton, Bury St. Edmunds, Suffolk IP31 2TJ
- 19 Ord Road, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1TB
- Cadogan House, Fornham Road, Great Barton, Bury St. Edmunds, Suffolk IP31 2SG (2 letters)
- 9 Birkdale Court, Fornham St. Martin, Bury St. Edmunds, Suffolk, IP28 6XF
- The Agents House, Fornham Park, IP28 6TT
- 19 Barton Hill, Bury St. Edmunds, IP31 1SN
- 26 Barton Hill, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1SN
- Fornham Grange, School Lane, Fornham St Martin IP31 1SP
- Sunningdale, 3 Mooreland Drive, Great Barton, Bury St. Edmunds, Suffolk IP31 2PN
- 18 Turnberry Drive, Fornham St. Martin, Bury St. Edmunds, Suffolk IP28 6TP (2 letters):
- 20 Barton Hill, Fornham St. Martin, Bury St. Edmunds, IP31 1SN
- 25 Barton Hill, Fornham St. Martin, Bury St. Edmunds, IP31 1SN
- 31 Conyers Way, Great Barton, Bury St. Edmunds, IP31 2SW
- 5 Turnberry Drive, Fornham St. Martin, Bury St. Edmunds, Suffolk IP28 6TP
- 61 Glebe Close, Thetford, IP24 2LN (2 letters)
- 8 Dunwich Place, Great Barton, Bury St. Edmunds, Suffolk IP31 2TJ
- Crabtrees, Pakenham Road, Great Barton, IP31 2PF
- Knutsford, Ixworth Road, Great Barton, IP31 2PT (2 letters)
- 11 Gilstrap Road, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1TD
- Barcaple House, School Lane, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1SP
- 1 Bunbury Avenue, Great Barton, Bury St. Edmunds, IP31 2SZ (2 letters):
- 1 Parklands Green, Fornham St Genevieve, Bury St Edmunds, Suffolk IP28 6UH (2 letters)

- 16 Culford Road, Ingham, Bury St. Edmunds, Suffolk IP31 1NP
- 48 Conyers Way, Great Barton, Bury St. Edmunds IP31 2SW (2 letters)
- Little Farm, West Stow Road, Culford, IP28 6DY
- Sharon, Livermere Road, Conyers Green, Bury St. Edmunds, IP31 2QG (2 letters).
- 21 Anglesey Place, Great Barton, Bury St. Edmunds, Suffolk IP31 2TW
- 31 Conyers Way, Great Barton, Bury St. Edmunds, IP31 2SW (2 letters)
- 4 Oak Grove, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1TH
- 41 Spring Terrace, Spring Lane, Bury St. Edmunds, Suffolk IP33 3AP (three letters)
- 47 Juniper Road, Bury St. Edmunds, IP32 7PT
- 5 Martin Mews, Haverhill, Suffolk CB9 7FU (2 letters)
- 60 Raynham Road, Bury St. Edmunds, Suffolk IP32 6EA (2 letters)
- 9 St Marys Square, Bury St. Edmunds, Suffolk IP33 2AJ (on Behalf of Bury Society)
- Fur House, Rectory Meadow, Fornham All Saints, Suffolk IP28 6JR
- Puttocks Bottom, Livermere Road, Great Barton, Bury St. Edmunds, Suffolk IP31 2QE (2 letters)
- The Willows, Livermere Road, Great Barton, Bury St. Edmunds, Suffolk IP31 2QE (2 letters)
- 18 Conyers Way, Great Barton, Bury St. Edmunds, Suffolk IP31 2RL
- Park Croft, The Park, Great Barton, Bury St. Edmunds, Suffolk IP31 2SU:
- 12 Woodland Place, Great Barton, Bury St. Edmunds, Suffolk IP31 2TG
- 24 Barton Hill, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1SN
- 5 Dairy Drive, Fornham All Saints, Bury St. Edmunds, Suffolk IP28 6LN
- 7 Russell Baron Road, Fornham St. Martin, Bury St. Edmunds, IP31 1TA
- 1 Orchard Way, Badwell Ash, Bury St. Edmunds, Suffolk IP31 3JL (2 letters)
- Meadowcroft, 1 Diomed Drive, Hall Park, Great Barton, Bury St. Edmunds, Suffolk IP31 2TF (2 letters)
- 1 Ord Road, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1TB
- 18 Bell Meadow, Bury St. Edmunds, IP32 6AU
- 5 St. Andrews Drive, Fornham St. Martin, Bury St. Edmunds, Suffolk IP28 6TR
- 9 Chester Place, Great Barton, Bury St. Edmunds IP31 2TL (2 letters)
- Ardamane, Livermere Road, Great Barton, IP31 2QE
- 24 Diomed Drive, Great Barton, Bury St. Edmunds, IP31 2TD:
- Barton House, The Park, Great Barton, Bury St. Edmunds, Suffolk IP31 2SU
- 13 Barton Hill, Fornham St. Martin, Bury St. Edmunds, IP31 1SN

- 2 School Cottages, School Lane, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1SP
- 38 The Coppice, Great Barton, Bury St. Edmunds, Suffolk IP31 2TT (2 letters)
- 4 Oak Grove, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1THL (two letters)
- 5 Barton Hill, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1SN
- 7 Gilstrap Road, Fornham St. Martin, Bury St. Edmunds, IP31 ITA
- 8 Russell Baron Road, Fornham St. Martin, Bury St. Edmunds, IP31 1TA
- 9 Russell Baron Road, Fornham St. Martin, Bury St. Edmunds, IP31 1TA (2 letters):
- Colton House, Fornham Road, Great Barton, IP31 2SD (2 letters)
- Crown House, School Lane, Great Barton, Bury St. Edmunds, Suffolk IP31 2RQ (2 letters)
- Park House, 9 Woodland Place, Great Barton, Bury St. Edmunds, Suffolk IP31 2TG
- 14 Barton Hill, Fornham St. Martin, Bury St. Edmunds, IP31 1SN
- Cherry Trees, 10 Diomed Drive, Great Barton, Bury St. Edmunds, Suffolk IP31 2TD (two letters)
- 22 Grove Park, Bury St. Edmunds, Suffolk IP33 3BG
- 1 Diomed Drive, Hall Park, Great Barton, Bury St. Edmunds, Suffolk IP31 2TF
- 18 The Coppice, Great Barton, Bury St. Edmunds, IP31 2TT
- 44 Conyers Way, Great Barton, Bury St. Edmunds, IP31 2SW
- Colton Cottage, Fornham Road, Great Barton, Bury St. Edmunds, Suffolk IP31 2SD
- Holly House, Cox Lane, Great Barton, Bury St. Edmunds, Suffolk IP31 2NS
- The Oakeries, Fornham Road, Great Barton, Bury St. Edmunds, Suffolk IP31 2SE
- 13 Barton Hill, Fornham St. Martin, Bury St. Edmunds, IP31 1SN
- 16 Kytson Road, Fornham St. Martin, IP31 ITF
- 18 Russell Baron Road, Fornham St. Martin, Bury St. Edmunds, Suffolk IP31 1TA
- 12 Conyers Way, Great Barton, Bury St. Edmunds, IP31 2RL (2 letters)
- 12 Gilstrap Road, Fornham St. Martin, Bury St. Edmunds, IP31 1TD
- The Hollies, The Park, great Baron, AP31 2SX
- 5 Manners Road, Fornham St. Martin, IP31 1TE (2 letters)
- 17 Barton Hill, Fornham St. Martin, Bury St. Edmunds, IP31 1SN (2 letters)
- 24 Bell Meadow, Bury St. Edmunds, Suffolk IP32 6AU
- 26 Church Walks, Bury St. Edmunds, Suffolk IP33 1NJ (sent on behalf of Suffolk West Action Group (SWAG)) (2 letters)
- 24 Barton Hill, Fornham St. Martin, Bury St. Edmunds Suffolk IP31 1SN
- 6 Garden Close, Great Barton, Bury St. Edmunds, Suffolk IP31 2SY
- Derby House, 13 Diomed Drive, Great Barton, Bury St. Edmunds

- Cherry Trees, The Park Great Barton, Bury St. Edmunds, Suffolk IP31 2SU
- Vicarage Farm House, Vicarage Farm Lane, Great Barton, Bury St. Edmunds, Suffolk IP31 2QF
- Westfield House, Compiegne Way, Bury St. Edmunds, Suffolk IP32 7BD
- Yew Tree Cottage, Fornham Road, Great Barton, Suffolk IP31 2SG
- Kingsbury Hill Wood, Fornham St. Genevieve, IP28 6DZ
- Genevieve Farms, Fornham St Genevieve, Bury St Edmunds

56. Following re-consultation carried out in August 2017, further representations were received from the following 35 addresses:

- 2 School Cottages, School Lane, Fornham St Martin
- 18 Turnberry drive, Fornham St Martin x2 letters
- Puttocks Bottom, Livermere Road, Great Barton x2 letters
- 10 Kyston Road, Fornham St Martin
- Cadogan House, Fornham Road, Great Barton
- Three Oaks, Mill Road, Great Barton
- 41 Spring Terrace, Spring Lane, Bury x2 letters
- Cherry Trees, 10 Diomed Drive, Great Barton x3 letters
- 31 Conyers Way, Great Barton
- Knutsford, Ixworth Road, Great Barton x2 letters
- Little Farm, Culford
- 61 Glebe Close, Thetford x2 letters
- Anglesey Place, Great Barton
- 60 Raynham Road, Bury St Edmunds x2 letters
- 5 Martins Mews, Haverhill x2 letters
- 8 Dunwich Place, Great Barton
- The Agents House, Fornham Park x2 letters
- 24 Barton Hill, Fornham St Martin x2 letters
- Suffolk West Action Group (SWAG), 26 Church Walks, Bury St Edmunds x3 letters
- Sharon, Livermere Road, Conyers Green
- 24 Diomed Drive, Great Barton
- 11 Gilstrap Road, Fornham St Martin
- Meadowcroft 1 Diomed Drive, Hall Park, Great Barton
- Cherry Trees, 10 Diomed Drive, Great Barton x2 letters
- 13 Rectory Meadows, Fornham All Saints
- Yew Tree Cottage, Fornham Road, Great Barton x2 letters
- 13 Barton Hill, Fornham St Martin
- 5 Turnberry Drive, Fornham St Martin
- 5 Manners Road, Fornham St Martin x3 letters
- 16 Culford road, Ingham
- 47 Juniper Road, Bury St Edmunds
- 134 Fornham Road, Bury St Edmunds
- 1 Diomed Drive, Great Barton
- Parish Council Chairman on Behalf of Fornham St Martin Cum St Genevieve Parish Council, Great Barton Parish Council and Fornham All Saints Parish Council
- Hengrave Belt Amenity Group, PO Box 222, Bury St Edmunds

57. The representations of the objectors set out in the above paragraph made comment on the following issues:

- The amendments/additional information does not address previous concerns and reasons for objection
- The period of time given for the reconsultation especially during the summer holiday season was insufficient
- The development will significantly increase traffic volumes
- The development will impact on wildlife
- The development will attract gulls, vermin and rooks
- The development will impact on the countryside
- Objections made by the public are not being listened to
- There are more suitable sites for the hub
- The application conflicts with planning policy including CS11, the Green Infrastructure Strategy and BV14
- Concerned that St Edmundsbury Borough Council are both the applicant and Local Planning Authority
- Local road network cannot accommodate additional traffic with Junction 43 of A14 over capacity and queuing on Barton Hill
- Transport Assessment is inadequate as fails to consider the lifetime of the development and cumulative impact of planned growth
- Increased traffic on rural roads will be detrimental to highway safety
- Site will be dangerous to access for pedestrians and cyclists without the footpath
- Vehicles speed in the area adding to highway safety concerns
- A134/Fornham Road/Barton Hill roundabout should be improved as vehicles speeds are high and visibility is poor and is unsuitable for heavy goods vehicles
- Potential impact on principal aquifer and water supply
- Transport Assessment uses incorrect data therefore its outcome cannot be relied upon
- Local roads will become rat runs
- Access to the site is dangerous
- Council should have acquired land to provide access to the south
- Proposal removes a Category A and B Oak tree
- The development will impact air quality
- The development will result in odour
- The development will result in littering
- Independent traffic surveys differ from the submission
- Site is too close to residential dwellings
- Development is a fire risk as these are common at other sites in the UK with resultant pollution for residents, groundwater and ecology.
- A fire risk assessment should be carried out
- Development will result in Nitrogen Dioxide emissions from vehicles
- Site is not large enough to be future proofed
- Deletion of path to south of Barton Hill makes access even more dangerous than before for pedestrians and cyclists wishing to access the site
- No consideration has been given to a bridge over the A134, a controlled crossing or lower speed limits

- Dangerous in highway safety terms therefore the presumption in favour of sustainable development should not apply.
  - Applicants A134/A143 access appraisal is not objective
  - Accident data used is out of date
  - Compulsory Purchase powers should be used to acquire neighbouring land or alternative site found
  - Cost to improve A134/A143 roundabout access are not significant price to pay to avoid dangerous access as currently proposed
  - Sets precedent for industrial development in countryside
  - Scope of deferred issues is too limited and should have included volume of traffic in addition to road speeds
  - Site cannot be accessed safely by pedestrians and cyclists and is therefore unsustainable
  - Glad to see the removal of the footpath
  - Signage and road marking will help in small ways
  - The Development Plan is not silent as its intention is to restrict development to certain locations.
  - Development will result in the loss of agricultural land
  - Site selection criteria in the IAPOS report is unsuitable
  - An extension to Suffolk Business Park would be more appropriate
  - Applicants have previously stated that there will be no HGV use of Barton Hill or under the railway bridge at north of Ottewell Road. Can this be confirmed and policed?
  - Will non-Council vehicles be tracked?
  - Have Suffolk Constabulary been consulted as advised at Overview and Scrutiny?
  - 7.5 tonne weight restrictions are useless
  - Development will have significant adverse cumulative highways impact
  - Draft minutes do not accurately reflect the debate at the Development Control Committee meeting.
  - Development will result in noise and light pollution.
58. One letter of support was received from Two Oaks, East Barton Road, Great Barton, Bury St Edmunds, IP31 2QY:
- The Rougham Hill site is unsuitable with hundreds of housing being built near Rushbrooke Lane accessing junction 44
  - The site has good access from the north and to the A14 junction 43.
  - Few houses within the site and commercial and agricultural adjacent land uses.
59. In addition Fornham St Martin Cum St Genevieve Parish Council have provided comments from 52 addresses received by them at a drop in session they hosted for residents who were invited to record their attendance together with comments.
60. In addition, representations have been received from the following organisations:
- Suffolk Preservation Society, Little Hall Market Place, Lavenham,

Suffolk, CO10 9QZ

- Hengrave Belt Amenity Group, P O Box 222, Bury St. Edmunds, IP28 6EE
- Lark Valley Gravel Group, P O Box 222, Bury St. Edmunds, IP28 6EE

61. The representations made comment on the following issues:

**Transport:**

- Increased traffic and congestion
- Highway safety concerns (including for pedestrians)
- Inadequate Transport Assessment and failure to account for future development and assess relevant junctions such as A14 junction 43 where there are existing issues
- Other options for vehicular access into the site have not been assessed.
- HGV's egressing the site would need to undertake dangerous manoeuvres
- Poor visibility on local highway network
- Highway improvements need to be provided (road widening, roundabout access to site, visibility improvements)
- Local highway network unsuitable for volume and type of traffic
- Any consent should be conditional on an undertaking from SCC Highways to procure 7.5T traffic orders on Barton Hill and the Street, Fornham St Martin and in local area
- Uncontrolled crossing on 70mph road is unsafe
- Barton Hill roundabout unsafe
- Area already heavily congested
- Local roads will be used as short cuts
- Conflict between public and operational vehicles
- Weight restrictions already being breached and are hard to police and enforce
- Development is inaccessible to modes other than the motor car.
- Increased risk to school children
- Local area is liable to traffic accidents
- The development will impact on delivery of policies in the Rural Vision including RV6 (Leisure, recreation and tourism at Park Farm, Ingham) which rely on the highway network.

**Environment:**

- Increased pollution and impact on air quality
- Impact on health
- Impact on countryside and landscape
- Loss of prime agricultural land
- Increased noise
- Increased nuisance
- Increased vibration
- Site will create odour issues
- Increased light pollution at night
- Site is too close to housing
- Adverse impact on residential amenity
- Discarded litter will impact countryside

- Visual impact on landscape
- Buildings poorly designed with regard to surroundings
- Site should be reordered to move buildings further from residential

### **Properties**

- Will breach human rights in respect of peace and safety
- Fire risk
- Waste will be on site 48hrs (not 24hrs as previously advised)
- FRA does not cover A134/A143 roundabout
- Loss of wildlife on agricultural land
- Impact on water quality/principle aquifer
- Impact of vermin
- Litter will be dumped on nearby roads
- Too close to food producing land
- Roads are prone to flooding due to high water table
- Impact of hazardous waste
- Loss of trees
- Site safety/inappropriate layout
- Insufficient tree planting as mitigation

### **Principle:**

- Conflicts with Green Infrastructure Strategy, the Core Strategy and Vision 2031 (and the Development Plan as a whole)
- Precedent for further industrial development in the area
- HWRC should remain at Rougham Hill
- Depot and WTS should be on a site close/directly accessible to A14 on an established industrial area
- Too close to Bury town
- Insufficient evidence of the benefits of the proposal
- Rougham Hill would be a better site and is better located in terms of access
- Existing site are more accessible and will reduce travel distances
- Site is larger than is necessary to cater for development proposed

### **Other issues:**

- Impact on property values
- Will make selling property more difficult
- Financial case for the proposal has not been provided
- Costs have been underestimated
- Proposed footpath will be unused and is unnecessary
- Opening times are unsuitable
- Inappropriate use of public money
- Visitors to Bury will decrease
- Site will attract large birds
- Applicant has failed to respond to letters
- The minutes from the previous meeting [July 2017 specialmeeting] have not accurately recorded the debate in respect of highway safety.

62. Full comments made by Parish Councils, residents and other



contributors can be found on the Council's website using the link at the end of this report.

**Policy:**

63. The St Edmundsbury Core Strategy (2010), Bury Vision 2031 (2014), Rural Vision 2031 (2014), Joint Development Management Policies Document (2015), Local Plan Policies Map – Bury St Edmunds Inset 1 (2015), Suffolk County Council Waste Core Strategy including Suffolk Minerals and Waste Development Framework Proposals Map and Development Management Policies (2011) have been taken into account in the consideration of this application including the following policies:
64. St Edmundsbury Core Strategy (2010)
- Policy CS1 – St Edmundsbury Spatial Strategy
  - Policy CS2 – Sustainable Development
  - Policy CS3 – Design and Local Distinctiveness
  - Policy CS4 – Settlement Hierarchy and Identity Zones
  - Policy CS7 – Sustainable Transport
  - Policy CS8 – Strategic Transport Improvements
  - Policy CS9 – Employment and the Local Economy
  - Policy CS11 – Bury St Edmunds Strategic Growth
  - Policy CS13 – Rural Areas
  - Policy CS15 – Plan, Monitor, Manage
65. Bury St Edmunds Vision 2031 (2014)
- Policy BV1 – Presumption in Favour of Sustainable Development
  - Policy BV13 – Strategic Site – Extension to Suffolk Business Park, Moreton Hall, Bury St Edmunds
  - Policy BV14 – General Employment Areas – Bury St Edmunds
  - Policy BV15 – Alternative Business Development within General Employment Areas.
  - Policy BV16 – British Sugar Site – Areas North of Compiegne Way
  - Policy BV26 – Green Infrastructure in Bury St Edmunds
66. Rural Vision 2031 (2014)
- Policy RV1 – Presumption in Favour of Sustainable Development
  - Policy RV4 – Rural Employment Areas
  - Policy RV9 – Green Infrastructure in the Rural Areas
67. Joint Development Management Policies Document 2015
- Policy DM1 – Presumption in Favour of Sustainable Development
  - Policy DM2 – Creating Places – Development principles and Local Distinctiveness
  - Policy DM5 – Development in the Countryside
  - Policy DM6 – Flooding and Sustainable Drainage

- Policy DM7 – Sustainable design and Construction
  - Policy DM11 – Protected Species
  - Policy DM12 – Mitigation, Enhancement, Management and Monitoring of Biodiversity
  - Policy DM13 – Landscape Features
  - Policy DM14 – Protecting and Enhancing Natural resources, Minimising Pollution and Safeguarding from Hazards
  - Policy DM15 – Listed Buildings
  - Policy DM17 – Conservation Areas
  - Policy DM20 – Archaeology
  - Policy DM44 – Rights of Way
  - Policy DM45 – Transport Assessments and Travel Plans
  - Policy DM46 – Parking Standards
68. Local Plan Policies Inset map 2015
- The site is identified as Countryside (CS4, DM5)
69. Suffolk Minerals and Waste Development Framework proposals Map 2011
- The site is not allocated or safeguarded
70. Suffolk County Council Waste Core Strategy including Development Management Policies
- Policy WCS1 – The Spatial Waste Planning Strategy for Suffolk
  - Policy WCS2 – Management of Sub-regional Apportionment
  - Policy WCS3 – Provision for the Recycling and Composting of Waste
  - WCS4 – Allocated Sites for Strategic Residual Waste Treatment Facilities
  - Policy WDM2 – General Considerations relevant to All Waste Management Facilities
  - Policy WDM5 – General Waste Management Facilities
  - Policy WDM6 – Residual Waste Treatment Facilities with a capacity less than 100,000 tonnes of annual throughput.
  - Policy WDM7 – Waste Transfer Stations, Materials Recycling Facilities, End of Life Vehicle Facilities and Waste Electrical and Electronic Equipment Recovery Facilities
  - Policy WDM8 – Household Waste Recycling Centres
  - Policy WDM18 – Climate Change Mitigation and Adaptation
  - Policy WDM19 – Design of Waste Management Facilities
71. Other Relevant Policy and Guidance and background documents includes:
- National Planning Policy Framework (2012)
  - Planning Practice Guidance
  - National Planning Policy for Waste (2014)
  - Waste Management Plan for England (2013)
  - Suffolk Guidance for Parking (2014)

- Suffolk Landscape Character Assessment
- St Edmundsbury Green infrastructure Strategy (2009)
- Bury Vision Infrastructure Delivery Plan (2014)
- St Edmundsbury Core Strategy Infrastructure Delivery Plan (2009)

### **Officer Comment and Evaluation:**

72. This section of the report begins with a summary of the main legal and legislative requirements before entering into discussion about whether the development proposed by this planning application can be considered acceptable in principle in the light of the provisions of the Development Plan. It then goes on to analyse other relevant material planning considerations (including national/local policy and site specific considerations) before reaching conclusions on the suitability of the proposals.

#### **Legal Context**

##### *The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and 2017*

73. Given the scale of development proposed, its location and the issues it raises, the planning application needs to be screened under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Council's formal Screening Opinion was carried out following a receipt of a request from the applicants at pre-application stage and concluded the proposals are not 'EIA development'. An Environmental Statement was not required to accompany the planning application.

##### *The Conservation of Habitats and Species Regulations 2010 - (hereafter referred to as the Habitats Regulations).*

74. Given the location of the various designated nature sites in the vicinity (including the Breckland Special Protection Area) consideration has been given to the application of the Habitat Regulations. If a plan or project is considered likely to give rise to significant effects upon a European site, Regulation 61 requires the decision maker to make an 'Appropriate Assessment' of the implications for that site before consenting to the plan or project.
75. The application site is in the vicinity of designated (International) sites of nature conservation but is not within a designation or land forming a formal buffer to a designation. This includes the 1.5km Stone Curlew Nest Attempts Constraint Zone which serves to protect frequent Stone Curlew nesting attempts at locations outside the designated boundaries of the Special Protection Area.
76. The application site is relatively remote from the Breckland Special Protection Area which is situated around 6.5km away from the

application site at its closest point. The 'buffers' to the SPA (designated by means of planning policy) are approximately 5.7km from the application site at their closest point. The degree of separation between the application site and the SPA (including its buffers) means direct impacts upon the SPA can be ruled out both during the constructional and operational phases of the development.

77. The SPA is also vulnerable to increased recreation visitor pressure (indirect impact) from new housing developments located at distances greater than 1.5km from the SPA boundaries. However, the application proposals are not for residential development and would not serve to increase demands for recreational activity in the SPA designation. Accordingly, the development proposals would not impact indirectly upon the special features of the Special Protection Area.
78. Officers have considered the proposals under the provisions of the Habitats Regulations and conclude that 'appropriate assessment' of the implications for internationally designated sites in view of their conservation objectives (both individually and in combination with other plans and projects) is not required.

*Natural Environment and Rural Communities Act 2006*

79. The Act places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. The potential impact of the application proposals upon biodiversity interests is discussed in the preceding paragraphs and later in this report.

*Planning and Compulsory Purchase Act 2004 (as amended)*

80. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. For the proposals included in this particular planning application the St Edmundsbury Development Plan is comprised of the adopted St Edmundsbury Core Strategy (2010), the Joint Development Management Policies Document adopted in 2015, the three 'Vision 2031' Area Action Plans (for Bury St Edmunds, Haverhill and the rural areas) adopted in 2014 and the Waste Core Strategy (2011). National planning policies set out in the Framework and Planning Practice Guidance are key material considerations.

*Planning (Listed Buildings and Conservation Areas) Act 1990*

81. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;

*In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA)... shall have special regard to the desirability of preserving the building or its setting or any features of special*

*architectural or historic interest which it possesses.*

82. Section 72(1) of the same Act states;

*...with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

83. The application site does not lie within or contain any designated heritage assets. Historic England have identified that there are a number of designated heritage assets within the wider landscape including the grade II\* listed Church of St Martin approximately 1km to the north-west. Historic England have taken the view that any impact on the setting of this church would be minimal and would not result in harm to its significance. They have also advised that there could be a greater chance of impact upon the settings of the grade II listed buildings to the south of Fornham St Martin (to the north of the site) but this is for the Local Planning Authority to consider.
84. The Councils Conservation Officer has considered the potential impact on the setting of listed buildings and conservation areas within 2km of the site. Given the location, topography and intervening development, the proposed development is not considered to impact on the nearby conservation areas. They have advised that the heritage assets most likely affected are those towards the southern end of Fornham St Martin but consider that with regard to the distances, limited views of the site and the intervening land uses the proposal would not likely cause harm to the setting of these heritage assets.

*Crime and Disorder Act 1998*

85. Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998 (impact of Council functions upon crime and disorder), in the assessment of this planning application but the proposal does not raise any significant issues.

*Equality Act 2010*

86. Consideration has been given to the provisions of Section 149 of the Act (public sector equality duty) in the assessment of this planning application. The application proposals are likely to lead to positive outcomes in this regard. In particular there will be opportunity to design the buildings so they are accessible to all. Furthermore, it is planned to provide the containers within the Household Waste Recycling Centre 'at level' which avoids the need for steps (as per the existing centre at Rougham Hill to the east of the town). This has dual benefits of significantly increasing the accessibility of the site for those whom are not able to manage steps and also enhances the health and safety of all users by minimising the potential for slips and falls and injuries caused by the need to lift waste.

*Waste Framework Directive 2008*

87. Parts of this European Directive have been transposed into UK law by the Waste (England and Wales) Regulations 2011. Implementation of other Articles of the Directive relies on local planning authorities discharging specific statutory responsibilities under the planning system. The 2011 Regulations transposes the following from the 2008 Directive into domestic law:

*A. Member States shall take the necessary measures to ensure that waste management is carried out without endangering human health, without harming the environment and, in particular:*

*(a) without risk to water, air, soil, plants or animals;*

*(b) without causing a nuisance through noise or odours; and*

*(c) without adversely affecting the countryside or places of special interest.*

*B. Member States shall take appropriate measures to establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste collected from private households, including where such collection also covers such waste from other producers.*

*By way of derogation from Regulation (EC) No 1013/2006, Member States may, in order to protect their network, limit incoming shipments of waste destined to incinerators that are classified as recovery, where it has been established that such shipments would result in national waste having to be disposed of or waste having to be treated in a way that is not consistent with their waste management plans. Member States shall notify the Commission of any such decision. Member States may also limit outgoing shipments of waste on environmental grounds as set out in Regulation (EC) No 1013/2006.*

*C. The network shall be designed to enable the Community as a whole to become self-sufficient in waste disposal as well as in the recovery of waste, and to enable Member States to move towards that aim individually, taking into account geographical circumstances or the need for specialised installations for certain types of waste.*

*The network shall enable waste to be disposed of or waste referred to in paragraph 1 to be recovered in one of the nearest appropriate installations, by means of the most appropriate methods and technologies, in order to ensure a high level of protection for the environment and public health.*

### **Principle of Development**

Context

88. Section 38(6) of the 2004 Planning Act states that applications for planning permission shall be determined in accordance with the Development Plan, unless material planning considerations indicate otherwise. The NPPF is a material consideration which 'may indicate otherwise', although following rulings on a number of high profile cases, the Courts have re-affirmed the primacy of the Development Plan in Development Control decisions and that departures from the plan should only be made in exceptional circumstances.

89. The starting point for consideration of this planning application is to consider whether the application proposals are in compliance with the Development Plan *as a whole*. In this respect, the NPPF echoes the requirement of the 2004 Planning Act and states (at paragraph 12):

*Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.*

90. Given the nature of the application proposals, which include an element of 'County Matters' (handling of waste), the Suffolk County Council Waste Core Strategy forms part of the suite of relevant District level Development Plan documents. These documents and the relevant policies are set out above at paragraphs 62 to 70 above.

*Whether the proposals depart from the Provisions of the Development Plan*

91. In this case, it is true that the application proposals might be considered to accord with (or not depart from) a number of Development Plan policies. It also conflicts with certain Development Plan policies. The key to establishing whether specific proposals comply or depart from a Development Plan 'as a whole' is to establish what the dominant operative policies of the plan indicate. These are normally the 'spatial' policies which set out where development is acceptable (in principle) and where it is not. In this case, the application proposals trigger a number of spatial policies. These are considered below.

*District level Development Plan Documents*

92. With reference to the Bury St Edmunds Local Plan Policies Map (Inset 1) and policy CS4 of the St Edmundsbury Core Strategy (CS) the site is located within the 'countryside' for the purposes of planning policy. Policy CS13 of the CS states that development outside of settlement limits (and therefore within the Countryside) will be strictly controlled, with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside whilst promoting sustainable diversification of the rural economy. It also states that policies in the Joint Development Management Policies Document (JDMPD) and Rural Vision 2031(RV) will set out detailed uses which are appropriate in rural areas.

93. There are no relevant 'spatial' policies in the Bury Vision and Rural Vision 2031 documents that are directly relevant to the proposed development. These documents (alongside the 'Haverhill Vision' document) are 'Area Action Plans' which serve to allocate sufficient land to meet the needs (predominantly housing and employment) of the Borough to 2031. It is telling that these documents do not allocate the application site for the intended development (or any alternative development). If the site were to be positively supported in principle by the Development Plan, it is likely to be allocated in one of the Bury or Rural Vision documents.
94. Policy DM5 of the JDMPD states that areas designated as countryside will be protected from unsustainable development. A new or extended building will be permitted, in accordance with other policies within the JDMPD, where it is for:
- a) Purposes directly related to agriculture or forestry
  - b) Affordable Housing for local needs in accordance with other policy
  - c) Development relating to equine related activities
  - d) Essential small scale facilities for outdoor sport or recreation or other uses which preserved the openness, appearance and character of the countryside, leisure activities, and new tourism facilities
  - e) A dwelling for a key worker in accordance with DM26
  - f) Small scale residential development in accordance with DM27
  - g) The replacement of an existing dwelling.
95. The policy also lends support to proposals for economic growth that recognise the intrinsic character and beauty of the countryside, will not result in the loss of the best agricultural land and would not harm significantly the historic environment, the landscape, nature conservation or biodiversity and would not have significantly adverse impacts upon the local highway network.
96. On the basis that the proposals do not comply with criteria a - g above and is not a conventional 'economic growth' proposal the development proposals also conflict with policy DM5. The development would also result in the loss of countryside which, although not strictly contrary to BV26, would be contrary to the overarching objectives of this policy which seeks to maintain, protect and enhance green infrastructure.

*County level Development Plan documents*

97. The Waste Core Strategy performs a number of policy functions insofar as it combines strategic policies with development management policies for waste management sites and proposals. It also allocates new and safeguards existing sites for waste related developments.
98. Policy WCS2 states that proposals for new waste management development or an extension of existing waste development will only be permitted where there is a demonstrated need. The Suffolk Waste



Partnership identified in 2011 that there was need for a new WTS in the Bury St Edmunds area however an extant permission now exists for such a facility at Rougham Hill where there is also a HWRC. Furthermore, the proposal seeks to replace depot and associated facilities that already exist. The applicant has identified that from an operational perspective it is their ambition to co-locate these facilities and that the proposal would have operational benefits which cannot be realised on sites other than the application site, including at Rougham Hill and have demonstrated that there are no existing, allocated or previously developed sites which are capable of accommodating the proposed development as a whole.

99. Officers consider there is sufficient justification for an operational need to co-locate the waste management and waste collection services together on a single site. Co-location of waste management facilities with other complementary activities in the locational guidance for suitable sites in the National Planning Policy for waste (paragraph 4). Co-location at the application site will also allow a significant saving in 'waste miles' in relation to the WTS. Whilst a similar saving could be achieved from the Rougham Hill site, that option did not perform well in the applicant's comparative option assessment (as set out above). Having the waste and street scene depot co-located with the WTS (which the waste collection vehicles would have to visit on a daily basis as part of their 'rounds') will also help minimise the 'waste miles' of those vehicles at the end of each day. Whilst the proposal seeks permission for facilities which either currently exist or are subject to extant permission, officers consider that the applicants have adequately demonstrated that there are no suitable or available sites on which to co-locate these facilities. The requirement of policy WCS2 to demonstrate a need for the new facility is considered to have been satisfactorily met by the applicant.
100. Policy WCS3 states that applications for the provision for the recycling and composting of waste will be determined by reference to the appropriate criteria based policies. When considering the need for such facilities it is necessary to take into account the capacity of existing recycling and composting facilities and proposed facilities that have planning permission or are the subject of a current planning application. As stated previously an existing HWRC exists at Rougham Hill. Accordingly, the proposals are contrary to the strict requirements of policy WCS3. However it is the applicants case that the proposed HWRC would provide public benefits not available at Rougham Hill by providing an 'at grade facility' and by allowing the formation of a re-sale building, and there are also benefits associated with co-locating the 'District' depot and 'County' waste infrastructure onto a single site. These particular considerations do not influence whether the proposals are in compliance with the Development Plan (given the nature of relevant policies), however they will aid an analysis of whether there are material considerations that indicate that planning permission may be granted, contrary to the provisions of the Plan. This matter will be re-visited in concluding comments.

101. Policy WDM2 sets out a number of general considerations for all waste management development including matters such as landscape impact, highway impact, pollution control, compatibility with other land uses and other such considerations. This report will consider these relevant issues in subsequent paragraphs.
102. Policy WCS1 confirms preference will be given to proposals for waste management facilities in accordance with the Key Diagram. The key diagram does not indicate the application site is 'preferred' for waste management facilities. Policy WCS4 plans for the treatment of up to 599,700 tonnes of residual waste per annum and confirms that favourable consideration will be given to proposals for strategic facilities at one specific site (SCC Highways depot, Great Blakenham) and at three 'areas of search' (Former sugar factory, Sproughton; Eye Airfield Industrial Estate and; Masons Quarry, Great Blakenham). The policy does not lend support for the development of a strategic residual waste treatment facility (i.e. handling over 100,000 tonnes or more annually) at the application site.
103. It is apparent from these policies that the Waste Core Strategy does not allocate the application site for strategic waste treatment facilities. The waste handling element of the application proposals are only slightly over the criteria qualifying them as a 'strategic' development. Accordingly, it is reasonable to also consider the merits of the proposals against other policies in the Waste Core Strategy which consider the suitability of sites/locations for 'non-strategic' waste treatment facilities (handling up to 100,000 tonnes of waste per annum).
104. In this regard, Policy WDM6 addresses proposals for residual waste treatment facilities with a capacity of less than 100,000 tonnes of annual throughput. This states that such a facility must be situated on land within the criteria set out in Policy WDM5 and meet the specific criteria set out at appendix 3 and Policy WDM2. Policy WDM5 sets out, in a general sense, where different types of waste related developments may be considered acceptable in principle. The policy confirms that only open air composting to be suitable on agricultural land (such as the application site). The policy does allow for waste development within or adjacent to existing agricultural buildings, but a development of the scale proposed by this planning application would not be supported by this policy.
105. Policies WDM7 and WDM8 state that waste transfer stations and household waste recycling centres will be acceptable within purpose designed or suitably adapted facilities on land within the uses identified within Policy WDM5. The individual elements of the waste management parts of the application proposals may, in isolation, accord with the relevant parts of policies WDM5, WDM7 and WDM8, but the combination of these elements within a single development means it is not appropriate to conclude they achieve support from those policies. The further inclusion of a waste collection and public realm depot moves the proposals still further away from compliance

with these policies.

106. It is therefore clear the waste handling element of the application proposals would conflict with policies WDM6 and WDM5 even if its throughput were to be very slightly reduced to 'non-strategic' levels. It is therefore not appropriate to continue to consider the criteria listed at policy WDM2 to establish whether the waste elements of the development accord with the Waste Core Strategy; they clearly depart from it. However, it will be useful to apply the criteria in policy WDM2 (alongside other relevant policies at the District level) to establish whether or not the proposals would give rise to other material harm. The report will return to the criteria set out in Policy WDM2 when considering the material planning issues raised by the proposals.

#### *Conclusions on the principle of Development*

107. It is clear that the application proposals owing to the situation of the application site at a 'countryside' location, as defined, is contrary to the dominant operative policies of the Development Plan (including the County level Waste Core Strategy). The proposals were formally advertised as a departure from the provisions of the Development Plan at the outset. Accordingly, both Section 38(6) of the 2004 Planning Act and the NPPF set out a 'presumption against' the development and direct that planning permission should be refused *unless material considerations indicate otherwise*. Officers advise that significant weight should be attributed to the clear breach of the development plan which these proposals represent.
108. This report will go on to consider whether or not it is appropriate to grant planning permission as a departure from the normal provisions of the Development Plan in the light of any 'material considerations that indicate otherwise'.
109. Before that assessment is made, it is first appropriate to consider whether the application proposals might be supported by or offend any other policies of the development plan. It is also appropriate to consider the influence of relevant national planning policies and guidance. This will establish whether there are other material considerations that will influence the final decision (either positively or negatively).

#### **National Planning Policies and Guidance**

##### *NPPF - Paragraph 14*

110. The National Planning Policy Framework (the Framework) sets out government's planning policies for England and how these are expected to be applied.
111. Paragraph 14 of the Framework identifies the principle objective:

"At the heart of the National Planning Policy Framework is a

presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
  - Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
    - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole;
    - or specific policies in this framework indicate development should be restricted.”
112. In this case, your officers have assessed the implications of paragraph 14 of the NPPF for the development proposals and have concluded the ‘tilted balance’ that places a presumption in favour of sustainable development does not apply to these specific proposals.
113. The Courts have held that the presumption in favour of sustainable development is only engaged by paragraph 14 of the NPPF. There is no ‘general’ presumption arising from other sections of the policy document. In considering applications for planning permission, the NPPF is clear that paragraph 14 of the NPPF (and its ‘presumption in favour of sustainable development’) is only engaged where the Development Plan is found to be absent, silent or relevant policies are out of date.
114. The Development Plan is fully in-tact and cannot be said to be absent. Similarly, and as explained above, the Development Plan is not silent about how the decision maker should consider the planning application proposals (including the combination of non-waste and waste proposals). A body of policies exist against which the application proposals can be considered clearly and directly.
115. Your officers are also of the view the Development Plan is not ‘out-of-date’ with respect to the application proposals particularly given that its policies (and in particular those policies which are relevant to the planning application proposals) are considered to accord with the NPPF. Furthermore, it is also apparent that the extant Development Plan has adequately catered for i) the infrastructure requirements of the growing sub-region of ‘West Suffolk’ (St Edmundsbury Borough Council and Forest Heath District Council), and ii) for the management of waste.
116. The Borough Council adopted its suite of Area Action Plans (the Vision 2031 documents) only three years ago in 2014. The level of planned growth is set out in those documents (for the St Edmundsbury Borough area) and this has not changed in the meantime. Those

documents were found 'sound' following examination.

117. Similarly, the evidence supporting the emerging Development Plan of the neighbouring Council at Forest Heath has not identified a shortage of 'built' infrastructure capacity or a lack of available sites to support the Council depot, waste collection and waste management services. The waste collected from existing and future residents of 'Forest Heath' would be collected by vehicles operating from a Bury St Edmunds base. The waste collected by these vehicles would also be processed at a Bury St Edmunds site (i.e. at the Rougham Hill site where planning permission exists or the application site if planning permission is granted in this case,). Accordingly, and given the evidence supporting the recent adoption of Development Plan documents (including emerging documents at Forest Heath) has considered the cumulative requirements of growth included in both 'West Suffolk' Council areas, the evidence is considered up to date and robust.
118. The Waste Core Strategy includes sufficient sites and policy provisions to allow for the establishment of a new waste management facility in West Suffolk to meet the levels of growth emerging from the Development Plans of the 'West Suffolk' Councils. Indeed, and as previously stated, planning permission exists for a new management facility at the existing Household Recycling Centre at Rougham Hill.
119. Officers consider that an argument may be made that the Development Plan is not 'up to date' (in the context of paragraph 14 of the NPPF) because it does not contain sufficient policy provision or land allocation to accommodate the identified need to co-locate the District Councils' depot with the County Council's waste management facility. The future requirements of the uses if operated separately from each other are adequately accommodated by the Development Plan. It is not the need for additional capacity which is driving the planning application proposals, but the need to co-locate the facilities together given that benefits that would arise from that co-location. It is also fair to say that a Development Plan cannot be expected to plan for every possible eventuality over its plan period, which is why it is appropriate on occasion (and depending upon the precise circumstances) to allow proposals as a departure from a plan. Whether a Development Plan or its policies are 'out of date' is a matter of planning judgement. Whilst officers acknowledge that the Development Plan does make provision for the proposed facilities on separate sites, on balance officers consider that the Development Plan should not be regarded as 'out of date' so as to trigger the operation of the presumption in paragraph 14 of the NPPF.
120. Officers' consider that Section 38(6) of the 2004 Planning Act (as set out above) is the appropriate mechanism to consider the suitability or otherwise of the departure from the Development Plan the application proposals represent.

*Other 'general' NPPF policies*

121. Twelve 'Core Planning Principles' are set out at paragraph 17 of the NPPF. The following could be considered relevant to the application proposals:

The 'Core Planning Principles' are that planning should (inter alia):

- be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date, and be based on joint working and co-operation to address larger than local issues. They should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency;
  - proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.
  - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
  - take account of the different roles and character of different areas, promoting the vitality of our main urban areas, recognising the intrinsic character and beauty of the countryside.
  - support the transition to a low carbon future in a changing climate,
  - contribute to conserving and enhancing the natural environment and reducing pollution,
  - encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value,
  - actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable,
  - take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
122. Paragraph 186 of the Framework requires Local Planning Authorities to "approach decision taking in a positive way to foster the delivery of sustainable development". Paragraph 187 states that Local Planning Authorities "should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible".

123. Paragraph 5 of the NPPF confirms that specific waste policies are not included in the document and points to the National Waste Management Plan for England for the national waste planning policies. It does, however, confirm that regard should be had to the NPPF policies when taking decisions on waste applications (which would include 'hybrid' non-waste and waste proposals such as that proposed by this planning application).
124. Other policies of the Framework that are particularly relevant to the material planning issues raised by the application proposals are discussed later in the report.

*National Planning Policy for Waste*

125. The National Planning Policy for waste is the document referred to as containing 'waste' related policies at paragraph 5 of the NPPF. The document opens by referring to the Waste Management Plan for England which, it says, "sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management".
126. It goes on to confirm that "positive planning plays a pivotal role in delivering this country's waste ambitions through (inter alia):
- Delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy\*
  - Ensuring that waste management is considered alongside other spatial planning concerns, recognising the positive contribution that waste management can make to the development of sustainable communities.
  - providing a framework in which communities and businesses are engaged with and take more responsibility for their own waste, including by enabling waste to be disposed of or, in the case of mixed municipal waste from households, recovered, in line with the proximity principle.
  - helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment; and
  - ensuring the design and layout of new residential and commercial development and other infrastructure (such as safe and reliable transport links) complements sustainable waste management, including the provision of appropriate storage and segregation facilities to facilitate high quality collections of waste.

\*The waste hierarchy is set out at Appendix A of the document and sets out a hierarchy of

ambitions for waste management in the following order; i) prevention, ii) preparing for re-use, iii) recycling, iv) other recovery and, v) disposal.

127. With respect to determining waste planning applications (or in this case planning applications which include an element of waste), planning authorities should (inter alia):

- only expect applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date Local Plan. In such cases, waste planning authorities should consider the extent to which the capacity of existing operational facilities would satisfy any identified need
- recognise that proposals for waste management facilities such as incinerators that cut across up-to-date Local Plans reflecting the vision and aspiration of local communities can give rise to justifiable frustration, and expect applicants to demonstrate that waste disposal facilities not in line with the Local Plan, will not undermine the objectives of the Local Plan through prejudicing movement up the waste hierarchy;
- consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B and the locational implications of any advice on health from the relevant health bodies. Waste planning authorities should avoid carrying out their own detailed assessment of epidemiological and other health studies;
- ensure that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located;
- concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced;

128. Appendix B of the document sets out a number of factors which should be considered in determining planning applications. These are set out below. It is also advised to bear in mind the envisaged type and scale of the waste management facility.

- protection of water quality and resources and flood risk management
- land instability
- landscape and visual impacts
- nature conservation
- conserving the historic environment
- traffic and access
- air emissions, including dust



- odours
- vermin and birds,
- noise light and vibration
- litter
- potential land use conflict

### Planning Practice Guidance

129. The Government released its Planning Practice Guidance (PPG) in March 2014 following a comprehensive exercise to review and consolidate all existing planning guidance into one accessible, web-based resource. The guidance (which is constantly updated on-line) assists with interpretation about various planning issues and advises on best practice and planning process.
130. The PPG advises with respect to a number of matters, including:
  - The local planning authority may depart from development plan policy where material considerations indicate that the plan should not be followed (Paragraph: 013 Reference ID: 21b-013-20150327).
  - Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. (Paragraph: 026 Reference ID: 8-026-20140306).
131. With respect to the 'waste' elements of the application proposals, the Planning Practice Guidance includes the following relevant advice.
  - There are clearly some wastes which are produced in small quantities for which it would be uneconomic to have a facility in each local authority. Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively. The ability to source waste from a range of locations/organisations helps ensure existing capacity is used effectively and efficiently, and importantly helps maintain local flexibility to increase recycling without resulting in local overcapacity. (Paragraph: 007 Reference ID: 28-007-20141016)
  - National waste planning policy is capable of being a material consideration in decisions on planning applications for waste management facilities. (Paragraph: 009 Reference ID: 28-009-20141016)
  - The siting of waste management facilities will be driven by a number of issues including:
    - the likely distribution of waste arisings, which for many wastes would be expected to be similar to the existing and anticipated

- structure and layout of settlements.
  - the likely catchment and necessary flows of waste for the type of facility being proposed.
  - physical and environmental constraints limiting the likely opportunities for accommodating suitable waste management facilities. For example, urban authorities may have limited opportunities to accommodate some types of waste management facility.
  - suitability of local transport infrastructure and availability of sustainable transport methods.
- In considering the broad locations for the pattern of waste management facilities care should be taken, particularly for the smaller scale waste streams, to avoid limiting market flexibility (Paragraph: 037 Reference ID: 28-037-20141016)
  - When identifying sites for waste management facilities, waste planning authorities should seek to demonstrate that the stock of allocated land provides sufficient opportunities to meet waste needs. Since it is possible that not all sites for the range of waste arisings that need to be catered for will be developed in practice, waste planning authorities should not rigidly cap development proposals at the level that may be put forward through the Local Plan. However, they may wish to plan for a 'close fit' of land allocations with planned waste management capacity for landfill sites, given that landfill is at the bottom of the Waste Hierarchy.
  - As part of this process the waste planning authority should consider including policies to help steer the timing of land releases in line with the Local Plan. In doing so, however, they should take account of any identified constraints to site deliverability. This will include marketability to the waste management industry and the 'lead in' times that may arise from new infrastructure required to service sites, which although capable of resolution during the forward look of the Plan (otherwise the allocation should not have been made), could affect deliverability. (Paragraph: 038 Reference ID: 28-038-20141016).
  - While priority should be given to the re-use of previously developed land, greenfield allocations need not be entirely ruled out if that is the most suitable, sustainable option. Not all brownfield sites will be suitable for the range of waste management facilities required to support the Local Plan and some may be of high environmental value. The concern is to ensure good use of suitable 'brownfield' land and avoid turning unnecessarily to greenfield locations. (Paragraph: 041 Reference ID: 28-041-20141016)
  - There may be significant changes in, for example, technological impact and land ownership that occur over a short period of time and provide opportunities that were not anticipated.
  - In the case of waste disposal facilities, applicants should be able to

demonstrate that the envisaged facility will not undermine the waste planning strategy through prejudicing movement up the Waste Hierarchy. If the proposal is consistent with an up to date Local Plan, there is no need to demonstrate 'need'. (Paragraph: 046 Reference ID: 28-046-20141016)

### **Beyond the principle of development**

132. The report establishes that the development proposals are contrary to the provisions of the development plan and discusses how that should be approached in the context of Section 38(6) of the 2004 Planning Act. This section of the report examines the other material issues raised by the planning application proposals in order to establish whether there are any other factors (including policy or site specific) which add material weight to the final decision. This section includes those matters identified in Appendix B to the National Planning Policy for Waste set out in the previous section of this report alongside other material considerations.
133. Apart from the principle of development, the following matters are considered central to the outcome of this planning application:
- Highway safety, access and travel planning
  - Natural heritage
  - Built heritage
  - Landscape and visual impacts (including lighting)
  - Loss of agricultural land
  - Protection of water quality and resources and flood risk management (including surface water drainage)
  - Noise and vibration, odour and air quality
  - Vermin, birds, and litter
  - Residential amenity and relationship with neighbouring land uses
  - Land instability
  - Design matters and sustainable construction
  - Fire Safety

### **Highway safety, access and travel planning**

#### ***Planning policy context.***

134. The NPPF confirms that the transport system needs to be balanced in favour of sustainable transport modes giving people a real choice about how they travel. There is, however, recognition that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
135. It is Government policy that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes of transport can be maximised. However, the Framework confirms this policy needs to take account of other policies in the document, particularly in rural areas.

136. The Framework confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It goes on to state that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised recognising that this needs to take account of policies set out elsewhere in the Framework, particularly in rural areas.
137. Policy CS7 of the St Edmundsbury Core Strategy seeks to secure a sustainable transport system and reduce the need to travel through spatial planning and design. Policy CS8 seeks to secure strategic transport improvements (particularly in the urban areas).
138. Policy DM2 of the Joint Development Management Policies Document requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network. Policy DM45 sets out criteria for the submission of Transport Assessments and Travel Plans to accompany planning applications whilst Policy DM46 addresses parking standards.
139. Policy WDM2 of the Waste Core Strategy requires general waste management proposals to address (inter alia) potential impact of proposed vehicle movements and access design. WDM19 seeks to incorporate safe and convenient access for all potential users.

*Proposed vehicular access.*

140. The application site would be served by two points of vehicular access to the northern boundary onto Fordham Road. The westernmost access (the 'public access') would serve the HWRC and associated reuse building and the easternmost access (the 'operational access') would serve the WTS, bailing facility, fleet depot and staff parking as well as providing continued access to Hollow Road Farm to the south of the site. This division of access has been devised to separate the public and on site operations. The operational access would be in the location of the existing agricultural access to the north-east of the site. The public access would be located 96m to the west of the operational access and 300m to the east of the A134 roundabout.
141. Both the public and operational access would be served by separate ghost island right hand turn lanes within the public highway and the existing road would need to be widened and realigned to facilitate this. Egress from both junctions would be to the left only (towards the A134 roundabout), controlled by an engineered design and on site signage.
142. Vehicles using the operational access would circulate in a clockwise direction with road markings and direction signs used to direct users through the site to their intended destination. The fleet maintenance workshop would have doors to its south and north elevations to allow

vehicles to drive through from the south whilst access to the WTS would loop around the south and west of the building before gaining access into the main yard to the west with access into the building on its north elevation.

143. Vehicles using the public access serving the HWRC and reuse building would circulate in a clockwise direction. This road would split into two to provide increased capacity for queuing vehicles before reaching the parking facilities for the HWRC and reuse building where it would reduce back to a single lane and where a total of 45 spaces are proposed. The public would leave the site via a road parallel to the northern site boundary where a recirculation lane will be provided for the public and staff to re-enter the site.
144. Off site, in addition to the road widening and ghost right hand turn lanes, it is proposed to provide a shared use path for cycles and pedestrians to the north of the site which would be continued to the west of the A134 along the south of Barton Hill to provide connection to the existing footpath provision and bus stop.

*Potential for vehicular access to be taken via the A134/A143 (Compiègne Way) roundabout*

145. One of the reasons why the Committee resolved to defer its consideration of the planning application from its meeting in July 2017 was to seek further clarification of the potential to take vehicular access into the site from the A134/A143 roundabout at Compiègne Way. A design and access statement accompanies the planning application. This details the rationale behind the proposed layout and a junction assessment report which analyses a number of different options for providing access into the site.
146. In response to this the applicant undertook an appraisal of access from this roundabout for operational vehicles. This appraisal assesses this alternative option in terms of highway engineering, highway safety, layout design & operational considerations, environmental considerations, utilities & services, neighbouring land uses, planning considerations, land ownership.
147. The applicants have stated in their submission that the use of this roundabout had been considered previously at an early stage in their design process but discounted it on the basis that they considered it to be less suitable than the access arrangements which form the application. Details of their discussions with the Highway Authority and other interested parties on this matter have been provided by the applicant in a chronology of events.
148. The applicant's appraisal identifies that the A134/A143 roundabout has three main arms – onto the A134 to the north, the A134 to the west and the A143 to the south-east. A fourth arm is located to the east of the roundabout and serves the existing commercial development to the south of the application site. To consider the

suitability of this access the applicants have applied the standards set out in the Design Manual for Roads and Bridges (DMRB) given the nature of the development and local highway network. Applying these standards the applicants' appraisal considers that to achieve suitable access off this roundabout via the fourth arm it would be necessary to improve visibility and realign the orientation and increase the width of the access road.

149. The applicants have also assessed accident data for the A134/A143 roundabout in the previous 5 years which identifies 4 accidents on this roundabout which were classified as 'slight'. In contrast there have been no reported accidents on the A134/Barton Hill/Fornham Road roundabout over the same period and only 1 'slight' accident in the vicinity on Fornham Road. This analysis concludes that there are higher rates of accidents on the A134/A143 roundabout compared to the A134/Barton Hill/Fornham Road roundabout.
150. The applicant's appraisal also identifies that visibility from the eastern arm of the A134/A143 roundabout has substandard visibility for vehicles approaching from the north and that substantial landscape removal and re-profiling of land would be required to facilitate the appropriate level of visibility. It should however be noted that the proposed operational access arrangements onto Fornham Road also require the removal of landscaping features including a Category A Oak tree which officers consider to be a dis-benefit of the scheme.
151. The appraisal has also considered the layout, design and operational implications of access via the A134/A143 roundabout and concludes that it would be possible to address the difference in site levels between the land to the south and the application site but would require a change to the internal routing of vehicles, changes to site levels, access via third party land and the severing of neighbouring third party land.
152. The removal of landscaping to provide visibility from the eastern arm of the A134/A143 roundabout would result in a landscape and visual impact, however such revised operational access arrangements would likely reduce the need for road widening and associated works which includes the removal of a Category A Oak tree on Fornham Road and therefore there could be an overall improvement from a landscape and visual impact perspective, the loss of the mature Oak being more significant than the loss of the planting landscaping on the A134/A143.
153. The applicant's appraisal does not identify archaeology or flood risk as a barrier to providing access from this roundabout. The applicants' have, however, identified there are Anglian Water, British Telecom and Virgin Media apparatus in the immediate vicinity of the A134/A143 eastern arm access which may need to be diverted to facilitate the necessary access improvements. This would require detailed design work to be undertaken and the implications of this is therefore not known.

154. The applicants have identified 3 factors for consideration – Impact on current/proposed use of third party land; impact on access for existing users; impact on amenity of existing occupants. A number of commercial businesses operate to the south of the site and the applicant's appraisal identifies that access to the application site via the A134/A143 roundabout would require access across neighbouring land which would likely impact upon the neighbouring businesses commercial activities and ability to expand their own operations in the future. The applicant has discussed their proposal with the largest operator on the land to the south (Steve Lumley Planing) and they have expressed concern at the potential use of the A134/A143 roundabout for operational access to the proposed development. The applicants have also identified in their appraisal that the proposed use of the A134/A143 roundabout would likely bring operational traffic associated with the proposed development close to buildings and operations associated with the adjacent businesses with possible (but currently unknown) noise, air quality and vibration implications. Given the above, the applicants conclude that operational access to the proposed development via the A134/A143 roundabout would not be compatible with adjacent land uses.
155. The applicants have evaluated land ownership to facilitate access into the site from the A134/A143 and have demonstrated that they do not have control over the land required to provide access (and whilst they do not currently own the application site they do have an option agreement in place) and that they do not have a right of access over this neighbouring land. The applicants consider it unlikely that neighbouring land owners would be prepared to sell or grant right of access over the adjacent land (given the likely or perceived deleterious impact to their interests) and they consider that compulsory purchase would not be a likely viable option given the existence of an alternative access option (as is proposed onto Fornham Road).
156. The applicants have demonstrated that accessing the site from the A134/A143 roundabout was considered at an early stage in the design of the development and has been subject to significant pre-application discussion with the Highway Authority. Whilst representations have criticised the tone of the applicants appraisal (being written from a starting position that such an access arrangement would not be acceptable), this appraisal is based on a review of issues and options which have previously been investigated and discounted by the applicant and has been submitted to demonstrate why this option was not pursued by the applicants.
157. The applicants report identifies that there are technical difficulties in accessing the site via the A134/A143 such as the need to improve visibility, realign and widen the access road, re-profile land and reconsider the development layout. Officers consider that whilst such difficulties are not insurmountable they would require further detailed design work and investigation to demonstrate that compliance with the appropriate standards and planning policy can be achieved whilst

also meeting the operational requirements of the applicant.

158. There is also a point of law raised by the request to consider an alternative means of access to serve the development proposals. In a theoretical situation where 'Option A' is a vehicular access solution proposed by an applicant and 'Option B' is an alternative access solution not proposed by the applicant, the decision maker would not be acting lawfully if it were to refuse planning permission for a scheme including the 'Option A' vehicular access on the grounds that it considers 'Option B' would be a 'better solution'. The decision maker would only be able to refuse planning permission for a proposals including the 'Option A' solution if it could be demonstrated that solution is, on its merits, unacceptable. In this theoretical example, if both 'Option A' and 'Option B' were found to acceptable solutions, but Option B was considered a better solution, the decision maker would still need to grant planning permission for the scheme that includes the 'less favourable' 'Option A' access solution.
159. The above theoretical explanation applies in this case and the planning application must be considered on its own merits and in its current form. It is the view of the Highway Authority (who do not object to the application subject to conditions) and officers that the proposed accesses on to Fornham Road are acceptable and your officers have found there is no evidence available that would suggest otherwise. Accordingly, officers' recommend the planning application is determined in the light of to its current vehicular access arrangements.

#### *Transport Assessment*

160. The planning application is accompanied by a Transport Assessment (TA) to identify the potential transport implications arising from the development.
161. The scope and methodology of the TA has been agreed with the Highway Authority who, subject to conditions, raise no objections to the development proposed. In response to the application local Parish Councils commissioned a transport consultant to prepare a report on the TA and the transport impacts of the development. The content of the Parish Council transport report has been discussed with the Highway Authority who maintain that the scope and conclusions of the applicants' TA are acceptable.
162. The TA has calculated that the proposed development on an average 18hr day over 5 weekdays would result in 1538 trips associated with the HWRC, 44 trips associated with the WTS, 286 trips associated with the depot and 328 staff trips resulting in a total of 2196 trips. For an average day over 7 days the proposal would result in 1660 trips associated with the HWRC, 44 trips associated with the WTS, 206 associated with the depot, 142 staff trips resulting in a total of 2052. These figures have been calculated using a combination of existing traffic survey data from the Rougham Hill HWRC and using the



applicant's knowledge of operational activities and staffing levels that would transfer to this site. Whilst these trips would be new to the area, they are trips which would already be using the highway network to access existing facilities elsewhere which would be relocated to the application site.

163. To assess the impact of the development on the local highway network the TA analysed the following junctions:
  - (a) A134 / Fornham Road / Barton Hill Roundabout;
  - (b) B1106 / Barton Hill Priority Junction;
  - (c) A134 / A143 Roundabout; and
  - (d) A143 / Fornham Road Priority Junction.
164. The scope of the TA has been subject to objections from Parish Councils and residents on the basis that the A14/A134 junction was not assessed where capacity issues have been identified. The Highway Authority has responded to confirm they are aware of issues with this junction and there are a number of proposed junction improvements that are being considered for implementation by Suffolk County Council in the short term to address these issues but remain of the opinion that this junction does not need to be assessed for consideration of the transport implications of this development. Furthermore, Highways England, who are responsible for the A14 have no objections to the application and have stated they have undertaken their own checks and are satisfied that the scale of any impacts of the development on the A14 are unlikely to be severe in this instance. Given the lack of objection from both the Highway Authority and Highways England who consider the TA to be acceptable, officers are of the opinion that the level of information provided is acceptable in respect of the junctions which have been assessed.
165. The TA has identified that greatest impact in terms of traffic numbers is expected to be on the western section of Fornham Road between the site accesses and the A134/Fornham Road/Barton Hill roundabout. This is due to it being the primary route to the site and because of the left hand turn egress arrangements.
166. The TA has analysed the capacity of the proposed public and operational accesses and concludes that sufficient capacity will exist. Visibility splays at these junctions will be 4.5m x 215m, which, whilst below the standards of 9m x 215m as set out in the Design Manual for Roads and Bridges (DMRB), are considered acceptable by the Highway Authority as a reduced distance back from the highway edge will ensure that vehicles leaving the site will keep speeds low and result in a safer access arrangement on this 60mph stretch of carriageway.
167. The capacity of the junctions on the A134/Fornham Road/Barton Hill roundabout has been assessed in the TA and considers it to be sufficient to accommodate the traffic flows resulting from the proposed development. Furthermore, visibility at the junctions onto this roundabout have been assessed and the TA considers they comply

with the DMRB standards. Visibility at these junctions could be improved through the removal of vegetation to increase visibility further but the DMRB cautions against providing excessive visibility at roundabout junctions with high speed approaches. Such measures could be secured through a Section 278 agreement with the Highway Authority.

168. The junction between the B1106 and Barton Hill is currently operating at above capacity resulting in queuing and delays. The TA identifies that the development would have a minor positive impact on the capacity of this junction. Parish Councils have identified that the existing capacity issues with this junction suggest that the local highway network is unsuitable for the development however bearing in mind the positive (albeit very minor) impact the development would have on this junction it is not considered that the proposal is unacceptable in this regard and mitigation at this junction cannot be required as it would not be necessary to make the development acceptable.
169. The TA identifies that the A134/A143 roundabout junctions and the A143/Fornham Road priority junction would both operate within capacity and can therefore accommodate the traffic flows resulting from this development.
170. This analysis in the TA identifies that the local highway network has sufficient capacity to accommodate the development without resulting in adverse impact. However, the analyses undertaken in the TA measures the impact at the opening year (2019) and the design year (2022). The TA has been subject to criticism in representations made on the application that the impact has not been assessed over the lifetime of the development. The Highway Authority has responded that modelling is usually undertaken to the first opening of a development (anticipated to be 2019 in this case), allowing for any rise in background growth to that point. In this case the modelling goes beyond the opening of the site (to 2022) and the Highway Authority considers the TA can be regarded as robust. Representations have also questioned whether the TA has adequately assessed the cumulative impact of committed and allocated development in the area however the Highway Authority has advised that the TA has used 'Tempo' growth rates which are based on historical Department for Transport data projected into the future and includes traffic growth resulting from all sources including allocated developments. In this case they are accepting that these are realistic values and that the TA therefore adequately considers the impact of future growth in the area. With regard to potential traffic growth from new development beyond 2022 (i.e. potential future development not yet assessed on traffic impact grounds), those future developments in themselves will have to be assessed in the light of what will then be existing or committed development (which may include the application proposals) and so if the need for further improvements to the highway network are identified as a consequence, those future proposals would have to consider them.

171. The TA has also accounted for and assessed growth in operational use of the uses proposed at the site. It explains that waste levels in the West Suffolk area are expected to rise by approximately 0.6% per annum up to 2039 when the facility would reach its operational capacity. The TA therefore been 'growthed' by 0.6% per annum up to 2039 in order that the assessment considers the proposed development at full operational capacity. This equates to overall growth of around 14.75% compared to the 2016 data. The TA therefore considers a higher predicted impact than would be the case if development flows for 2019 and 2022 were used. This adds to the overall robustness of the TA.
172. Officers are therefore of the opinion that the TA which has been submitted in support of the application is appropriate to the scale of the development and has adequately assessed the likely extent of transport implications in accordance with policy DM45 of the JDMPD.

#### *Impacts from HGV movements*

173. Concern has been expressed in representations regarding the impact of HGVs serving the site on residential amenity. The closest residential properties are located on Barton Hill to the west of the site, and to the east of the site approaching and within Great Barton. The Transport Assessment concludes that the majority of traffic resulting from the development would be distributed onto principal routes that form part of the Suffolk Lorry Route Network with the increase in traffic on Barton Hill to the west and Fornham Road to the east expected to be 76 and 264 vehicles respectively on an average day and limited to cars driven by members of the public or staff. This represents a 1.2% and 12.5% increase in vehicles. To the south of the B1106 is a 7.5 tonne weight restriction restricting the use of this route by HGVs travelling to and from Bury St Edmunds and operational vehicles will be restricted from using Fornham Road to the east as it is proposed that they will be electronically tagged and required to access and egress the development site to the west via the Suffolk Lorry Route Network.

#### *Lorry routing*

174. The applicants have submitted information to clarify the routing, number, type, tracking and timing of HGVs which will be associated with the Waste Transfer Station. This information is to supplement the content of the Transport Assessment and Lorry Management Plan submitted with the application at an earlier time. This information confirms the applicants intention to implement the following key objectives:
- To ensure the HGVs related to the site make most use of the existing Suffolk Lorry Route Network map;
  - To ensure HGVs adopt a right-in, left-out approach to the site; and
  - To avoid use of the B1106 between the Barton Hill junction and the

A1101 junction.

175. With regard to refuse collections, the applicant has confirmed that the West Suffolk Councils use a vehicle routing software to determine optimal routes. Such software takes account of the following objectives:
- Reducing mileage to save fuel, tyre and maintenance costs;
  - Cutting carbon emissions;
  - Balancing workloads;
  - Modelling new collection and delivery systems;
  - Planning for growth;
  - Determining the size and capacity of new fleets;
  - Avoiding weight limits, unsuitable roads, sensitive areas; and
  - Avoiding establishments like schools at certain times of day.
176. The recommendation of approval is subject to conditions requiring (inter alia) the routing of HGVs to be agreed through a Routing Management Plan. Officers consider that through this condition the routing of HGVs can be adequately managed to protect the amenity of the area and mitigate concerns raised in representations about the impact of HGVs using rural roads. The applicant has also clarified that West Suffolk vehicles would be fitted with tracking devices to enable managers to monitor vehicles in real time. This will enable the applicant to demonstrate compliance with the condition.
177. The Lorry Management Plan submitted with the planning application suggests, at 2039 (the year the facility reaches optimum capacity) the number of HGV movements per day would be 107. The 'Additional Information on HGV Vehicles and Movements' document, submitted in August 2017 confirms there would be 102 such movements. To clarify the applicant has confirmed the higher figure included in Lorry Management Plan document is the correct estimate of HGV movements at the site in 2039. The figures set out in the 'Additional Information' report were indicative only and based primarily on current operating practices. The Highway Authority considered the higher data included in the Lorry Management Plan and are were satisfied the impacts to the highway network would not be severe.
178. The applicant has confirmed that the Routing Management Plan would seek to maximise the use of the A11 and A14 and have submitted a map showing the proposed routing of refuse collection vehicles. This mapping demonstrates that the largest percentage of vehicle movements would use the A11 and A14 from the west, exiting at junction 43 to reach the site. This route would also be used by about a quarter of the vehicles servicing Bury St Edmunds town centre and the area immediately to the south. 18% of vehicle movements are along the A143, whilst 16% will utilise the A134. 2% of vehicles will access the site along the A1101 via Mildenhall Road and across the roundabout at the junction 43 of the A14.
179. Officers consider that this information demonstrates a clear intention

to restrict vehicles to the Suffolk Lorry Network and avoid rural and/or residential roads ensuring an acceptable impact on amenity is achieved.

#### *Impact upon local roads*

180. Representations have also raised concerns regarding the safety implications of allowing additional traffic, which will also include a significant level of HGVs, onto the A134/Fornham Road/Barton Hill roundabout. As stated earlier in this report, the visibility at the junctions onto this roundabout have been identified as acceptable. Furthermore, the TA has investigated the accident record in this area over a period of 5 years. This analysis has revealed that a total of 18 incidents resulting in 22 casualties, of which 0 were 'fatal', 4 were 'serious', and 18 resulted in 'slight' injuries. Of the 'serious' accidents, one occurred due to poor weather conditions when the road surface was icy. The other two 'serious' accidents were as a result of human error. None of these accidents occurred at the A134 / Fornham Road / Barton Hill roundabout and the Highway Authority have raised no objections in the light of the accident data provided. Concern has also been raised in representations about the provision of an uncontrolled pedestrian and cycle crossing to the south of the A134 / Fornham Road / Barton Hill roundabout to link the proposed new shared use path given the volume of traffic, proximity to the roundabout and permitted vehicle speeds on this section of the highway network. The Highway Authority have advised that the safety of this crossing, has been included in a Stage 1 Safety Audit and that further safety audits of the scheme would be required under the provisions of a Section 278 agreement which would relate to the construction and subsequent adoption of the highway improvements. The Highway Authority have confirmed that the results of the safety audit indicate that the proposal is acceptable in principle and any further safety measures which may be required as a result of further safety audit would be dealt with through the section 278 agreement.
181. In support of the application a Lorry Management Plan (LMP) has been submitted which identifies that: HGVs associated with the site will make use of the Suffolk Lorry Route Network; HGVs will adopt a right in, left out approach to access and egress and the use of the B1106 between Barton Hill and the A1101 junction will be avoided where there is a 7.5 tonne weight restriction. The LMP predicts 107 HGV movements at the site based on the expected use of the site by the year 2039 (as opposed to the highway design year of 2022). Whilst the LPM would seek to make use of the Suffolk Lorry Route Network, it should be noted that refuse vehicles will need to use residential roads as part of their household waste collection services. To review and monitor the routing of HGV that form part of the West Suffolk Council fleet electronic monitoring tags will be used and drivers will be instructed to follow the route strategy.

#### *Traffic Calming*

182. The application as originally submitted proposed a number of traffic calming measures including right hand turn lanes into the site with ghost islands, left hand turn only egress from the site, carriageway realignment and widening on Fornham Road. The Highway Authority considered that these measures would result in a development which would not be detrimental to highway safety subject to conditions.
183. The Development Control Committee deferred the application from their July 2017 meeting to enable officers to source further information on (inter alia) whether, in the interests of pedestrian and highway safety, any further traffic calming measures could be introduced on the A134 and C735 Fornham Road. In response to this the applicants have provided a chronological record of discussions which have been held with the Highway Authority regarding speed limits in the area and also provided an additional plan showing the indicative location and type of signage which would direct visitors approaching and leaving the site accesses. The applicant confirms that no further traffic calming measures beyond those proposed as part of the original submission or required by condition are proposed and this has been confirmed as acceptable by the Highway Authority.

#### *Speed limits*

184. The A134 is a dual carriageway subject to a 70mph speed limit. The C735 Fornham Road is subject to a 60mph speed limit. The application as submitted proposed no amendments to the speed limits in the area and the application was assessed on this basis by the Highway Authority which has raised no objections. The Transport Assessment submitted with the application identifies that the 85th percentile speed of vehicles on Fornham Road, based on surveys undertaken in July 2015, is 55.5mph. No speed survey data is provided for the A134.
185. The applicant has identified that the matter of speed limit reductions on Fornham Road was subject to pre-application discussion with the Highway Authority who confirmed on 3 separate occasions that the retention of the 60mph speed limit was acceptable. Given the view of the Highway Authority on this matter the applicant does not propose to promote a reduction in speed limits.
186. Should a change in speed limits be considered necessary in the future, the appropriate means to secure this would be through a Traffic Regulation Order. This is a process independent of the planning process and is subject to a statutory process of design, consultation and advertisement. Officers however emphasise that the Highway Authority do not require a reduction in speed limits to make the development acceptable in planning terms.

#### *Signage*

187. The applicants have submitted an indicative signage plan to demonstrate the likely type and location of off-site signage in the vicinity of the site entrance. The precise detail of such signage would

be reserved by condition. The indicative signage identifies that directional signage would be provided at the egress to require vehicles to give way and that right hand turns are not permitted. New signs would also be located to the north and south of Fornham Road informing drivers of the appropriate access arrangements in terms of the operational and public accesses and weight restriction signs in the carriageway would be provided to advise of the 7.5 tonne weight limit on the B1106. The traffic island would also have keep left signs to advise drivers of the island.

#### *Parking Standards.*

188. The Suffolk Guidance for Parking 2015 is the adopted framework for the consideration of parking provision. Given the range and nature of uses included the proposed development does not fall within any one category of these standards however the most relevant are those standards relating to civic amenity sites, offices, shops and general industrial uses which relate the amount of floorspace proposed to establish parking requirements. The development proposes 45 public spaces for the HWRC and resale building in addition to capacity for 60 vehicles to stack within the site. Furthermore, 125 staff parking spaces, 8 motorcycle spaces and parking for 10 bicycles is proposed. The Highway Authority have raised no objections to the level of parking proposed and officers consider the level of parking to be acceptable and in accordance with policy DM46 of the JDMPD.

#### *Conclusions on highway safety matters.*

189. The proposed development would clearly increase the volume of traffic on this part of the highway network and include HGVs however there is no evidence to suggest that the development would result in conditions detrimental to highway safety and in this respect the proposal is considered to comply with policy DM2(I) of the JDMPD. Furthermore paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. The concerns raised in representations by residents and Parish Councils are noted and have been considered but it is not considered that the proposal is unacceptable in terms of highway safety or the satisfactory functioning of the highway network.

#### *Travel Planning*

190. There is a requirement in planning policy to reduce reliance on the private car and for developments to promote more sustainable forms of transportation. In response to this requirement the applicants have submitted a Travel Plan. Given the nature of the HWRC, it is likely that visitors would have to be reliant on the private car to use this service. Furthermore, the site is poorly served by pedestrian infrastructure. In order to improve accessibility the application initially included a new shared path would be provided to the north of the site to continue onto Barton Hill to provide a complete connection to the

existing bus stop. The applicants withdrew the footpath provision proposals from the application following a specific request by the Development Control Committee at their meeting in July 2017. The Committee considered the benefits provided by the footpath would be outweighed by the loss of trees required to make way for it. Furthermore, the Committee considered the presence of the footpath would encourage the use of an uncontrolled crossing which was the cause of concern on safety grounds.

191. The removal of the path from the application proposals may lead to a slight increase in the number of people accessing the site by means other than the car than would have otherwise been the case. This is considered a small dis-benefit of the amended scheme. However, officers consider that demand for access to the site by cyclists and pedestrians is likely to be low given the nature of the proposed use and therefore the non-provision of a footpath to the south of Barton Hill is not considered to have a significant impact on accessibility
192. Bus services to the site are limited and would operate outside of times suitable to make this a viable option for most staff. The site is considered to be within a reasonable cycling distance of Bury St Edmunds which may make this a viable option for some staff.
193. The submitted Travel Plan seeks to mitigate against transport impacts, promote the uptake of alternative modes of transport and influence travel behaviour of staff. Provision is made for cycle parking on site and showers for staff to use. Maps of cycle networks will be provided to staff and the health benefits of cycling will be promoted. Furthermore, the purchase of bicycles will be promoted and a strategy to assist in car sharing will be adopted. The promotion of walking to the site would also be encouraged. It is accepted that the use of the HWRC by the public will be largely by car however the Travel Plan does provide good opportunities to promote sustainable transport amongst the staff and is considered necessary to improve the sustainability of the development. The applicants have confirmed that the Travel Plan will be implemented in full and accordingly a contribution towards its monitoring and associated legal agreement is not considered necessary as it can be adequately secured by condition. The application is therefore considered to comply with policy DM45 of the JDMPD.

#### Natural Heritage

194. The Framework confirms the planning system should contribute to and enhance the natural environment by (inter alia) minimising impacts on biodiversity and providing net gains where possible. The Framework states that protection of designated sites should be commensurate with the status of the site, recognising the hierarchy of international, national and local designations.



195. Core Strategy policy CS2 seeks to secure high quality, sustainable new development by (inter alia) protecting and enhancing biodiversity, wildlife and geodiversity.
196. Policy DM2 of the Joint Development Management Policies Document sets out the Councils requirements and aspirations for achieving design quality. One of these requirements is that development should not adversely affect sites, habitats, species and features of ecological interest. Policy DM10 sets out more detailed requirements relating to potential impacts upon sites of biodiversity and geodiversity interests. Policy DM11 specifically relates to protected species. Policy DM12 seeks to secure (inter alia) biodiversity enhancements from new developments where possible.
197. Policy WDM2 of the Waste Core Strategy requires general waste management proposals to address (inter alia) i) impact upon the integrity of Natural 2000 sites and ii) biodiversity (generally).
198. The impact of the development proposals upon the Breckland Special Protection Area is considered as part of the 'Legal Context' sub-section of this report (above).
199. The application is supported by a preliminary ecological assessment which provides an assessment of the habitats and investigates presence of protected species (badgers, bats, reptiles, great crested newts and birds) at the application site. This report confirms that the risks to protected species are considered to be relatively low, but contains some recommendations that would need to be implemented during the construction of the development which can be conditioned. The Councils Landscape and Ecology Officer and Natural England both have no objections on the grounds of ecology. The impact of the development on ecology is therefore considered to be acceptable and in accordance with relevant policies. Opportunities for the enhancement of biodiversity are considered to be delivered through the proposed landscaping scheme.

#### *Built Heritage*

200. The Framework recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. When considering the impact of proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The term 'heritage asset' used in the Framework includes designated assets such as Listed buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas and also various undesignated assets including archaeological sites and unlisted buildings which are of local historic interest.
201. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset)

taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

202. The Framework goes on to discuss how to consider 'substantial harm' and 'less than substantial harm' and advises where 'substantial harm' would occur, the local planning authority should refuse consent unless it can be demonstrated the harm is outweighed by substantial public benefits. Where a development proposal would lead to 'less than substantial harm' to the significance of a designated heritage asset, the Framework advises this harm should be weighed against the public benefits of the proposal.
203. Core Strategy policy CS2 seeks to secure high quality, sustainable development by (inter alia) conserving or enhancing the historic environment including archaeological resources.
204. Policy DM15 of the Joint Development Management Policies Document addresses proposals affecting listed buildings, including their settings. Policy DM17 sets out criteria for considering development proposals within, adjacent to or visible from within a Conservation Area. Policy DM20 sets out requirements for proposals that may affect (inter alia) a site of archaeological importance.
205. Policy WDM2 of the Waste Core Strategy requires general waste management proposals to address (inter alia) archaeological or cultural heritage. WDM19 seeks to incorporate measures to protect, preserve or enhance (inter alia) the historic environment in the design of waste management facilities.
206. The legislative requirements and an assessment of the impact of the development proposals upon listed buildings and Conservation Areas in the vicinity of the site is considered as part of the 'Legal Context' sub-section of this report (above). It is considered that the proposal would not harm any designated heritage assets and therefore complies with the NPPF and policies DM15, DM17 and WDM2 in these respects.
207. Suffolk County Council Archaeological Service have advised that the site is in an area of archaeological potential for Prehistoric, Roman and Medieval occupation. The application is supported by an Archaeological Statement following pre application geophysical surveys and trenched evaluation. The results of these investigations have revealed significant archaeological remains that span from at least the Middle Iron Age to the Roman period with features focussed in the eastern field. Groundworks associated with the proposed development would have the potential to damage or destroy significant archaeological remains.
208. The Suffolk County Council Archaeological Service has advised there are no grounds to consider refusal of permission in order to achieve

preservation in situ of any heritage assets but two conditions will be required to record and advance understanding of the significance of any heritage asset. Subject to these conditions it is considered that the development would comply with policy DM20 and WDM2.

*Landscape and visual impacts (including lighting)*

- 209. The Framework confirms the planning system should (inter alia) protect and enhance 'valued landscapes' and promotes development of previously used land but other than continuing protection of formal Greenbelt designations (of which there are none in St Edmundsbury) and recognising the hierarchy of graded agricultural land, national policy stops short of seeking to protect the 'countryside' from all new development in an indiscriminate or general sense. It does, however as one of its 'core principles' confirm that planning should take account of the different roles and character of different areas and recognise the intrinsic character and beauty of the countryside.
- 210. Core Strategy Policy CS2 seeks to achieve (inter alia) conservation or, where possible, enhancement of the character and quality of local landscapes and the wider countryside and public access to them. Policy CS3 requires development proposals to consider protection of the landscape and historic views.
- 211. Policy DM13 of the Joint Development Management Policies Document seeks to protect the landscape character (including Special Landscape Areas (SLA)) from the potentially adverse impacts of development. The policy seeks proportionate consideration of landscape impacts and calls for the submission of new landscaping where appropriate. It also calls for landscape mitigation and compensation measures so there is no net loss of characteristic features.
- 212. Policy WDM2 of the Waste Core Strategy requires general waste management proposals to address (inter alia) potential impact upon landscape and potential visual impact, including lighting. WDM19 seeks to incorporate measures to protect, preserve or enhance (inter alia) the natural environment in the design of waste management facilities.
- 213. The application site is an undeveloped agricultural field. To the south of the site are existing commercial and agricultural buildings and to the north and east are undeveloped agricultural fields. To the west is the A134 beyond which is an agricultural field.
- 214. The introduction of large buildings of a commercial/industrial nature and of the scale proposed in addition to the associated infrastructure will alter the character and appearance of the application site and result in a permanent change to the local landscape. In support of the application the applicants have submitted a landscape and visual appraisal, an arboricultural impact assessment and a proposed landscaping scheme.

215. The Suffolk Landscape Character Assessment identifies the site as Plateau Estates Farmland which is characterised by the following features:
- Flat landscape of light loams and sandy soil
  - Large scale rectilinear field patterns
  - Network of tree belts and coverts
  - 18<sup>th</sup>-19<sup>th</sup> and 20<sup>th</sup> century landscaped parks
216. The site is considered in the applicant's appraisal to be reflective of these characteristics but is also located in a fringe location with views towards industrial land to the south, including the sugar beet factory and Bury St Edmunds beyond which impact upon the setting of the site.
217. The applicant's appraisal identifies that the most significant visual impact would be from Fornham Road to the north of the site (which is identified as a 'green corridor' in the Green Infrastructure Strategy 2009) where there would be a moderate impact with medium-low significance in both year 1 and year 15 of the development. Buildings and activity would be noticeable from this viewpoint but the agricultural and commercial buildings to the immediate south and sugar beet factory further to the south would lessen the change. From other viewpoints the impact has been assessed as either slight or negligible.
218. To mitigate or lessen the impact of the development the proposal has been designed to work within the existing rectilinear field pattern, the largest buildings have been proposed to the lowest part of the site and in close proximity to the agricultural and commercial buildings to the south and have been designed to be of a simple form. Furthermore a comprehensive landscaping scheme has been proposed.
219. The landscaping scheme proposes the establishment of woodland planting to the south of the site, the retention of an existing planted embankment to the A134 and additional planting to the west of the site, the establishment of woodland planting to the north west of the site and the introduction of profiled bunds with native shrubs and a mix of trees to the north of the site and the retention of an existing hedge and tree planting to the east of the site. Within the site, where opportunities present pockets of soft landscaping will also be provided. It is considered that the proposed soft landscaping of the site would contribute significantly towards reducing the visual impact on the development. The landscape and Ecology officer raised concern regarding the provision of the landscaping along the northern boundary and the location of a proposed infiltration trench. Amendments to the drainage and landscape plan were submitted to alter the shape of the infiltration trench to provide a 3m easement between the edge of the trench and the start of the landscaping and this is considered sufficient to ensure that the drainage trench will remain functional and allow the landscaping to mature. New fencing would be proposed within the site and towards the boundaries to

provide appropriate site security. A condition should be imposed to require details of the mound profiles on the northern boundary in the interests of visual amenity and to ensure that the landscaping can be adequately maintained.

220. In addition to the proposed planting the development also proposes the removal of a number of existing landscaping features. These are shown on the applicants Tree Protection Plan within their Arboricultural Impact Assessment. This identifies the need to fell one category A Oak to the north-east corner to provide the proposed operational access. A number of trees previously indicated for felling to make way for the shared path along Barton Hill and a hedge to the east of the site also previously shown to be removed are now to be retained (but in the case of the hedge, with a new field access). An amended Tree Protection Plan would be required to reflect these amendments (and could be secured by planning condition).
221. The Landscape and Ecology Officer has advised that the loss of the category A Oak to the north east of the site will have an adverse landscape impact. The tree is needed to be removed due to the position of the proposed operational access. The applicants have submitted a detailed summary of the options for providing access to the site to explore whether it would be feasible to reconfigure the access arrangements to enable the retention of this tree in a document titled 'Options Assessment Junction Arrangement'. That analysis identifies that relocating the operational access further to the west would have implications in terms of meeting appropriate highway standards and would impact on the operational capacity of the site are not therefore considered acceptable feasible solutions by the applicant. This explanation is accepted by officers and by way of mitigation the scheme proposes the planting of replacement trees throughout the site in addition to a replacement Oak adjacent to the Category A tree to be removed. This tree would be located outside of the application site however the adjacent landowner has provided confirmation to the applicant that they have no objections to this. The details of this replacement Oak can therefore be secured by condition.
222. The tree protection plan is not at a scale that can accurately be implemented on site to ensure that the existing retained trees are adequately protected. The tree protection fencing suggested in the report is not the recommended default specification in BS5837:2012 which is considered to be the most appropriate and effective in protecting trees. It is necessary that updated details for the location and design of the tree protection fencing are conditioned.
223. For operational, safety and security purposes it will be necessary for the site to be illuminated and a lighting strategy and plan have been submitted in support of the application. The strategy identifies that for the purposes of lighting the site will be split into 2 areas – the operational area would be lit between 05:30 and 22:30 and the public area would be light between 05:30 and 20:30. Outside of these hours some lighting will still be required for safety and security reasons but

at a lower level. It is considered that appropriate consideration has been given to avoid the overspill of lighting outside of the application site as identified on the submitted lighting plan to ensure the impact on landscape, amenity, ecology and the nocturnal character is limited.

224. The proposed buildings are to be constructed of portal frames with steel cladding. The main buildings would be of a light grey colour which is considered to be visually recessive and would help the buildings blend with the skyline with detailing to the frames of openings. Photovoltaic panels are proposed to the south facing roof slope of the WTS to improve the sustainability of the building and details of these would need to be submitted for approval secured by condition.
225. On balance, it is recognised that the development will impact on the character of the application site through an introduction of buildings and associated infrastructure and an intensification in use. Furthermore, the loss of mature landscaping features will have a negative impact. However the landscape appraisal identifies that the landscape impact would not be significant and whilst the site is in the countryside it is immediately adjacent to existing commercial development and large agricultural buildings and the presence of the sugar beet factory reduces the visual isolation of this site. Mitigation is proposed in the form of replacement landscaping and whilst this will take a number of years to fully mature, it will significantly soften the impact of the development in the long term. The Landscape and Ecology Officer does not object and officers are satisfied that the overall visual impact would be acceptable and, in this respect would be in accordance with policy DM2 (with particular regard to criteria (a) and (g)) and policy DM13 of the JDMPD; policy CS3 of the CS and WDM2 (d).

#### Loss of agricultural land

226. The Framework states where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.
227. Policy DM5 of the Joint Development Management Policies Document allows for some economic growth and business/enterprise expansion in the countryside, one of the excluding criteria confirms such development will not result in the irreversible loss of best and most versatile agricultural land (grades 1, 2 and 3a).
228. Policy WDM2 of the Waste Core Strategy requires general waste management proposals to address (inter alia) potential impact upon agricultural land. Policy WDM5 does allow, in principle (and subject to the relevant criteria in policy WDM2) some limited development of waste facilities on agricultural land, or within/adjacent to agricultural or forestry buildings, but not the type and scale or combination of uses proposed by the application proposals.

229. The application proposals would result in the permanent loss of just over 6 hectares of the best and most versatile agricultural land (grade 2). The applicants considered a range of alternative sites which may be able to accommodate the proposed development but favoured the application site. Notwithstanding this, the unmitigated loss of Grade 2 agricultural land is a clear dis-benefit of the development. This is, however, tempered somewhat by the fact that the loss is relatively small and there is no evidence that suggests material harm would arise from the loss, both in isolation and in combination with the development of other land around the town and wider District. Accordingly officers advise the harm arising from this breach of policy should be afforded only limited weight.

*Protection of water quality and resources and flood risk management (including surface water drainage)*

230. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding. The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere.
231. The Framework states that to prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. It also confirms that where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner.
232. Policy CS2 of the St Edmundsbury Core Strategy requires the achievement of a high quality, sustainable environment, incorporating measures appropriate to the nature and scale of development, including (inter alia) protecting the quality of water resources and incorporating flood prevention and risk management measures, such as sustainable urban drainage.
233. Policy DM6 of the JDMPD requires proposals for all new development to show how on-site drainage will be managed so as not to cause or exacerbate flooding elsewhere. Policy DM14 does not permit development where there would be an adverse impact on, inter alia, surface and groundwater quality.
234. Policy WDM2 of the Waste Core Strategy requires general waste management proposals to address (inter alia) potential flood risk and potential impact upon the local water environment.
235. The application is supported by a Flood Risk Assessment, Drainage Statement and Drainage Plan and ground investigation works have been undertaken by the applicant. Amended drainage plans have been submitted following a holding objection by the Flood and Water Engineer and additional information was provided to address the objections of the Highway Authority.

236. A Principal Aquifer underlies the application site which has high permeability and provides a high level of water storage. The overlying soils at the site are classified as having a high leaching potential, meaning they can readily transmit a wide variety of pollutants to the groundwater. The site is also located within zone 2 of a groundwater Source Protection Zone which are areas around groundwater-sourced public water supplies where contamination could risk the water supply. The site is therefore highly vulnerable to pollution. The Environment Agency Flood Risk Maps identify that the site is located within Flood Zone 1, where there is the lowest probability of flooding.
237. As amended, it is proposed for water to be managed on site, through a combination of an infiltration trench to the north of the site, an attenuation feature under the HWRC parking area, a soakaway in the vehicle stabling area and permeable paving under the staff car park.
238. The strategy proposes that surface water will be collected by a network of gullies and linear drains and conveyed to the infiltration features in a network of pipes. Ground conditions are such that the soakaways need to be located towards the north of the site. Due to the ground levels, the surface water will need to be pumped to the soakaway locations. The Flood and Water Engineer has removed their holding objection following receipt of amended information and is satisfied that the applicant has demonstrated that the surface water drainage strategy is acceptable in principle. However, they have advised that further monitoring of groundwater levels will be required on site and have requested that a condition is imposed should planning permission be granted to require a scheme for surface water drainage to be submitted for approval, including details of further infiltration testing and groundwater monitoring. They have also requested a condition regarding the need for a management and maintenance plan to ensure the surface water drainage features are effective for the lifetime of the development. Subject to these conditions it is considered that the development complies with policy DM6 and WDM2.
239. The Environment Agency raised an objection to the application on the basis that insufficient information had been submitted to demonstrate that the risk to the water environment from proposed fuel storage had been fully considered and risks adequately mitigated. They also objected on the grounds that the management of water from street sweeping bays was unacceptable as street sweepings may contain high levels of heavy metals, oils and other contaminants and may have a high leachable organic content. In response to these objections the applicant has submitted additional information to detail the arrangements for fuel storage and the drainage design has been amended to ensure that street sweepings drain into a cess tank preventing infiltration of potentially contaminated water. On this basis the Environment Agency have withdrawn their objection subject to conditions regarding the need for a remediation scheme should contamination not previously identified be found; a scheme for surface water disposal and for a construction environment management plan



to include a pollution risk assessment and mitigation methods. On this basis it is considered that the development would have an acceptable impact on groundwater in accordance with policy DM14 and WDM2.

Noise & Vibration, Odour and Air Quality

- 240. The NPPF states that planning decisions should aim to (inter alia) avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development. It also states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Action Areas and the cumulative impacts on air quality from individual sites in local areas. The NPPF also confirms that in preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment.
- 241. Policy CS2 of the St Edmundsbury Core Strategy requires the achievement of a high quality, sustainable environment, incorporating measures appropriate to the nature and scale of development, including (inter alia) conserving and, where possible, enhancing air quality.
- 242. Policy DM2 of the Joint Development Management Policies Document states that all development proposals should taking mitigation measures into account, not affect adversely (inter alia) the amenities of adjacent areas by reason of noise, smell, or other pollution. Policy DM14 seeks to protect proposed development from existing 'pollution' sources and existing development from proposed 'pollution' sources. This includes noise, odour and air pollution.
- 243. Policy WDM2 of the Waste Core Strategy requires general waste management proposals to address (inter alia) potential impact from noise and vibration and, potential impact upon air quality, including odour.
- 244. The proposed development has the potential to result in noise, odour and air quality impacts and to assess these issues the applicants have submitted a Noise Impact Assessment, Odour Management Plan and Air Quality Assessment.
- 245. A noise survey has been undertaken at 4 locations around the application site to evaluate existing noise levels in the area. Noise associated with existing noise traffic has been identified as the dominant noise source in the area. The noise assessment has considered the noise implications resulting from the construction of the development, road traffic noise and operational noise. The nearest noise sensitive receptors have been identified as Hall Farm, Barton Stud, Westfield farm, 11 Ord Road and 4 Oak Grove the later being the closest sensitive receptor at approximately 315m from the application site.

246. The applicant's assessment has identified that the noise impacts during construction resulting from on site work and construction traffic would be negligible or neutral on all identified residential receptors. With regard to operational noise, the applicant's assessment has identified that there would be a minor impact at Hall Farm and 11 Ord Road but that operational noise from the development would not exceed 5dB above the measured background noise levels. Furthermore, noise impacts from the operational traffic has been assessed as being negligible on all roads with the exception of Fordham Road where a minor impact is anticipated.
247. Given the lack of significant noise impact resulting from the development there are no specific mitigation measures proposed however to limit any impact resulting from the minor impact identified on Fornham Road traffic will be routed on to the main roads, A134 and A143.
248. Public Health and Housing have commented that they have no objections to the development on noise grounds and requested a number of conditions to protect the amenity of the area. A condition for the control of construction hours can be conditioned however a lighting scheme has already been submitted and is considered acceptable so a condition is not required. Opening and operational hours and details of vehicle routing can be secured by condition. Vibration has also been considered in the Noise Assessment Report and no significant impact is anticipated.
249. The application site is relatively remote from the nearest dwellings such that any vibration arising from the construction of the development is not likely to affect residential property. During the operation of the site, vehicles (including fleet vehicles, staff and visitors) would utilise the existing road network (HGV's following specified routes). The increase in traffic on the road network is unlikely to lead to increased risk of vibration.
250. To assess odour an Odour Management Plan has been produced by the applicants to identify how odour issues would be managed at the proposed development. The development has the potential to generate odour from the breakdown of putrescible waste. The application states that such waste would be removed from the WTS within 48 hours of it first being brought to site. Representations have advised that this length of time has increased from 24 hours when the applicant undertook pre-application public consultation.
251. Potential sources of odour from the development include the depositing, storage and handling of residual waste from household waste collections, green garden waste and from street sweepings and from the queuing of and stabling of vehicles.
252. The applicant has advised that the deposit and handling of residual and green garden waste delivered to the WTS would take place within

the WTS building. This building would have a passive ventilation system with vents within the roof. Representations have identified stated that when the applicant undertook pre-application engagement it was suggested that an active system would be used however notwithstanding the revised details submitted as part of the application Public Health and Housing have raised no objections.

253. An assessment has been undertaken of prevailing winds in the area which are predominantly from the west to the south west. The application states that there are no schools, hospitals or care homes within 500m of the site and the nearest residential dwelling is 315m to the west on where there are residential dwellings on Barton Hill. A range of commercial and agricultural buildings are located immediately to the south of the site.
254. The applicants Odour Management Plan considers that due to the distance to nearest residential dwellings, the prevailing wind direction and the proposed management arrangements for the handling of waste within the WTS the likelihood of odour nuisance is considered to be low. The Odour Management Plan provides a methodology of working practices which will be employed for the acceptance, handling and storage of waste to minimise any odour implications including such as a 'first in first out procedure' and a contingency plan should manage situations should odour issues arise. Public Health and Housing have raised no objection in respect of odour and it is considered that the impact of odour is not likely to be significant and appropriate consideration has been given to its management and control. There are no specific conditions required other than for the development to be carried out in accordance with the Odour Management Plan.
255. An Air Quality Assessment has been submitted with the application to assess the existing air quality in the area and consider the impact of the development during construction and operation on air quality. This report analyses the impact of construction dust and operational odour and traffic emissions. This is to read in conjunction with the submitted Lorry Management Plan which would route lorries operating from the site along the Suffolk Strategic Lorry Network.
256. With regard to construction impacts, the report identifies that the proposed earthworks and construction should be classified as 'large' in terms of dust emissions magnitude and the sensitivity of the surrounding area to these activities has been classified as 'low' for dust soiling and human health impacts with a resultant expected dust impact being recoded as 'low'. With regard to the operational impacts, odour issues have been discussed in preceding paragraphs. In terms of traffic impacts, the report identifies an expected negligible change in annual mean concentrations of Nitrogen Dioxide NO<sub>2</sub> and Particulate Matter (PM<sub>10</sub>) at the residential receptor at Ord Road.
257. The Environmental Health Officer has therefore raised no objections in respect of impacts on air quality but to provide opportunities to

provide enhancements it has been requested that a condition is imposed to secure 10 No electric vehicle charging points within the site to serve the staff parking area, fleet parking and visitor parking.

258. In accordance with the requirements of the Councils Environment Team the applicant has confirmed their intention to provide 10 No electric vehicle charging points across the site. Officers consider that this is sufficient as part of an overall package of sustainability measures. However, to ensure that the site can adapt to a potential greater emphasis on the use of electric vehicles in the future it is proposed to provide ducting around the perimeter of the staff car park to allow for the installation of additional electric vehicle charging points in the future sufficient to serve an additional 54 parking bays. The Environment Team have noted that additional charging infrastructure would seem more sensible in the fleet parking area for standard sized vehicles commenting that staff are likely to have access to charging facilities at home or elsewhere, whilst fleet vehicles are likely to undertake all of their charging at the West Suffolk Operations Hub , therefore, to effectively futureproof the development, ducting for future charging infrastructure would be more beneficial in the fleet car parking areas. In response to this the applicants have amended their proposals to confirm that additional ducting for future electric vehicle charging points will be provided to the fleet parking area overcoming this concern of the Environment Team.
259. The Environment Agency have also confirmed that the site will be subject to an environmental Permit which will be based on conditions for controlling odour, noise, vibrations, and emissions not covered by limits (e.g. dust). This is a process separate from the planning regime and will be for the applicant to agree with the Environment Agency.
260. The application is therefore considered to comply with policies DM2 and DM14 and WDM2 in respect of noise, odour, vibration and air quality with no evidence to suggest that the proposal would have an adverse impact on residential amenity.

Vermin, birds and litter

261. Policy WDM2 of the Waste Core Strategy requires general waste management proposals to address (inter alia) site management issues, including litter, vermin and birds.
262. The operation of the site has the potential to attract vermin and birds and may (if unmitigated) generate litter issues in the locality. These matters are not considered significant risk factors and are capable of full mitigation via appropriate and consistent site management. The submission of details of appropriate management regimes and implementation of those strategies thereafter could be secured by means of appropriately worded planning conditions.

Residential Amenity and relationship with neighbouring land uses.

263. The protection of residential amenity is a key component of 'good design'. The Framework states (as part of its design policies) good planning should contribute positively to making places better for people.
264. Policy DM2 of the Joint Development Management Policies Document seeks to safeguard (inter alia) residential amenity from potentially adverse effects of new development.
265. Policy WDM2 of the Waste Core Strategy does not include 'safeguarding of residential amenity' as part of its control criteria. It does, however, seek to address a number of matters which in themselves could lead to impacts to residential amenity, including; noise and vibration; air quality, including odour; vehicle movement impacts; compatibility with neighbouring land use, visual impact, including lighting, and; litter, vermin and birds.
266. The application site is located approximately 350m from the closest residential dwelling and it is considered that the analysis set out in this report above has identified the absence of significant harm to residential amenity in matters including noise, odour, traffic, air quality, lighting, rodents, birds and litter. Given the distance to residential properties, the scale of buildings proposed would not result in overshadowing or dominance of the nearest residential properties. Furthermore, it is not considered that the proposal would have an unacceptable impact in terms of the health and safety of the public.
267. The opening and operational hours for which consent is being sought are:

#### **HWRC**

##### Public opening hours

- 09:00 – 17:00 (Monday – Wednesday, Friday – Sunday)
- 09:00 – 19:00 (Thursday)
- Closed on Christmas Day and New Year's Day

##### Operational hours

- 06:00 – 20:00 (7 days a week)
- Closed on Christmas Day and New Year's Day

#### **WTS (operational hours only)**

- 05:30 – 22:30 (7 days a week)
- Closed on Christmas Day and New Year's Day

#### **Depot (operational hours only)**

- 06:00 – 20.00 (Monday – Friday)
- 06:00 – 20:00 (Saturday – for street cleaning services, vehicle and equipment maintenance, minimal trade waste activities and waste

- services 'Saturday catch-up' following bank holidays)
- 06:00 – 20:00 (Sunday - for street cleaning services only)

268. It is not considered that these proposed opening hours give rise to any significant adverse impacts to residential amenity and are therefore considered acceptable. The opportunity is available to restrict operations of the site to the specified hours by means of planning condition. This would enable any proposals to extend the operating hours to be scrutinised by the Local Planning Authority.
269. It is also considered necessary to limit the amount of waste (106,496 tonnes of which 607 tonnes can be hazardous) which can be managed at the WTS by planning condition. This is to ensure that the permission reflects the scope of the evidence accompanying the planning application. In addition to residential amenity it is not considered that the proposal would conflict with the adjacent agricultural and commercial/industrial land uses. The proposal would therefore comply with DM2 and WDM2 in these respects.

#### Land instability

270. There are no known characteristics at the application site that indicate it is vulnerable to ground instability. No further information is required in this respect and the planning policy context has therefore not been summarised as part of this report.

#### Design matters and sustainable construction

##### i) design

271. The Framework states the Government attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development and is indivisible from good planning. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
272. The Framework also advises that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
273. Core Strategy policy CS2 seeks to secure high quality, sustainable development and sets out a wide range of criteria in order to achieve this.
274. Policy DM2 of the Joint Development Management Policies Document sets out the design aspirations and requirements the Council expects

should be provided by developments. Policy DM13 requires (inter alia) the submission of landscaping schemes with development proposals, where appropriate. Policy DM22 sets out detailed design criteria for considering new residential proposals.

275. Policy WDM19 of the Waste Core Strategy sets out requirements for the design of waste management facilities and states such facilities will be considered favourably where they incorporate:
- Designs of an appropriate scale, density, massing, height and materials.
  - Safe and convenient access for all potential users.
  - Schemes for the retention of existing and provision of new landscape features
  - Measures which will protect, preserve and where possible enhance the natural, historic and built environment.
276. The application proposals, including its buildings and associated infrastructure, are functional in terms of their intended use and design. The municipal collection and management of waste is an environmental necessity and a basic human need, but this important function requires operational sites containing large unwieldy buildings of utilitarian scale and appearance and site layouts that are designed around efficiency and function as opposed to an aspiration of improving the quality of an area or creating a 'sense of place'. The layout and aesthetics of the proposals is very much dictated by the functional requirements of the uses proposed. Accordingly, as is the case with a many 'non-domestic' type developments, the aspiration to achieve 'high quality aesthetics' has to be considered pragmatically in order to enable certain development types to be provided.
277. The NPPF recognises that 'good design' is about more than just aesthetics and in this case, the design approach has been to minimise the visual and landscape impact of the development. The application proposals achieve this by using the landform to position the tallest buildings on lower levels and by providing landscaping of site boundaries to assist with the assimilation of the site into the local landscape.
278. It is considered that the proposed layout of the site and scale and massing of the buildings represents good design insofar as is practicable given the functional requirements of the proposed use. The buildings will take on a functional and utilitarian appearance akin to their quasi-industrial use.
279. The design and layout of the site is acceptable and, insofar as is reasonably practicable for a development of this type, complies with the design related policies of the NPPF and the Development Plan.
- ii) sustainable construction
280. Section 19 (1A) of the Planning and Compulsory Purchase Act 2004

requires local planning authorities to include in their Local Plans “policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change”.

281. The Framework confirms planning has a key role in helping shape places, to (inter alia) secure radical reductions in greenhouse gas emissions and supporting the delivery of renewable and low carbon energy. The Government places this central to the economic, social and environmental dimensions of sustainable development.
282. The document expands on this role with the following policy: “In determining planning applications, local planning authorities should expect new development to comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption”..
283. Core Strategy policy CS2 seeks to secure high quality, sustainable development by (inter alia) incorporating principles of sustainable design and construction in accordance with recognised appropriate national standards and codes of practice covering various themes. These design aspirations will be of more relevance to any reserved matters applications submitted when detailed layouts and designs are formed.
284. Policy DM7 of the Joint Development Management Policies Document reflects the up-to-date national planning policy on sustainable construction. The policy requires adherence to the broad principles of sustainable design and construction (design, layout, orientation, materials, insulation and construction techniques), but in particular (for residential schemes) requires that all non-residential development over 1000 square metres will be required to achieve a BREEAM Excellent standard or equivalent unless it can be demonstrated that it is not possible to meet such a standard.
285. The applicants have submitted a sustainability statement in response to this requirement. This statements sets out that it is not the applicant’s intention to meet BREEAM Excellent standard on the basis that the buildings proposed are not suitable for assessment against these standards. The following reasons are provided:
  - The main waste facility is an ‘untreated’ space and is not subject to Part L Building Regulations. This means that it cannot be assessed in relation to a number of the energy credits in BREEAM, including those which are mandatory for higher BREEAM ratings;
  - As an ‘unoccupied’ building, the Health & Wellbeing section of BREEAM is largely irrelevant
  - The PortaKabin welfare facilities are proprietary units and as such there is little opportunity to influence the sustainability of the



specification; and

- It could be argued that a number of additional credits are broadly inappropriate for a development of this type.

286. The District Council's Environment Officers have considered the sustainability statement (including the applicants' position on BREEAM) and confirm their view that they are "generally satisfied with the principles identified and the proposed sustainability measures that will be adopted to manage energy and water use in the development". In light of these factors, officers accept that the nature of the proposal does not readily allow for assessment against BREEAM. Furthermore, the applicants have demonstrated that principles of sustainable construction will be incorporated into the development through measures such as sustainable procurement, the incorporation of energy efficiency construction measures and photovoltaic panels to reduce emissions and the provision of cycle parking and showers. Overall it is considered that adequate regard has been given to sustainable design and construction in accordance with the principles of policy DM7.

#### Fire Safety

287. Concerns have been raised during consultation that the uses proposed in the planning application are prone to fires with resultant impact on residential amenity, ecology, air quality and the water environment. The Committee is advised that the development would be constructed in accordance with up to date building regulations and fire water tanks are proposed. Suffolk County Council Fire and Rescue Service raise no objection subject to the provision of fire hydrants which is subject to a condition. The Environment Agency and Flood and Water Engineer also raise no objection to the development in terms of potential impact on the water environment with shut off valves incorporated into drainage systems to stop water getting in to soakaways and any runoff from flooding being tankered. Officers are therefore satisfied that the application has had adequate regard to fire risk.

#### **Summary, analysis of 'S38(6)' material considerations and conclusions:**

288. This report finds the application proposals are contrary to the Development Plan for the area. It is contrary to the District level and County level Development Plan documents, including the specialist Waste Core Strategy. The consequence arising from the breach of policy is a 'presumption against' the development. Not only do the proposals offend the 'spatial' policies of the plan by proposing development on a 'greenfield' site in the countryside, they would also harm the local landscape by intensifying the use of the site, providing new and large buildings in the countryside and removing a 'Grade A' mature oak tree. Officers' consider the harm is capable of some mitigation but conclude overall minor adverse impacts would occur to the countryside, thus adding a degree of weight to the 'in-principle'

Development Plan led objections to the scheme. The development of the application site would also lead to the permanent loss of Grade 2 (best and most versatile) agricultural land but, given the small scale of the loss, the harm arising is not considered significant. It nonetheless adds further weight to the overall departure from the Development Plan.

289. The proposed development would not comply with the strict requirements of Policy DM7 of the Joint Development Management Policies Document which requires 'BREEAM excellent' standard to be achieved for new, large commercial buildings. This report explains why it is not practicable to achieve this and the measures the applicants are proposing as an alternative. The technical non-compliance with policy DM7 should not, in your officers' view, add material weight to the departure from the Development Plan the report has identified.
290. As previously confirmed, Section 38(6) of the 2004 Planning Act states planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. This section of the report considers the material considerations in this case that need to be balanced against the conflict with the Development Plan together with the weight officers consider should be afforded to them.
291. The departure from the Development Plan the application proposals are considered to represent is discussed above. There are however, a number of national and local policies and statements which lend support to the application proposals and the benefits that would arise from them. These are set out below, followed by a short officer comment:
- The National Planning Policy for Waste states that, in preparing their plans, waste planning authorities should (inter alia) look for opportunities to co-locate waste management facilities together and with complementary activities. *The benefits of co-location of the waste collection and management facilities is the principal driver behind the application proposals.*
  - Aim 2 of the Waste Core Strategy is "to promote and encourage sustainable practices in the transportation and management of wastes". This is reflected in Objective 3 of the same document which is to "facilitate the efficient transportation of waste throughout Suffolk". *The application proposals which, in particular, would reduce the amount of 'waste miles' travelled by the collection fleet would meet this general policy aim.*
  - Policy CS1 of the St Edmundsbury Core Strategy sets out the St Edmundsbury Spatial Strategy and confirms the ability to deliver infrastructure will take priority when determining the location of future development. *This policy links the provision of new development to infrastructure. The application proposals would provide waste services to support currently planned development*

*and further anticipated growth up to the notional operational capacity of the site in 2039.*

- Policy CS2 of the St Edmundsbury Core Strategy, which aspires to achieve high quality sustainable development seeks the following of new development proposals (inter alia); A) making the most efficient use of land and infrastructure; I) Providing Infrastructure and services necessary to serve development, and J) adhere to the waste hierarchy during construction and following development to prevent waste generation and ensure re-use and recycling. *The application proposals would provide for all of these policy requirements*
- Objective 3 of the Bury St Edmunds Vision 2031 document is to “ensure that the necessary infrastructure required to meet the needs of new development is provided at the appropriate time”. *The application proposals would achieve this aspiration for waste management.*
- Paragraph 10.1 of the Bury St Edmunds Vision 2031 document states that much of the previous growth in Bury St Edmunds has been matched by improvements to infrastructure and services, but elements are reaching the end of their useful lives. Aspiration 14 of the same document is that the provision of infrastructure and services helps to facilitate and meet the growing needs of the town, and, where applicable, the surrounding hinterland. Paragraph 10.16 of Bury Vision sets out the actions required to achieve this aspiration which includes “work with Suffolk County Council to ensure that household waste disposal/recycling will meet the needs of the town”. *The application proposals have identified a need for and seek to realise improved and co-located services for waste collection and management.*
- Similarly, Aspiration 15 of the Rural Vision 2031 document is “the provision of infrastructure and services to meet the needs of villages. The document also sets out the actions required to achieve the aspiration (paragraph 14.10) including “liaise with external agencies ... to ensure planned growth and new developments are considered within their service plans”. *The application proposals have identified and need for the co-location of waste collection and management services to meet the needs of all of West Suffolk, including the rural areas.*
- Paragraph 14.1 of ‘Rural Vision’ 2031 recognises that the cost of infrastructure is very high for the number of users and gives an example that utility providers need to be encouraged to do the best possible in rural areas. *There are no reasons why this should not equally apply to the provision of waste collection and management services and the application proposals enable waste services to be provided and enhanced in order to meet existing and future needs.*

292. Whilst the above analysis indicates a degree of ‘general’ planning

policy support for the application proposals. Officers consider these 'generic and aspirational' policies and statements should be afforded moderate weight in the overall balance. Officers have also considered the 'positive' elements of policy (summarised above) which indicate a level of support for the concept of the application proposals and the benefits arising from them against the clear departure of the dominant spatial policies of the Development Plan. Whilst it remains the case that the development proposals would depart from the Development Plan, a view that carry's substantial weight against the proposals in your officers view, these elements of policy support should not be overlooked in reaching a decision on the planning application.

293. Section 38(6) of the 2004 Planning Act confirms that development proposals should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF reinforces the approach set out in Section 38(6). It emphasises the importance of the plan-led system and supports the reliance on up-to-date development plans to make decisions. As already noted, this is not a case where the presumption in favour of sustainable development (in paragraph 14 of the NPPF) is applicable. The NPPF does not therefore lend support to the grant of permission. However, paragraph 12 of the NPPF does recognise that development which conflicts with the development plan should be refused "unless material considerations indicate otherwise". That proviso reflects the statutory test. In this case, a number of benefits arise from the proposed development which constitute other material considerations, including;
- Improved compliance in a general sense with Local and Government Policy for waste management, including "a more sustainable and efficient approach to resource use and management". Whilst these particular benefits do not outweigh the breach of Development Plan policy the proposals represent, they do serve to ease the gravity of the departure. The fact the proposals gain some support from various national and local planning policies should be attributed moderate weight in favour of the proposed development.
  - The development responds positively to an identified need to co-locate the facilities at a single site. The need, which is highly specialist in its nature and was not foreseen in time to be included within the 'Bury St Edmunds' or 'Rural' Vision 2031 Area Action Plans, would be fully met by the application proposals. Whilst this report concludes the Development Plan (which does not meet this specific need) is not out-of-date as a consequence, the fact that the development meets the identified need should be attributed substantial weight in favour of the proposals, particularly in the light of other benefits that would materialise as a direct consequence. These are identified and discussed further below.
  - The application proposals would provide facilities to maximise the amount of waste from the West Suffolk area that could be re-used or re-cycled. This in turn would lead to improved performance

against the 'Waste Hierarchy'. The environmental benefits arising would be significant and should be attributed substantial weight in favour of granting planning permission in this case.

- The proposals would address deficiencies identified with existing sites and allow for a more efficient public service to be provided from an up-to-date facility that incorporates various sustainability measures in its construction. This includes provision of an 'at level' household recycling centre which would serve to improve customer accessibility and minimise risks to their health and safety (when compared to the existing site operating from Rougham Hill). The application site allows a new facility to take advantage of the site topography to improve the accessibility of the household recycling centre and reduce risks to the health and safety of its users. These particular benefits would of course also be realised if investments were to be made in the existing 'waste' sites, but given economic constraints this is perhaps less likely to occur. These particular benefits should be attributed moderate weight in favour of granting planning permission for the proposals.
- The co-location of the District Council depot with a number of existing and newly proposed waste management facilities would reduce the number of 'waste miles' travelled. This is a particularly significant benefit of the proposals given the resultant reduction in the environmental impacts of this aspect of the service. This benefit should be attributed significant weight in favour of granting planning permission for the development proposals.
- The proposals provide an ability to expand services in the future, should the need arise. They also facilitate growth in West Suffolk by providing sufficient 'waste infrastructure' to meet future development needs. Whilst the need for the facility is not driven by current or short term capacity requirements, it does nonetheless facilitate expansion of the operational capacity of the service and future proofs waste collection and management infrastructure to support future growth in West Suffolk. These benefits should be attributed moderate weight in favour of the proposals.
- A 're-sale' shop is included alongside the recycling centre. Such a facility is not presently available for residents. This would allow for more 'waste' to be re-used thus avoiding the adverse environmental effects attributable to its disposal. Given the current absence of such a facility in the West Suffolk area, the inclusion of it within the application proposals is a significant benefit that weighs substantially in favour of the proposals.
- The application site is considered to be the best available site to co-locate the District Council's depots and waste collection function and the Suffolk County Council's waste management functions. A number of sites and alternative options for delivering the services were considered by the applicants' at pre-application stage and were discounted. This particular benefit of the selection

of the application site adds moderate weight in favour of the application proposals.

- The transfer of services to the application site would release other sites for alternative developments and uses. This is particularly the case for the existing fleet depot at Olding Road, Bury St Edmunds. The large depot building, presently shared with NHS logistics is part of a wider collection of land parcels for which a Masterplan has been adopted by the Council. The Masterplan envisages the cessation of both the Council depot and NHS logistics uses and the redevelopment of the area centred on a 'public service village'. The overall strategy is to regenerate this part of the town by co-locating public services. Whilst this particular application site may not necessarily be required to facilitate the re-location of the Council depot away from its Olding Road site it does provide that solution. Other sites in the West Suffolk area would be released to allow for 'windfall' development (the appropriateness of which has not been considered by this report). This benefit adds moderate weight in support of granting planning permission for the development.
- The construction of the site would lead to economic gains realised through the financial investment and employment created during this phase. Such benefits would, however, also be realised if the development were to occur at a different site or if the facilities were to be provided at separate sites. This consideration serves to reduce the weight to be attributed to these particular benefits which should be afforded modest weight in support of the development proposals.

294. It is your officers' view that the benefits of the development set out above are relevant 'material considerations' to assist with consideration of whether planning permission should be granted as a departure from the Development Plan. The weight to be attributed to the identified 'benefits' and 'harm' identified is a matter for the decision maker to consider and balance in each case.

295. In this case, officers have carefully considered the other material considerations raised by the application proposals and conclude the collective benefits that would arise from the application proposals are substantial and are of sufficient weight to warrant a planning decision contrary to the dominant operative policies of the Development Plan. The identified benefits also outweigh the moderate harm to the landscape and loss of Grade 2 agricultural land identified earlier in this report. Your officers conclude that a decision which departs as an exception to the normal provisions of the Development Plan is justified.

296. Having carefully considered all of the issues raised by the planning application proposals, including the evidence and opinions submitted on behalf of the applicants, the contributions of key consultees and the views of Town and Parish Council's and Members of the public

whom have participated, your officers have formed a view there is sufficient justification to recommend that planning permission is granted, subject to a number of controlling and safeguarding conditions.

**Recommendation:**

297. It is recommended that, subject to the Secretary of State (upon consultation) confirming he does not intend to call in the planning application for his own determination, **GRANT PLANNING PERMISSION** subject to the following conditions:

1. The development hereby permitted shall be begun no later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

- Ecology Report prepared by SWT Trading Ltd dated February 2017
- Landscape Management Plan dated March 2017
- Lighting Strategy dated March 2017
- Dwg No 5121919-ATK-WSOH-XX-DR-E-7030 P02 – Lighting Layout
- Noise Assessment Report dated March 2017
- Arboricultural Impact Assessment by A T Coombes Associates
- Dwg No 5121919-ATK-WSOH-PL-DR-E-7033 P01 - CCTV Locations
- Dwg No 512919-ATH-WSOH-PL-DR-7018 P02 – HWRC Portakabin Plan
- Dwg No 5121919-ATK-WSOH-PL-DR-7017 P01 – Weighbridge Office Portakabin Elevations
- Dwg No 5121919-ATK-WSOH-PL-DR-7016 P02 - Weighbridge Office Portakabin Plans
- Amended Dwg No 5121919-ATK-WSOH-PL-DR-7008 P03 Fencing and Kerbing Plan
- Dwg No 5121919-ATK-WSOH-PL-DR-C-7006 P02 Sections
- Dwg No 5121919-ATK-WSOH-PL-DR-C-7005 P03 Sections
- Amended Dwg No 5121919-ATK-WSOH-PL-DR-7004 P04 Finished Levels
- Amended Dwg No 5121919-ATK-WSOH-PL-DR-C-7002 P07 Proposed Site Layout
- Dwg No 5121919-ATK-WSOH-PL-DR-C-7001 P03 Planning Boundary
- Amended Dwg No 5121919-ATK-WSOH-PL-DR-C-7000 P04 Site Location Plan
- Dwg No 5121919-ATK-WSOH-PL-DR-A-7044 P02 Refuse Buildings GA Roof Plan and Elevations
- Dwg No 5121919-ATK-WSOH-PL-DR-A-7043 P02 Landscape Stores GA roof Plan and Elevations
- Dwg No 5121919-ATK-WSOH-PL-DR-A-7042 P03 WTS and Baling Facility Elevations

- Dwg No 5121919-ATK-WSOH-PL-DR-A-7040 P03 WTS and Baling Facility GA and Roof Plan
- Dwg No 5121919-ATK-WSOH-PL-DR-A-7045 P02 Waste Collection Vehicle Maintenance Workshop and Office Elevation
- Sustainability Statement Dated March 2017
- Odour Management Plan dated March 2017
- Air Quality Assessment dated March 2017
- Travel Plan dated August 2017
- Dwg No 5121919-ATK-WSOH-PL-DR-7019 P03 HWRC Portakabin Elevations
- Dwg No 5121919-ATK-WSOH-PL-DR-A-7046 P02 waste Collection vehicle Maintenance Workshop and Office GA and Roof Plan
- Dwg No 5121919-ATK-WSOH-PL-DR-L-7050 P9 Landscape Proposals
- Dwg No 5121919-ATK-WSOH-PL-DR-D-7100 P6 Drainage Layout
- Dwg No 5121919-ATK-WSOH-PL-SK-D-7100 P02 Infiltration Trench indicative Section
- Drainage Statement (Rev 4.0) dated May 2017
- Applicant's response to Environment Agency received 25 May 2017
- Amended Currie and Brown letter regarding electric vehicle charging points dated 29th August 2017

Reason: To define the scope and extent of this permission.

3. Prior to the first use of the development hereby permitted, the new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 5121919-ATK-WSOH-PL-DR-C-7002 Rev P07. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety in accordance with policy DM2 of the Joint Development Management Policies Document 2015

4. Prior to the commencement of development details of site access to be used during the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be implemented in full in accordance with the approved details.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety in accordance with policy DM2 of the Joint Development Management Policies Document 2015. A pre-commencement condition is necessary as the details relate to the construction of the development.

5. Prior to the first use of the development hereby permitted, a signing strategy plan to provide details of signage to and from the site shall be submitted and approved by the Local Planning Authority. The strategy shall thereafter be implemented in full in accordance with the approved details.



Reason: To ensure that sufficient directional signage is provided for the facilities in the interests of highway safety and traffic convenience in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

6. No development shall commence on the path shown on drawing No. 5121919-ATK-WSOH-PL-DR-C-7002 P07 until construction specifications have been submitted and approved in writing by the Local Planning Authority. The path shall thereafter be provided in accordance with the approved details prior to the first occupation of the development.

Reason: To ensure that the path is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety in accordance with DM2 of the Joint Development Management Policies Document 2015.

7. All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence.

No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

The Plan shall include details of a routing strategy to avoid non-A roads until C735 from A134 and before and after highway and verge condition surveys on Fornham Road and Barton Hill.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

8. All Operational HGV traffic movements to and from the site shall be subject to a Routing Management Plan which shall be submitted to the Local Planning Authority for approval a minimum of 28 days before first use of site.

No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas in accordance with policy DM2

of the Joint Development Management Policies Document 2015.

9. The use shall not commence until the areas within the site shown on 5121919-ATK-WSOH-PL-DR-C-7002 Rev P07 for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter that areas shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

10. Before any access is first used visibility splays shall be provided in accordance with details that shall previously have been approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

11. Prior to the development hereby permitted being first brought into use, the Framework Travel Plan (dated August 2017) that was submitted to support the application shall be fully implemented. Thereafter, it shall be reviewed and revised on an annual basis, unless otherwise agreed in writing by the Local Planning Authority. An annual Travel Plan Review, to be undertaken in accordance with the approved Travel Plan must also be submitted to the Local Planning Authority for written approval for a period of five years following the commencement of the use hereby approved.

Reason: In the interest of sustainable development and policies CS7 and CS8 of the St Edmundsbury Core Strategy and policies DM2, DM45 and DM46 of the Joint Development Management Policies Document 2015.

12. Prior to the occupation of the development hereby permitted details of the areas to be provided for secure covered cycle storage for employees and details of changing facilities including storage lockers and showers shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interest of sustainable development and policies CS7 and CS8 of the Core Strategy and policies DM2, DM45 and DM46 of the Joint Development Management Policies Document

13. Prior to the first occupation, a completed Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority and shall include up-to-date walking, cycling and bus maps, relevant bus and rail timetable information, car sharing information, and sustainable transport discounts. The Travel Information Pack shall be maintained and operated thereafter. Within one month of first occupation, each employee shall be provided with Travel Information Pack that contains the sustainable transport information and measures that was identified in the Framework Travel Plan (dated March 2017).

Reason: In the interest of sustainable development and policies CS7 and CS8 of the Core Strategy and policies DM2, DM45 and DM46 of the Joint Development Management Policies Document

14. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

The applicant shall submit a detailed design based on the submitted Flood Risk Assessment and Drainage Strategy by Atkins Ltd and will demonstrate that surface water run-off generated up to and including the critical 100 year +CC storm will not exceed the run-off from the existing site following the corresponding rainfall event. The scheme shall also include:-

- A) Details of further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole). The use of infiltration as the means of drainage will be taken forward only if the infiltration rates and groundwater levels show it to be possible.  
Borehole records should also be submitted in support of soakage testing.
- B) Additional groundwater monitoring is required across the site to verify the depth to the local water table. This should be included in support of additional soakage testing and undertaken where drainage features are to be located.
- C) Provided the Local Planning Authority are satisfied with the infiltration rates the following shall be submitted:
  - I. Applicant shall submit dimensioned plans illustrating all aspects of the surface water drainage scheme including

location and size of soakaways and the conveyance network. A statement on the amount of impermeable area served by each soakaway should also be illustrated on the plans and should be cross referenceable with associated soakaway calculations.

- II. Modelling results (or similar method) to demonstrate that the soakaways have been adequately sized to contain the 30yr event for the catchment area they serve. Each soakaway should be designed using the nearest tested infiltration rate to which they are located. A suitable factor of safety should be applied to the infiltration rate during design.
  - III. Infiltration devices will only dispose of clean water due to the site area overlying a Source Protection Zone. Demonstration of adequate treatment stages for water quality control shall be submitted.
  - IV. Infiltration devices should be no more than 2m deep and will have at least 1 - 1.2m of unsaturated ground between base of the device and the groundwater table. If individual soakaways are being used they will be at least 5m away from any foundation (depending on whether chalk is present).
  - V. Soakaways will have a half drain time of less than 24hours.
  - VI. Any conveyance networks in the 1 in 30 event show no flooding above ground.
  - VII. Details of any exceedance volumes during the 1 in 100 year rainfall + CC and their routes should be submitted on the drainage plans. These flow paths will demonstrate that the risks to people and property are kept to a minimum. There shall be no offsite flows.
- D) If the use of infiltration is not possible then modelling OR a similar method shall be submitted to demonstrate that:-
- I. Surface water runoff will be discharged to a suitable receptor and restricted to the existing greenfield runoff rates for the site.
  - II. Any attenuation features will contain the 1 in 100 year rainfall event including climate change
  - III. Any pipe networks in the 1 in 30 event show no flooding above ground.
  - IV. Modelling of the volumes of any above ground flooding during the 1 in 100 year rainfall + climate change to ensure no flooding to properties on or off-site. This should also include topographic maps showing where water will flow and/or be stored on site.

- E) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that on-site drainage will not increase the risk of flooding and to protect groundwater in accordance with policies DM2, DM6 and DM14 of the Joint Development Management Policies Document 2015. The details are required before the commencement of development as they are fundamental to the design and layout of the development.

- 15.No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.

Reason: To ensure that on-site drainage will not increase the risk of flooding and to protect groundwater in accordance with policies DM2, DM6 and DM14 of the Joint Development Management Policies Document 2015. The details are required before the commencement of development as they relate to the construction of the development.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in accordance with policies DM2 and DM14 of the Joint Development Management Policies Document 2015.

- 17.No development, including any demolition, shall take place until a Construction Environment Management Plan has been submitted to and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include a pollution risk assessment and mitigation methods to be implemented, and provide for:

- any requirements for dewatering excavations and how the resulting trade effluent will be managed to comply with the law and prevent pollution;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;

- wheel washing facilities;
- measures to control the emission of dust and dirt during construction; and
- a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 'best practicable means for noise and vibration during the construction of the development, as advised in British Standard BS5288-1:2009+A1:2014
- any requirements for temporary lighting

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in accordance with policies DM2 and DM14 of the Joint Development Management Policies Document 2015. The details are required prior to commencement as the details relate to the construction of development.

18. No development shall commence until the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation which first shall have been submitted to and approved in writing by the Local Planning Authority.

The Written Scheme of Investigation shall include an assessment of significance and research questions; and:

The programme and methodology of site investigation and recording.

The programme for post investigation assessment.

Provision to be made for analysis of the site investigation and recording.

Provision to be made for publication and dissemination of the analysis and records of the site investigation.

Provision to be made for archive deposition of the analysis and records of the site investigation.

Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To enable any remains of archaeological significance to be investigated and recorded in accordance with policies DM2 and DM20

of the Joint Development Management Policies Document 2015. The details are required prior to commencement as they relate to matters which require assessment before development can commence.

19. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To enable any remains of archaeological significance to be investigated and recorded in accordance with policies DM2 and DM20 of the Joint Development Management Policies Document 2015.

20. Prior to the occupation of the development a scheme for the provision of fire hydrants within the application site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: To ensure the adequate supply of water for fire fighting and community safety in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

21. Prior to their first use in the development, details of proposed photovoltaic panels to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

Reason: To ensure an acceptable form of development in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

22. The development hereby permitted shall be occupied in complete accordance with the Odour Management Plan (March 2017) version 5 (document ref ATK-WSOH-PL-RP-EN-006).

Reason: In the interests of residential amenity in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

23. The site demolition, preparation and construction works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.

Reason: In the interests of residential amenity in accordance with

policy DM2 of the Joint Development Management Policies Document 2015.

24. Within a 12 month period a maximum of 106,496 tonnes of waste and material for recycling may be accepted at the Waste Transfer Station. The operator shall keep a record of all imported material which shall be made available to the Local Planning Authority upon request.

Reason: To reflect the scope of the planning application and to protect the amenity of the area in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

25. Within a 12 month period a maximum of 607 tonnes of hazardous waste may be accepted at the application site. The operator shall keep a record of all imported material which shall be made available to the Local Planning Authority upon request.

Reason: To reflect the scope of the planning application and to protect the amenity of the area in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

26. Prior to the first occupation of the development hereby permitted a scheme for the provision of 10 No electric vehicle charging points (to include 7 within the staff parking area, 2 within the fleet parking area and 1 within the visitor parking area) shall be submitted to an approved in writing by the Local Planning Authority.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to enhance local air quality in accordance with Policy DM2 of the Joint Development Management Policies Document 2015 and Policy CS2 of the Core Strategy.

27. Prior to the commencement of development a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved plan.

Reason: To ensure that landscape features to be retained are adequately protected in accordance with policies DM2 and DM13 of the Joint Development Management Policies Document 2015. The details are required prior to commencement as they relate to the construction of the development.

28. Prior to the implementation of the proposed landscaping to the northern boundary of the site, details of the mound profiles shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and to ensure the landscaping can be adequately mitigated in accordance with policies DM2 and DM13 of the Joint Development Management Policies Document 2015.



29. The approved scheme of soft landscaping works shall be implemented no later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
30. The development shall not begin, including the removal of tree T1 which lies to the north-east of the site (identified on Appendix 4 Tree Protection Plan of the submitted Arboricultural Impact Assessment), until details of a replacement Oak tree in accordance with the submitted landscape plan (Dwg No 5121919-ATK-WSOH-PL-DR-L-7050 P9) have been submitted to and approved in writing by the Local Planning Authority. The use of the permitted development shall not commence until the replacement tree has been provided.

Reason: To ensure appropriate mitigation for the loss of trees and to protect the character of the area in accordance with policies DM2 and DM13 of the Joint Development Management Policies Document 2015.

31. The development hereby permitted shall be carried out in complete accordance with section 7 'Mitigation' of the submitted ecology report dated 2 February 2017 prepared by SWT Trading Ltd.

Reason: To ensure appropriate protection and enhancement of ecological features in accordance with policies DM2 and DM12 of the Joint Development Management Policies Document 2015.

32. The facilities hereby permitted shall not operate outside of the following hours unless otherwise agreed in writing with the Local Planning Authority:

**Depot (operational hours only)**

- 06:00 – 20.00 (Monday – Friday)
- 06:00 – 20:00 (Saturday – for street cleaning services, vehicle and equipment maintenance, trade waste activities and for domestic waste services immediately following bank holidays)
- 06:00 – 20:00 (Sunday - for street cleaning services only)

**Household Waste Recycling Centre**

Public opening hours

- 09:00 – 17:00 (Monday – Wednesday, Friday – Sunday)
- 09:00 – 19:00 (Thursday)
- Closed on Christmas Day and New Year's Day

Operational hours

- 06:00 – 20:00 (7 days a week)
- Closed on Christmas Day and New Year's Day

**WTS (operational hours only)**

- 05:30 – 22:30 (7 days a week)
- Closed on Christmas Day and New Year's Day

Reason: In the interests of residential amenity in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

33. All vehicles that are to be used on site that are fitted with reversing warning alarms are to be white noise alarms.

Reason: To protect the amenity of the area in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

34. Notwithstanding the provisions of Part 7, Class I and Part 12, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, replacing or re-enacting that Order), no further fixed plant or machinery, buildings or structures shall be erected, extended or altered at the site without the prior grant of planning permission by the Local Planning Authority, upon formal application having been made.

Reason: To protect the amenity of the area and enable the Local Planning Authority to retain control of further development at the site in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

35. Prior to the commencement of any development a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans and/or specifications at such time(s) as may be specified in the approved scheme.

Reason: To ensure a satisfactory method of foul water drainage in accordance with policy DM2 of the Joint Development Management Policies Document 2015

36. Prior to the first use of the Waste Collection Depot, the Household Waste Recycling Centre or the Waste Transfer Station, a strategy (or strategies) for the management, control and/or avoidance of vermin, birds and litter for that individual facility shall be submitted to the Local Planning Authority for approval in writing. Thereafter, the facilities shall be operated fully in accordance with the approved strategy (or strategies).

Reason: In the interests of pollution control, visual and residential amenity in accordance with Policy DM2 of the Development Management Policies Document (2015), Policy CS2 of the St

Edmundsbury Core Strategy (2010) and Policy WDM2 of the Waste Core Strategy (2011).

37. Prior to the construction of any individual building at the application site, a schedule of the colour finishes to be applied externally to the walls and roof of that building shall be submitted to the Local Planning Authority for approval in writing. Thereafter the approved colour finishes shall be applied to the individual building before it is first brought into use.

Reason: To ensure that the external appearance of the development is satisfactory in the interests of visual amenity and the character and appearance and landscape qualities of the countryside, in accordance with Policy DM2 of the Joint Development Management Policies Document (2015), Policies CS2 and CS3 of the St Edmundsbury Core Strategy and Policies WDM2 and WDM19 of the Waste Core Strategy (2011).

38. The development shall be carried out and operated fully in accordance with Sections 5, 6, 7, 8 and 9 of the Odour Management Plan, submitted with the planning application and forming part of the package of approved documents.

Reason: To avoid and minimise the risks to residential amenity and the general enjoyment of the countryside, posed by potential odours emanating from the application site, in accordance with Policy DM2 of the Development Management Policies Document (2015), Policy CS2 of the St Edmundsbury Core Strategy (2010) and Policy WDM2 of the Waste Core Strategy (2011).

#### Informatives:

- 1) It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council's West Area Manager must be contacted on Tel: 01284 758868. For further information go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-for-a-dropped-kerb/>

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

- 2) The works within the public highway will be required to be designed and

constructed in accordance with the County Council's specification.

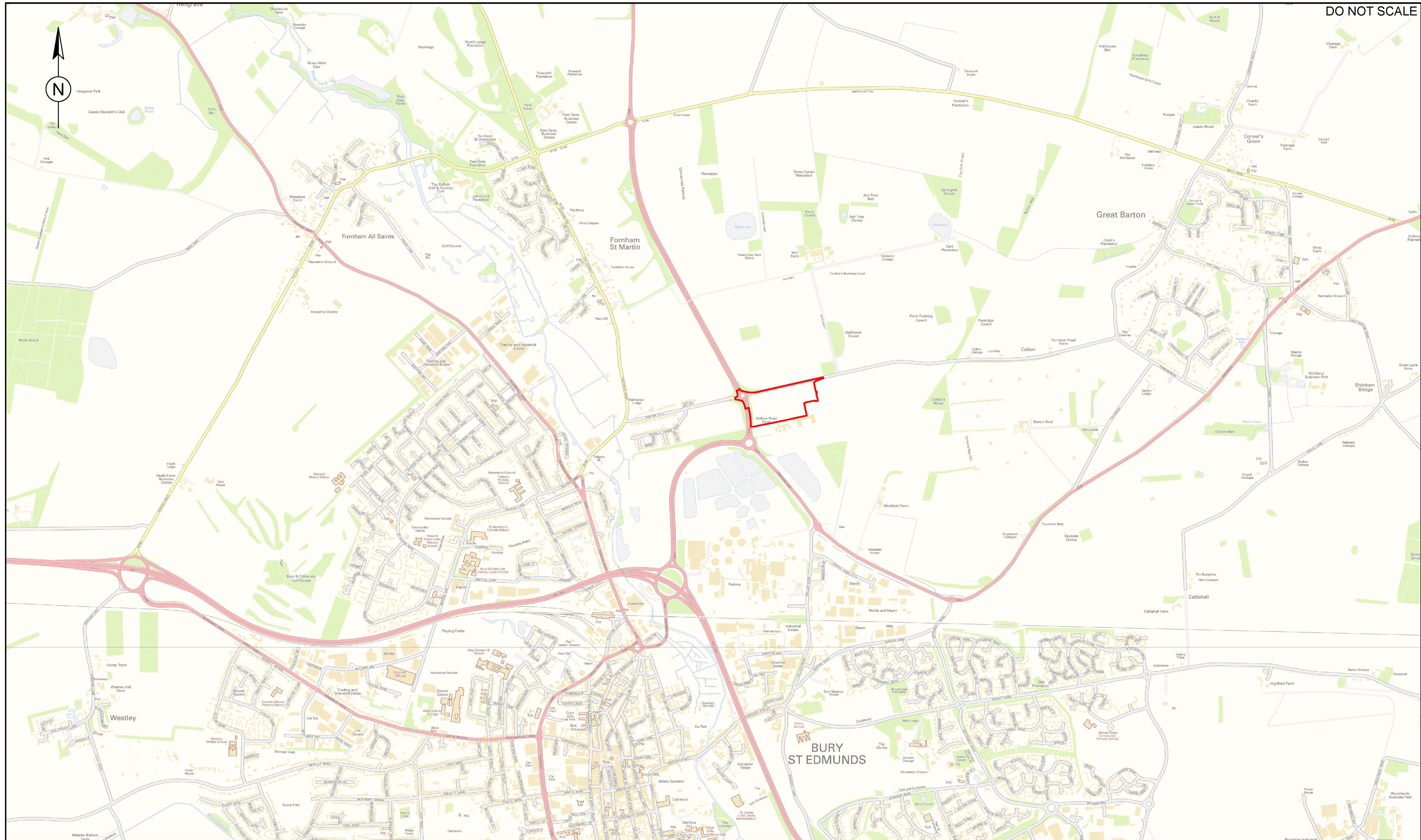
The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

- 3) Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- 4) Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003
- 5) The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.
- 6) In accordance with the 'National Planning Policy Framework' the Council confirms it has implemented the requirement to work with the applicant in a positive and proactive way. In this case amendments and additional information were sought to address objections in relation to drainage and landscaping.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: <https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=OMQSHRPDN5A00>





KEY:  
PLANNING BOUNDARY

|      |            |                                 |    |       |       |
|------|------------|---------------------------------|----|-------|-------|
| P04  | 03/08/2017 | BOUNDARY REVISED                | JH | W     | PB    |
| P03  | 02/03/2017 | BOUNDARY REVISED                | JH | W     | PB    |
| P02  | 29/02/2017 | MAPPING FACED, BOUNDARY REVISED | JH | W     | PB    |
| P01  | 10/02/2017 | ISSUED FOR INFORMATION          | JH | W     | PB    |
| Rev. | Date       | Description                     | By | Chk'd | App'd |

Drawing Status  
**FOR INFORMATION**

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Client

**Suffolk County Council**

Forest Heath & St Edmundsbury councils  
**West Suffolk**  
working together

Suitability  
**S2**

Project Title  
**WEST SUFFOLK OPERATIONS HUB**

Drawing Title  
**SITE LOCATION PLAN**

|   |                  |                  |                  |                  |
|---|------------------|------------------|------------------|------------------|
| Scale<br>1:10000                                | Designed<br>HS   | Drawn<br>HS      | Checked<br>MR    | Authorised<br>PB |
| Original Size<br>A1                             | Date<br>24/10/16 | Date<br>24/10/16 | Date<br>24/10/16 | Date<br>28/10/16 |
| Drawing Number<br>5121919-ATK-WSOH-PL-DR-C-7000 | Revision<br>P04  |                  |                  |                  |



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