

Development Control Committee



Title	Agenda																			
Date	Wednesday 1 March 2023																			
Time	10.00am																			
Venue	Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU																			
Full Members	<div>Chair Andrew Smith</div> <div>Vice Chairs Mike Chester and Jim Thorndyke</div> <table><tr><td rowspan="4">Conservative Group (11)</td><td>Carol Bull</td><td>Ian Houlder</td></tr><tr><td>Andy Drummond</td><td>David Palmer</td></tr><tr><td>Susan Glossop</td><td>David Roach</td></tr><tr><td>Brian Harvey</td><td>Peter Stevens</td></tr><tr><td rowspan="2">The Independent Group (4)</td><td>John Burns</td><td>Roger Dicker</td></tr><tr><td>Jason Crooks</td><td>Andy Neal</td></tr><tr><td>Labour Group (1)</td><td>David Smith</td><td></td></tr></table>			Conservative Group (11)	Carol Bull	Ian Houlder	Andy Drummond	David Palmer	Susan Glossop	David Roach	Brian Harvey	Peter Stevens	The Independent Group (4)	John Burns	Roger Dicker	Jason Crooks	Andy Neal	Labour Group (1)	David Smith	
Conservative Group (11)	Carol Bull	Ian Houlder																		
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Substitutes	<table><tr><td rowspan="3">Conservative Group (5)</td><td>Nick Clarke</td><td>Sara Mildmay-White</td></tr><tr><td>John Griffiths</td><td>David Nettleton</td></tr><tr><td>James Lay</td><td></td></tr><tr><td rowspan="2">The Independent Group (2)</td><td>Richard Alecock</td><td>Trevor Beckwith</td></tr><tr><td></td><td></td></tr><tr><td>Labour Group (1)</td><td>Diane Hind</td><td></td></tr></table>			Conservative Group (5)	Nick Clarke	Sara Mildmay-White	John Griffiths	David Nettleton	James Lay		The Independent Group (2)	Richard Alecock	Trevor Beckwith			Labour Group (1)	Diane Hind			
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Interests – declaration and restriction on participation	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.																			
Quorum	Six Members																			
Committee administrator	Helen Hardinge Democratic Services Officer Telephone 01638 719363 Email helen.hardinge@westsuffolk.gov.uk <i>Details of Site Visits overleaf....</i>																			

Details of Site Visits overleaf....

SITE VISITS WILL BE HELD ON MONDAY 27 FEBRUARY 2023 AT THE FOLLOWING TIMES

The coach for Committee Members will depart West Suffolk House at 9.30am sharp and will travel to the following sites:

- 1. Planning Application DC/22/0476/FUL - Zone 2, Suffolk Business Park, General Castle Way, Rougham Industrial Estate, IP30 9XH**
Planning application - a. drive-thru restaurant; b. drive-thru coffee shop; c. car and cycle parking, provision, associated internal access road, footpath and cycleway, landscaping, substations and associated infrastructure
Site visit to be held at 9.45am

- 2. Planning Application DC/22/0336/FUL - Land West of Haverhill Road, Kedington, CB9 7UL**
Planning application - one retail unit (class E) and associated vehicular and pedestrian accesses as amended by plans received 16th August and 9th November 2022 and 16th January 2023
Site visit to be held at 10.45am

On conclusion of the site visits the coach will return to West Suffolk House by the approximate time of 11.45am.

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)
 - 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.
 - The following planning local plan documents covering West Suffolk Council:
 - Joint development management policies document 2015
 - In relation to the Forest Heath area local plan:
 - i. The Forest Heath Core Strategy 2010 as amended by the High Court Order 2011
 - ii. Core strategy single issue review of policy CS7 2019
 - iii. Site allocations local plan 2019
 - In relation to the St Edmundsbury area local plan:
 - i. St Edmundsbury core strategy 2010
 - ii. Vision 2031 as adopted 2014 in relation to:
 - Bury St Edmunds
 - Haverhill
 - Rural

Note: The adopted Local Plans for the former St Edmundsbury and Forest Heath areas (and all related policy documents, including guidance and SPDs) will continue to apply

to those parts of West Suffolk Council area until a new Local Plan for West Suffolk is adopted.

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 or 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 section 3 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 Council's website.

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 or altered, 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 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 and officers should have proper regard to probity considerations and relevant codes of conduct and best practice when considering and determining applications.

Agenda

Procedural matters

Part 1 – public

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. Minutes

1 - 4

To confirm the minutes of the meeting held on 1 February 2023 (copy attached).

4. Declarations of interest

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

5. Planning Application DC/22/0336/FUL - Land West of Haverhill Road, Kedington

5 - 26

Report No: **DEV/WS/23/006**

Planning application - one retail unit (class E) and associated vehicular and pedestrian accesses as amended by plans received 16th August and 9th November 2022 and 16th January 2023

6. Planning Application DC/22/0476/FUL - Zone 2, Suffolk Business Park, General Castle Way, Rougham Industrial Estate

27 - 54

Report No: **DEV/WS/23/007**

Planning application - a. drive-thru restaurant; b. drive-thru coffee shop; c. car and cycle parking, provision, associated internal access road, footpath and cycleway, landscaping, substations and associated infrastructure

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Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 1 February 2023** at **10.00am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Carol Bull

John Burns

Jason Crooks

Roger Dicker

Susan Glossop

Ian Houlder

Brian Harvey

James Lay

Sara Mildmay-White

Andy Neal

David Roach

David Smith

Peter Stevens

321. **Apologies for absence**

Apologies for absence were received from Councillors Andy Drummond and David Palmer.

322. **Substitutes**

The following substitutions were declared:

Councillor James Lay substituting for Councillor Andy Drummond; and
Councillor Sara Mildmay-White substituting for Councillor David Palmer.

323. **Minutes**

The minutes of the meeting held on 4 January 2022 were confirmed as a correct record, with 12 voting for the motion and with 4 abstentions, and were signed by the Chair.

324. **Declarations of interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

325. **Planning Application DC/22/1198/FUL - The Gallops, Old Station Road, Newmarket (Report No: DEV/WS/23/005)**

Planning application - removal of the existing timber windows and doors and replace with upvc windows and composite entrance doors

This application was referred to the Development Control Committee following consideration by the Delegation Panel, having been referred to the Panel as a result of call-in by the Ward Members (Newmarket East) Councillors Rachel Hood and Robert Nobbs.

Newmarket Town Council had not objected to the proposal. A Member site visit was held prior to the meeting.

Attention was drawn to the supplementary 'late paper' that had been issued in respect of the application, following publication of the agenda, and which set out a further condition in respect of details of the proposed windows being submitted to the Planning Authority.

The Committee was advised that Officers were recommending an amendment to that additional condition to include the details of the doors, alongside the windows.

Accordingly, the application was recommended for approval subject to conditions as set out in Paragraph 28 of Report No DEV/WS/23/005 and the late paper, inclusive of the amendment as verbally outlined to the meeting.

Some discussion took place on the windows example included within the presentation to the meeting, as provided by the applicant. Reservations were voiced on the image and Members were therefore reassured by the inclusion of the condition for details of windows and doors to be submitted to the Planning Authority for prior approval.

Councillor Peter Stevens proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor John Burns.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Planning permission be **GRANTED** subject to the following conditions:

1. Time limit

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

2. Approved plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents, unless otherwise stated.

3. Timing of works

All works, including the erection and removal of scaffolding, on the north-west and south-east elevations of the building facing the training grounds, shall not start until after 11am.

4. Details of windows and doors

No development above slab level shall take place until details of the proposed windows and doors have been submitted to and approved in

writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

The meeting concluded at 10.21am

Signed by:

Chair

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Development Control Committee 1 March 2023

Planning Application DC/22/0336/FUL – Land West of Haverhill Road, Kedington

Date registered:	3 March 2022	Expiry date:	3 March 2023
Case officer:	Charlotte Waugh	Recommendation:	Approve application
Parish:	Kedington	Ward:	Clare, Hundon and Kedington
Proposal:	Planning application - one retail unit (class E) and associated vehicular and pedestrian accesses as amended by plans received 16th August and 9th November 2022 and 16th January 2023		
Site:	Land West of Haverhill Road, Kedington		
Applicant:	Mr & Mrs D Visana		

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:

Charlotte Waugh

Email: charlotte.waugh@westsuffolk.gov.uk

Telephone: 01284 757349

Background:

The application has been called-in by the local Ward Member (Councillor Nick Clarke – Clare, Hundon and Kedington) and referred to Development Control Committee following consideration by the Delegation Panel.

The Parish Council raise no objection and the application is recommended for APPROVAL.

Proposal:

1. The application seeks planning permission for a retail convenience store with associated car parking, access, landscaping, pedestrian crossing and footway. The store would be single storey and double fronted to both the north and east. The building measures 25 x 18 metres with an eaves height of 2.9 metres and ridge height of 5.8 metres. The new store would replace the existing store within the village.

Application supporting material:

2. The following documents have been submitted in support of the application:
 - Proposed site plan
 - Proposed store plan
 - Planning, Design and Access Statement
 - Land contamination assessment

Site details:

3. The site forms the south-east portion of a larger agricultural field. It lies adjacent to, but outside of the housing settlement boundary for Kedington. Located to the west of Haverhill Road the site abuts the Royal Legion hall to the south with two storey residential dwellings located opposite. In terms of topography the land rises to the west with the road sitting at a lower level than the adjacent field.
4. The site has an area of 0.58 hectares (1.4 acres) and comprises grade 2 agricultural land. There are no local designations, flood risk zones or heritage assets in the immediate vicinity.

Planning history:

5. None

Consultations:

6. The consultation responses set out below are a summary of the responses received. Full copies of consultation responses are available to view online through the Council's public access system using the link below:

[DC/22/0336/FUL | Planning application - one retail unit \(class E\) and associated vehicular and pedestrian accesses as amended by plans received 16th August and 9th November 2022 and 16th January 2023 | Land West Of Haverhill Road Kedington Suffolk \(westsuffolk.gov.uk\)](#)

7. SCC Highway Authority:

Consider that the installation of the proposed pedestrian crossing across the B1061 Haverhill Road to be necessary to allow safer pedestrian access to and from the development. The exact type of crossing and location will

be subject to a Safety Audit but is acceptable in principle. No objections are raised to the application subject to conditions to secure further details on the access, surfacing, parking, surface water management and footway.

8. SCC Fire and Rescue:

Recommends the installation of fire hydrants to serve this development.

9. West Suffolk Public Health and Housing:

No objections subject to conditions regarding construction hours, lighting and noise from any external plant. Also recommends hours of trading and deliveries are conditioned.

10. West Suffolk Environment Team:

No objections subject to a condition requiring a land contamination assessment and any subsequent remediation required.

11. Place Services – Landscape:

Note that the application has not been supported by a Landscape Visual Appraisal, though we have made the professional judgement that given the siting of the application site, the principle of development is acceptable if suitable mitigation measures are included.

Whilst the proposed site could infringe on the rolling valley farmland character the topography rises to the west of the site, meaning that visual impacts will be generally localised and views of built form and associated infrastructure can be suitably screened.

Recommendations are made in terms of landscaping and preferable species of tree and planting as well the use of fencing within the hedging and enclosing the wildflower area which is welcomed.

Notes that the extent of tarmac may be over what is necessary and suggests the use of alternative materials, such as block/permeable paving to the store front.

Conditions are recommended in respect of hard and soft landscaping and a landscape management plan.

Representations:

12. Ward Member – Councillor Nick Clarke (Clare, Hundon and Kedington)

Cllr Clarke requested the application be called in – ‘there is considerable objection to the planning application. There are concerns around road safety, size of the proposed shop, light pollution and potential antisocial behaviour on the site. I believe it is in the public interest to have these concerns addressed at a full planning meeting.’

13. Parish Council

17.11.2022 - Kedington Parish Council has no objections to the re-consultation. At the Parish Council meeting on 15th November 2022 a Councillor commented that she thought it was a good idea to have a separate entrance/exit for the lorries. This was agreed with by three other

Councillors present. The other two Councillors present had no further observations.

12.09.2022 - Comments Kedington Parish Council has no objections to the re-consultation. Overall we are satisfied with the addition of a zebra crossing, additional footpaths, the reduced ridge height, there being more planting and a second entrance from a pedestrian access. It would be a new, larger shop, an investment that could bring extra employment opportunities, hopefully for our local residents. With regard to sustainability, it may well be that with a larger shop and fuller selection of items parishioners may decide to shop there instead of driving to Haverhill to do so. However, all that said it would mean the loss of agricultural land. The Council still has concerns regarding Policy DM5. To say this policy is ambiguous is an understatement. The Councils previous comments submitted to Planning remain therefore the same.

11.04.2022 - Kedington Parish Council provided comments on the application and an assessment of local policies, identifying some aspects of support and some conflicts. No recommendation was provided.

Local representations:

13. 55 representations have been received during the course of the applications (including those following re-consultations) raising the following concerns:
- Outside settlement boundary and not allocated for development
 - Adverse impact on sensitive landscape setting of the village
 - Contrary to DM5
 - Loss of grade 2 agricultural land
 - No footpath along the road, so often conflict with cars and pedestrians which will be made worse
 - Unit will sit higher on land compared to homes opposite – impact from light, noise, dirt, dust as well as loss of privacy
 - Shop should not be more than 300m², the planned facility (shop alone) is around 460m². Anything over this is unlikely to be purely a local facility and therefore no longer a village shop! It will draw trade away from businesses from both Kedington and Haverhill impacting appeal and future vitality.
 - Flooding concerns
 - Shop no longer central so less accessible to all and unsafe to access on foot
 - Concern about scale – building will dwarf others nearby
 - Zebra crossing will cause more issues as it's on a blind bend – will cause more traffic hazards & limited visibility for pedestrians crossing
 - Dangerous to create 2 more access points on the Haverhill road
 - Loss of privacy from vehicular and pedestrian activity
 - Size of car park will encourage anti social behaviour
 - Results in the loss of the existing village shop
 - Village does not need a small supermarket
 - Traffic calming measures needed along Haverhill Road
 - Likely increase in those driving to the shop as less accessible to everyone on foot.
 - The suggested hedgerows present a security risk – concealing crime from public view
 - Loss of wildlife and their habitats

- Light pollution
- Air pollution
- Concerns raised by British Legion and how the proposal might impact the future use of their building which is used by many local groups.

5 Letters of support have also been received, noting:

- Relocation will stop articulated lorries navigating tight roads and 2 weak bridges
- Remove traffic congestion in centre of the village
- Will eliminate danger for pedestrians meeting delivery lorries
- Parking will be improved – including disabled access
- Will add to village amenities
- Will create employment
- Removes noise and light pollution from centre of village
- Lower risk of flooding as new drainage will be installed

Policy:

14. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

15. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

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 DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance

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 DM36 Local Centres

Policy DM41 Community facilities and Services

Policy DM46 Parking Standards

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy

Core Strategy Policy CS2 - Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Core Strategy policy CS4 – Settlement Hierarchy and Identity

Core Strategy Policy CS10 - Retail, Leisure, Cultural and Office Provision

Core Strategy Policy CS13 - Rural Areas

Vision Policy RV1 - Presumption in favour of Sustainable Development

Other planning policy:

National Planning Policy Framework 2021 (NPPF)

16. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

17. The issues to be considered in the determination of the application are:

- Principle of Development
- Built form and visual amenity
- Impact on residential amenity
- Highway safety
- Ecology
- Flooding
- Air Quality

Principle of development

18. 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. The Development Plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the Rural Vision (2014). National planning policies set out in the National Planning Policy Framework 2021 are also a key material consideration.

- 19.Paragraph 11 of the NPPF (as well as policy RV1) states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking, development proposals that accord with an up-to-date development plan should be approved without delay. Conversely therefore, development not in accordance with the development plan should be refused unless material considerations indicate otherwise.
- 20.The application site comprises a portion of agricultural field which sits outside of but abutting the housing settlement boundary on two sides.
- 21.On land classified as countryside, policy DM5 allows proposals for economic growth and expansion of all types of business, providing:
- It will not result in the irreversible loss of best and most versatile agricultural land (grades 1, 2, 3a).
 - There will be no significant detrimental impact on the historic environment, character and visual amenity of the landscape or nature conservation and biodiversity interests, and
 - There will be no significant adverse impact on the local highway network.
- 22.In this case, the land is classified as grade 2 agricultural land. This is considered best and most versatile and would be permanently lost to facilitate this development. Given the scale of the development the loss of land is relatively minor, however, this is an aspect of the development which must be considered to weigh against it.
- 23.In respect of the other DM5 criteria, there are no heritage assets in the vicinity which have the potential to be affected and development of the site is not considered to have an adverse impact on protected species. Impacts to landscape and the highway network are considered below.
- 24.Policy CS13 (Rural areas) notes 'The scale of development in Key Service Centres, Local Service Centres and Infill Villages, as defined in Policy CS1, will reflect the need to maintain the sustainability of local services for the communities they serve.'
- 25.Policy CS10 notes that retail development will be focused on those Key Service and Local Service Centres identified in Core Strategy Policy CS4 and that the development of services and facilities in these locations will be expected to be of an appropriate scale and character to reflect the role and function of those centres.
- 26.Policy CS4 classifies Kedington as a key service centre due to its size and the range of services and facilities it contains. The village has grown in the last decade and more development is expected. As stated in the Core Strategy *'the primary function of the Key Service and Local Service Centres is to ensure they continue to provide services and shops which meet the everyday needs of their populations and neighbouring smaller villages.'*
- 27.Policy DM41 is supportive of the provision and enhancement of community facilities and services where they contribute to the quality of community life and the maintenance of sustainable communities. As well as policy

DM5, DM36 is a key policy in the consideration of this scheme and concerns local centres (this policy classifies key service centres as local centres for this policy). The policy expresses the importance that these centres play for their communities and provides support for their improvement.

28. Policy DM36 seeks to maintain a mix of uses, including *small scale retail development where it can be demonstrated to meet a local need (generally not exceeding 150sqm in net floor area)*. In this case, the building has a footprint of 450sqm, including shop floor, parcel storage, staffroom, night security, office, store room and toilet. The shop floor area is 279sqm which exceeds the floor area quoted in the policy. This non-compliance with the adopted policy needs to be set against other more recent materials considerations. The new retail study undertaken to support the emerging local plan refers to 280 sqm being the new impact threshold for local centres. This aligns with the new use class F2 (community uses) it states:
F2(a) Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 square metres and there is no other such facility within 1000 metres.
Policy DM36 goes on to state '*Proposals for new or extended shops or services within local centres will be permitted provided that there is no adverse effect on residential amenity or environmental quality, and subject to compliance with other policies within this and other adopted local plans.*'
It must also be recognised that Kedington is a large village with a wide catchment of smaller settlements without any facilities that rely on it for services. The current shop which the proposed development would replace is well used and offers additional services such as parcel collection, dry cleaning and evening takeaway vans.
29. The National Planning Policy Framework seeks to promote the rural economy and recognises the importance of retaining local facilities to serve the community (para 93). It also acknowledges at para 85 that sites to meet local business needs in rural areas may have to be found adjacent or beyond existing settlements. In these cases the development should exploit any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or public transport). It concludes that the use of previously developed land and sites that are physically well-related to existing settlements should be encouraged where suitable opportunities exist.
30. This site is well related to existing development, will provide an additional length of footpath as well as a pedestrian crossing and cycle parking to serve the retail unit.
31. There is a strong desire in both local and national planning policy to support local communities and to boost the rural economy and as such there is a degree of weight that can be attributed to the creation of an improved village retail store to serve the growing community. However, it must also be acknowledged that the size proposed exceeds that which is generally permitted and the development would result in the loss of a modest area of grade 2 agricultural land. As such, officers recognise that this is a balanced matter which will be discussed further in the report.

Built form and visual amenity

32. Core Strategy policy CS3 Design and Local Distinctiveness states that proposals for new development must create and contribute to a high quality, safe and sustainable environment.
33. The building itself has been amended during the course of the application and comprises a single storey rectangular building, its appearance articulated through a triple gable form which assists in breaking up its mass. The double fronted unit would have a presence onto Haverhill road as well as the car park which serves it to the north. The elevations comprise render and timber boarding above a red brick plinth with a natural slate roof. These materials are considered wholly acceptable given the semi-rural location of the development. The use of timber fenestration and eaves detailing contribute to a high quality appearance. The building has been reduced in height since its initial submission and accepting that its floor area still vastly exceeds that of surrounding units its height is considered modest and acceptable.
34. The layout has also been amended following consultation responses and on the advice of the Highway Authority and now features a single vehicular access point. The associated car park is of a considerable scale, albeit this is largely due to ensuring compliance with the adopted parking standards. Nonetheless, the scale of hard surfacing is apparent. Landscape comments point to the potential for different surface treatments, suggesting the use of block paving to the store front. On this basis, a condition requiring hard landscaping details to be submitted is recommended.
35. Landscape comments have also been made in relation to the overall visual impact of the development. The site is within the Rolling Valley Farmlands Landscape Character Area which potentially exaggerates the visual impact of the height of buildings and structures due to the landform. However, due to the topography rising to the west of the site, visual impacts will be generally localised and views of built form and associated infrastructure can be suitably screened.
36. Advice provided in terms of planting mixes and fencing has been taken onboard and included within the layout. A double row of hedging is proposed on the rear (west) and northern boundary which will soften views from the public right of way to the rear as well as to oncoming traffic. An area of wildflower planting is also proposed to the northern end of the site.
37. In terms of the front of the site, as it bounds Haverhill Road, hedging is proposed adjacent to the car park which will soften views of this aspect of the development. A flowering lawn mix with scattered trees is proposed in front of the store entrance and as a buffer between the proposed building and the British Legion hall to the south.
38. The building proposed represents an appropriately detailed and high quality building which incorporates traditional materials suitable for this rural setting. It is accepted that the landscaping proposed will not entirely screen the development but it will help to soften views of the building and car park. Place Services are satisfied with the development subject to the imposition of conditions which require details of hard and soft landscaping

as well as a landscape management plan. The proposal is therefore considered to comply with policies DM2, DM13 and CS3.

Impact on residential amenity

39. Policy DM2 seeks to protect against loss of amenity by reason of noise, light pollution, disturbance, overlooking and traffic as well as residential amenity.
40. The site is located to the west of Haverhill Road with residential properties sited opposite facing onto the application site. Whilst loss of a view is not a material consideration, these dwellings will experience a considerable change, particularly those opposite the store building itself and the vehicular access. The store is proposed to be open between 07:00-20:00 and as such vehicle movements should be limited to this time. Conditions will be applied to control hours of operation and deliveries. Nonetheless, local residents will be subject to an increase in activity from the development, with the potential for disturbance from these associated activities.
41. There will be a need for lighting within the site and a condition will require details to be submitted to ensure any lighting proposed is modest and contained to produce a safe environment for users but not cause excessive light pollution.
42. Given the hours of use as well as the implementation of conditions, whilst there may be a perceived loss of residential amenity this is not considered to be a significant loss. The proposal is therefore considered to comply with policy DM2 in this respect.

Highway safety

43. A number of concerns have been raised by local residents on the accessibility of the retail unit. It is acknowledged that Haverhill Road accommodates a degree of traffic, albeit speeds provided from a recent police survey confirm that in general speeding is not apparent in this location. Notwithstanding this, to ensure safe access for all, a crossing is required to support this development. This is shown to the south of the site and also includes a footpath connecting to Mill Road.
44. The Highway Authority has scrutinised this application and is satisfied that a safe pedestrian crossing is achievable in this location. The exact details of which would be secured with Suffolk Highway Authority under a 278 agreement.
45. In terms of the site itself, the layout has been amended several times during the application period to ensure that an appropriate and safe design can be achieved. On advice from the Highway Authority due to the scale of development a single vehicular access point is detailed which would accommodate customers and deliveries. A separate pedestrian entrance is shown to the south of the site which would be served by a new footpath. At present dwellings on this stretch of Haverhill Road do not benefit from a footpath and this is proposed along the length of the site.
46. Vehicular parking spaces are provided in accordance with the parking standards as well as secure cycle parking, disabled spaces and electric vehicle charge points.

47. Given the above, the proposal is not considered to have a significant adverse impact on the highway network. Indeed, the installation of an extended footway to both Haverhill Road and the junction at Mill Road as well as a pedestrian crossing are elements which carry significant weight in favour of the scheme. The proposal is considered to be in accordance with policies DM2 and DM46 in this respect.

Ecology

48. When determining applications, the LPA has a statutory duty to consider biodiversity under s40 NERC Act 2006. The NPPF (2021) within section 15, para 180 seeks to conserve and enhance biodiversity and suggest that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.

49. At a local level, this is exhibited through policies CS2, DM10, DM11 and DM12. The site is not subject to any designations and is not in an area where protected species are likely to reside. The NPPF as well as DM12 seek to ensure that all developments provide ecological enhancements. In this case, a large wildflower meadow is shown within the application site as well as landscaping on the boundaries and within the car park. On this basis, the application is considered to result in a biodiversity net gain with a condition recommended to secure the delivery of these enhancements.

Flooding

50. The site is located in flood zone 1 which is at the least risk of flooding. However local residents have raised concerns in respect of surface water flooding. The car park is annotated to be permeable with an aco drain shown at the front of the site to take the excess. A ditch runs to the north of the site. The proposal is therefore acceptable in this respect and complies with policy DM6.

Air Quality

51. Paragraph 107 of the NPPF states that local parking standards for residential and non-residential development policies should take into account e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Paragraph 112 of the NPPF states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

52. Air Quality Planning Policy Guidance lists mitigation measures for reducing the impact of air quality and includes the provision of infrastructure to promote modes of transport with a low impact on air quality (such as electric vehicle charging points).

53. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions and ensure no deterioration to either air or water quality. Section 3.4.2 of the Suffolk Parking Standards also has requirements for electrical vehicle charging infrastructure, including the installation of suitable consumer units capable of providing 7.4kW charge.

54. Electric vehicle charge points are shown on the proposed layout and it is recommended that prior to first use of the store, operational electric vehicle charge points are installed, with an electric supply to the charge point capable of providing a 7kW charge. This can be secured by condition.

Conclusion

55. The application has some conflict with planning policies in terms of the amount of floor space provided and the loss of agricultural land which weigh firmly against the scheme.

56. However, the development also results in a much improved facility for a key service centre, in an area which has no historical constraints, national landscape or habitat designations which would affect development. The building has been designed to reflect the rural vernacular through its gabled frontages and use of traditional materials. Place Services are content with the location of development and landscaping proposed including the addition of a wildflower meadow, tree and hedge planting to boost biodiversity. The Highway Authority and Public Health have raised no objections and the installation of a new pedestrian crossing and footway offers tangible benefits for the community, ensuring safe access for all. These are all factors which weigh in favour of the scheme.

57. Therefore, whilst it is acknowledged that there are some dis-benefits to the proposal and the recommendation is a balanced one, having regard to the Framework and all other material planning considerations the proposal is considered to comply with the provisions of both national and local development plan policy.

Recommendation:

58. It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than three 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, unless otherwise stated below:

Reference number	Plan type	Date received
9115/19/1	Location/Existing block plan	18 Feb 2022
9115/19/2A	Amended site plan	16 Jan 2023
9115/19/3	Amended proposed shop plans	16 Jan 2023

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

- 3 No part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays to be provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid

out and constructed in its entirety prior to any other part of the development taking place.

Thereafter the access shall be retained in its approved 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 accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

- 4 Prior to the development hereby permitted being first occupied, the proposed access onto the B1061 highway shall be properly surfaced with a bound material for a minimum distance of 10 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 5 No development above ground shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway, in accordance with policy DM2 and DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 9 and 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 A Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase in accordance with policies DM2 of the West Suffolk Joint Development Management Policies Document 2015, the National Planning Policy Framework and all relevant Core Strategy Policies. This is a pre-commencement condition because an approved

Management Strategy must be in place at the outset of the development.

- 7 Before the development is commenced details of a new footway in the locations shown on Amended Site Plan Drawing No. 9115/19/2A shall be submitted to and approved in writing by the Local Planning Authority. The footway shall be laid out and constructed to base course before the development is first occupied and fully completed prior to the occupation. The footway shall be retained thereafter in its approved form.

Reason: In the interests of highway safety and sustainable development by providing a footway at an appropriate time where no provision may deter people from walking in accordance with policies DM2 of the West Suffolk Joint Development Management Policies Document 2015, the National Planning Policy Framework and all relevant Core Strategy Policies. This is a pre-commencement condition because insufficient details have been submitted at planning stage.

- 8 No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Amended Site Plan Drawing No. 9115/19/2A have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to first use of the development.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and sustainable travel in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This is a pre-commencement condition because the required details relate to off site works that need to be agreed before the development can be said to be acceptable in terms of highway capacity/safety

- 9 Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access. Notwithstanding the provisions of Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the area of the visibility splays.

Reason: To ensure vehicles exiting the access have sufficient visibility to enter the public highway safely and vehicles on the public highway have sufficient warning of a vehicle emerging to take avoiding action in the interests of road safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 10 Prior to the installation of any lighting on site details shall be submitted to and approved in writing by the Local Planning Authority.

The lighting shall be installed in accordance with the approved details and shall be retained as such unless the written consent of the Local Planning Authority is obtained for any variation.

Reason: To protect the amenities of occupiers of properties in the locality and to avoid light pollution, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 11 No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 12 No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement 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. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: To enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13 No development above ground level shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than small privately owned domestic gardens) together with a timetable for the implementation of the landscape management plan, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details and timetable.

Reason: To ensure the longevity of the landscaping scheme and protect the visual amenity and character of the area, in accordance with policy DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 14 The rating level of noise emitted from any external plant, equipment or machinery associated with the development hereby approved shall be lower than the existing background noise level by at least 5dB in order to prevent any adverse impact. The measurements / assessment shall be made according to BS 4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound at the nearest and / or most affected noise sensitive premise(s), with all external plant, equipment or machinery operating at maximum capacity and be inclusive of any penalties for tonality, intermittency, impulsivity or other distinctive acoustic characteristics.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies and the NPPF.

- 15 Prior to commencement of development the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- A Site Investigation, based on;
- i. all previous site uses,
 - ii. the nature and extent of potential contaminants associated with those uses,
 - iii. the underlying geology of the site,
 - iv. a conceptual model of the site indicating sources, pathways and receptors,
 - v. potentially unacceptable risks arising from ground, groundwater and ground gas contamination at the site, and a detailed assessment of the risk to all receptors that may be affected, including those off site.

A Remediation Plan, based on the preliminary risk assessment carried out above, giving full details of the remediation measures required and how they are to be undertaken (including a contingency plan for dealing with any unexpected contamination not previously identified in the Site Investigation).

A Verification Plan providing details of the data that will be collected in order to demonstrate that the works set out in above are complete.

Prior to occupation the Remediation Strategy shall be carried out in accordance with the approved details unless varied with the express

written approval of the Local Planning Authority.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

- 16 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing by the Local Planning Authority.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

- 17 Prior to commencement of development a scheme for the provision of fire hydrants within the application site shall be 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 firefighting and community safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 8 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 18 Prior to first operational use of the site, 4 car parking spaces shall be equipped with working electric vehicle charge points, which shall be provided for staff and/or customer use at locations reasonably accessible from car parking spaces. The Electric Vehicle Charge Points shall be retained thereafter and maintained in an operational condition.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework (NPPF) paragraphs 105 and 110 and the Suffolk Parking Standards.

- 19 Any site preparation, construction and ancillary activities, including access road works and deliveries to / collections from the site in connection with the works shall only be carried out between the hours of:
08:00 to 18:00 Mondays to Fridays
08:00 - 13.00 Saturdays
And at no times during Sundays or Bank / Public Holidays without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 20 Prior to first use of the development hereby approved details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. The use shall not commence unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 21 The premises shall not be open to the public outside of the following hours:

07:00 - 20:00 Monday - Sunday

Reason: To minimise the impact of the development on the locality in the interests of amenity in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 22 No deliveries, loading or unloading shall take place on the site except between the hours of 07:00-20:00 on Monday to Saturday and at no time on Sundays, Bank or Public Holidays.

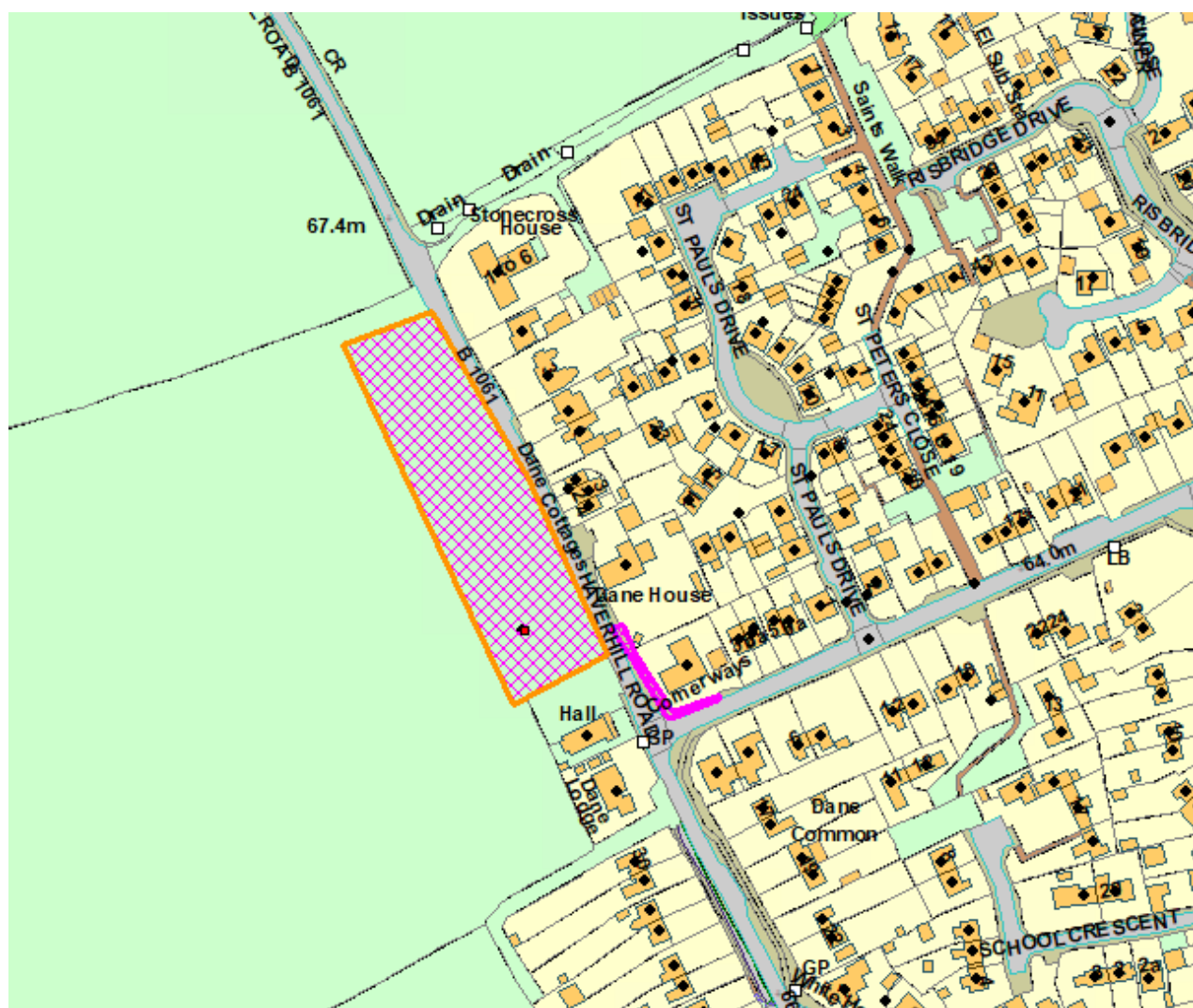
Reason: To ensure the appropriate use of the site and to protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

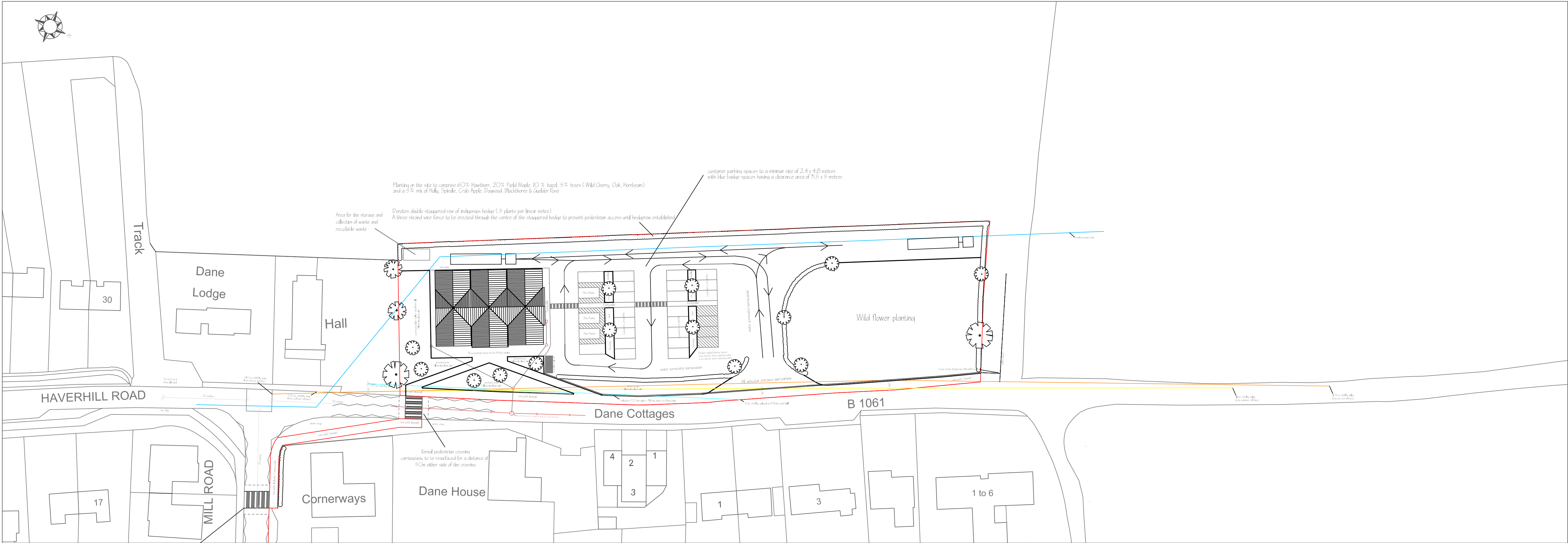
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0336/FUL](https://www.westsuffolk.gov.uk/DC/22/0336/FUL)



Land West Of Haverhill Road, Kedington, Suffolk



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Site plan as proposed - Scale 1:500

Michael Sale M.R.I.C.S, F.C.I.O.B.,
Architectural Surveyors
16 Dane Close, Kedington,
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Telephone: 01440 702106
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Proposed development of land in order
to relocate village shop
Land to the West of,
Haverhill Road, Kedington,
Haverhill, Suffolk,
CB9 7NR

For Mr & Mrs Visana

Drawing No: 9115/19/ 2a
Scale: 1:500
Drawn By: Nicola Sale
Checked By: Michael Sale
Date: February 2022

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Development Control Committee 1 March 2023

Planning Application DC/22/0476/FUL – Zone 2, Suffolk Business Park, General Castle Way, Rougham Industrial Estate

Date registered:	17 March 2022	Expiry date:	16 June 2022 EOT until 02 March 2023
Case officer:	Jo-Anne Rasmussen	Recommendation:	Approve application
Parish:	Rushbrooke with Rougham	Ward:	Moreton Hall
Proposal:	Planning application - a. drive-thru restaurant; b. drive-thru coffee shop; c. car and cycle parking, provision, associated internal access road, footpath and cycleway, landscaping, substations and associated infrastructure		
Site:	Zone 2, Suffolk Business Park, General Castle Way		
Applicant:	c/o Agent		

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:

Jo-Anne Rasmussen

Email: Jo-Anne.Rasmussen@westsuffolk.gov.uk

Telephone: 01284 757609

Background:

**This application is before Development Control Committee as it represents a departure from the Development Plan.
The Parish Council object to the proposal which is in conflict with the officer recommendation to APPROVE.**

Proposal:

1. This application relates to the construction of a drive-thru restaurant, drive-thru coffee shop and associated car parking, cycle storage, internal access road and landscaping.
2. Unit A, McDonalds. The buildings design would have a mono-pitch roofline of varying heights, the highest being 6 metres and the lowest 3 metres. It has a length of 31 metres and width of 14 metres.
3. Unit B, Costa. This building also has a mono pitch roof with a height of 5.3 metres falling to 4.5 metres. It has a length of 20.7 metres and a width of 14 metres.

Site details:

4. The application site is located within the allocated site known as the Suffolk Business Park Extension.
5. The site is currently disused land, which lies to the south of General Castle Way. To the north of the site is a large commercial building, to the east is a petrol station, to the south is the A14 and to the west are industrial buildings which form part of the Rougham Industrial Park.

Planning history:

6.

Reference	Proposal	Status	Decision date
DC/22/0605/ADV	Application for advertisement consent - a. six internally illuminated fascia signs; b. three internally illuminated booth signs; c. one internally illuminated display screen	Pending Decision	

Consultations:

7. Rushbrooke with Rougham Parish Council; Object

1. Increased traffic volumes and associated road noise close to a residential area.
2. The proposal would introduce a town centre use in an 'out-of-town' countryside location.
3. The application site lies outside the settlement boundary defined under policy CS4 of the St Edmundsbury Core Strategy and is not allocated for development either in the Local Plan.
4. Policy DM35 seeks to direct main town centre uses in the

defined centres and requires a sequential approach. The application is therefore contrary to policies DM1, DM5 and DM35 of the Joint Development Management Policies Document; policies CS4, CS10 and CS13 of the St Edmundsbury Borough Council Core Strategy and policy BV9 of the Bury St Edmunds Vision 2031 document.

5. The site is prominently located in a landscaped countryside location where Policy DM5 protects land from unsustainable development. The application site is characterised by open spaces and naturalistic landscaping and makes a positive contribution to the underlying landscape character of the area. The site forms a buffer from the busy A14 and provides an attractive setting for the residential development of Moreton Hall.

6. The removal of existing vegetation, introduction of additional buildings, intrusive signage and a general intensification of the sites use will erode the positive characteristics of the site. As such, the proposal fails to recognise and address key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and involves the loss of an important open and landscaped area which makes a significant contribution to the character and appearance of the settlement, contrary to policy DM2 and DM5, CS3 and CS13 and core principles of the NPPF.

7. Based on the evidence available, it is officers view that the proposal is for a motorist facility. Strategic site BV13 allocates a site which includes motorists' services facilities including petrol filling station, restaurant and travel hotel. The Local Plan identifies this as a suitable site for the type of use proposed by this application. The site next to junction 45 would be better accessible and more convenient to motorists on the A14 than the application site; it is allocated for such uses and is therefore more appropriate and is more sustainable. The proposed development on the application site would therefore undermine the delivery of development allocated under Policy BV13 and is contrary to the aims of the NPPF taken as a whole.

8. Such development would attract Anti-Social Behaviour (littering, noise, violence and vehicle nuisance) as experienced at the McDonalds drive-through site at Stowmarket and still ongoing.

9. Light Pollution and Disruption to Local Wildlife. The site proposed is close to a wooded and forested area, in which wildlife is regularly seen. The addition of 24 hour lighting, increased traffic, noise and litter would serve to disrupt their natural habitat.

Further increase in anti-social vehicle use on Skyliner Way, Lady Miriam Way and Rougham Tower Avenue, which has been well documented by the Police and local media.

10. The previously proposed location on Rougham Hill is considered to have been a more suitable location with fewer residential properties in the vicinity and the existing road network more appropriate for greater traffic volumes.

8. **Archaeology**; No Objections subject to conditions

9. **Anglian Water**; No Objections.

- 10.**Arboricultural Officer**; No Objections subject to conditions
- 11.**SCC Highways**; No Objections subject to conditions
- 12.**SCC Lead Local Flood Authority (LLFA)**; No Objections subject to conditions
- 13.**Suffolk Constabulary**; No Objections
- 14.**Landscape Officer**; No Objections subject to conditions
- 15.**Fire Service**; No Objections subject to conditions

Representations:

16.Eight letters of representation were received which raised the following;

Support:

- Additional amenities and employment outside of the centre of Bury St Edmunds.
- Accessible by residents of Moreton Hall and surrounding villages, as well as employees of business park.
- Readily accessible from the A14.

Object:

- Rubbish generated.
- Noise and disturbance to local residents.
- Negative impact upon wildlife/ecology.
- Fast food / unhealthy foods / increase in obesity.
- Zero hours contracts / low paid employment.
- Urbanisation of the countryside / light pollution.
- Increase in traffic / detrimental impact upon highway safety.
- Anti-social behaviour.

Member comments;

17.No formal comments received.

Policy:

18.On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning

authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

19. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM3 Masterplans

Policy DM6 Flooding and Sustainable Drainage

Policy DM7 Sustainable Design and Construction

Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

Policy DM20 Archaeology

Policy DM35 Proposals for main town centre uses

Policy DM46 Parking Standards

Vision Policy BV1 - Presumption in Favour of Sustainable Development

Vision Policy BV13 - Strategic Site - Extension to Suffolk Business Park, Moreton Hall, Bury St Edmunds

Vision Policy BV26 - Green Infrastructure in Bury St Edmunds

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy

Core Strategy Policy CS2 - Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Core Strategy Policy CS7 - Sustainable Transport

Other planning policy:

20.National Planning Policy Framework (NPPF)

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision making process.

21.National Planning Practice Guidance

22.Concept Statement Suffolk Business Park Extension Adopted October 2007

23.Suffolk Business Park Extension Masterplan Adopted June 2010

24.St Edmundsbury Green Infrastructure Strategy Dated September 2009

Officer comment:

25.The issues to be considered in the determination of the application are:

- Principle of Development
- Design, Form and Scale
- Landscaping
- Highways
- Impact upon neighbour amenity
- Ecology
- Anti-social behaviour
- Archaeology
- Other matters

Principle of the Development

26.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. The Development Plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the Rural Vision (2014). National planning policies set out in the National Planning Policy Framework 2021 are also a key material consideration.

27.Paragraph 11 of the NPPF (as well as policy DM1 and BV1) states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking, development proposals that accord with an up-to-date development plan should be approved without delay.

Conversely therefore, development not in accordance with the development plan should be refused unless material considerations indicate otherwise.

28. The application site forms part of the overall employment allocation known as the Suffolk Business Park Extension. This site has been allocated since the adoption of the St Edmundsbury Borough Council Replacement Local Plan 2016 which was adopted in June 2006 and was rolled over into the Core Strategy, Policies Map Book and the Bury St Edmunds Vision 2031 document.
29. The Suffolk Business Park as a whole is an allocated employment site under Policy BV13 of the Bury St Edmunds Vision 2031 document. This policy sets out that B1 and B8 uses are in principle acceptable. Before the Bury St Edmunds Vision 2031 document was adopted in September 2014 the site was first allocated in 2006 under policy BSE3 of the Replacement St Edmundsbury Local Plan and was at that time also allocated for B1 and B8 uses.
30. Policy CS9 aims to provide sufficient employment to support the local economy and includes Suffolk business park to enable the delivery of additional jobs in a sustainable location.
31. The application refers to the development of two plots on zone 2 of the Suffolk Business Park Extension. The development would bring forward a McDonalds restaurant with drive through and Costa coffee shop and drive through. The proposed use is a sui generis use that includes an E(b) use. Following the changes made to the Use Classes Order, the restaurant, drive through and coffee shop would have previously fallen within use classes A3 and A5.
32. The Suffolk Business Park Extension Masterplan 2010 identified motorist service facilities including a restaurant as being an appropriate use for this location now the subject of this application, stating; 'At the Eastern end of the site, motorist related uses are anticipated in the local plan. This would, for example, be a good location for a travel hotel able to serve the needs of motorists on the A14 as well as providing a useful facility supporting local businesses. This is a key gateway into the site and to the eastern side of Bury St Edmunds and buildings will be of good architectural quality with a significant amount of landscaping to blend them into the surroundings.'
33. Whilst the site was clearly earmarked within the adopted masterplan for motorist services, such as those brought forward under this application, it was referring to the St Edmundsbury Local Plan, 2016 which is now superseded by the current local plan. Policy BV13 refers only to B1 or B8 uses, as such, the proposal represents a departure from the development plan as the proposed use is not a B1 or B8 use. The masterplan is however adopted and therefore still valid and carries weight as a material consideration.
34. Plot 710 was granted permission for a coffee shop in 2017 under planning reference DC/17/1469/FUL. This permission was not implemented and has now lapsed. However, none of the Local Plan policies have changed in that time and whilst officers do not apportion

significant weight to this previous decision it does carry some limited weight demonstrating how the LPA previously determined a similar proposal on this site in accordance with the current Local Plan policies.

35. 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.
36. The proposal would fail to deliver employment uses which fall within classes B1 or B8, on a strategic employment site and the proposal is therefore contrary to policies BV13 and CS9. However, the proposal would provide a restaurant and coffee shop, which align with the motorist services envisioned for this site within the aims of the Suffolk Business Park Extension Masterplan 2010 and the Suffolk Business Park Concept Statement in accordance with policy DM3 and this carries weight in favour of the proposal. It therefore must be concluded that the principle of development is contrary to policies within the development plan. This will be weighed in the balance of considerations at the end of the report.

Design, form and scale

37. Consideration must next be given to the design, form and scale of the proposed units. The NPPF advocates the importance of good design and this is echoed through policies CS3 and DM2 of the development plan. The importance of this site from a design perspective is also well documented and clearly outlined within the adopted masterplan document. Collectively, these policies, including the masterplan, require proposals to respect their surroundings and present as well designed additions which respond intelligently to their context.
38. The proposed Costa and McDonalds have a relatively modern, contemporary design. Design features such as the staggered roofline and large glazed frontages provide interesting articulation. The size and scale of the buildings are considered acceptable, specifically when viewed against the prevailing built character of the locality which is predominantly large functional commercial buildings.
39. The proposed buildings will, notwithstanding the proposed landscaping, be noticeable additions to the landscape, specifically when accompanied by the signage which is to be assessed within a separate application. Further there are a number of external features associated with the proposed use, including outside seating and a play park. Contemporary metals are used throughout the scheme and the overall colour palette is neutral to prevent the buildings from appearing as overly bold, visually offensive additions to the landscape. However, simply being visible does not necessarily amount to a negative visual impact. The surrounding built form is characterised by large, modern commercial buildings set within significantly landscaped plots. The proposed units, when accompanied with the landscaping would not appear discordant within the existing urban fabric of the business park. whilst the development would be visible from public view points, including General Castle Way and to some degree from the A14 owing to the overall built character of the business park, the proposal would not represent a discordant or visually detrimental feature within the streetscene. The design and

landscaping proposed will further reduce any detrimental impacts upon the visual amenity of the locality.

40. Overall, it is considered the proposed development accords with the design principles set out within the Masterplan, it would sit comfortably within the site and would not detract from the built form and character of the area. The proposal would therefore comply with the aims of the masterplan, and policies DM2 and CS3.

Landscaping

41. Policy DM13 (Landscape features) seeks to ensure development will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife or amenity value.
42. The adopted Masterplan for the extension to the business park is clear that landscaping should be an integral part of the plot design and is a vital component in delivering a high-quality site. The Masterplan is also explicit in setting out the strategic importance of the site from a planning perspective as it states that the site "is a key gateway into the site and to the eastern side of Bury St Edmunds and buildings will be of good architectural quality with a significant amount of landscaping to blend them into the surroundings"
43. The site's location, being immediately adjacent to General Castle Way a main through route of the business park, increases its visual impact on the surrounding character and amenity of the wider area. A landscape and visual impact statement, landscape management plan, landscape works, planting details, planting schedule, predicted landscape, signage strategy, visual effects, visual receptors, landscape structure layout, landscape and visual impact assessment (LVIA), Arboricultural Statement and Tree protection plan were submitted as part of this application.
44. The Landscape officer has not objected but has commented; 'the proposed scheme will have an adverse impact on both landscape character and visual amenity, however this is not deemed to be substantial. The following recommendations have been put forward with the intention of enhancing the scheme to ensure landscape and visual harm is appropriately mitigated and opportunities taken to enhance the landscape and visual resources of the immediate locality and character.' Additional information on a number of matters, including planting, parking areas, hard landscaping and root protection measures. It would be reasonable to secure this additional information as part of conditions.
45. There is significant landscaping to the eastern boundary which is adjacent to Sow Lane. There is also significant planting to the southern boundary, which is to enhance the landscaping adjacent to the A14.
46. Policy BV26 covers Green Infrastructure in Bury St Edmunds. The policy seeks opportunities to extend the coverage and connectivity of the strategic green infrastructure network is undertaken with new development. In this instance the Green Infrastructure Map identifies the A14 corridor as project D.6. The Project seeks to create woodland planting along the A14 to enhance landscape / townscape character. In

this instance the Landscape officer has confirmed that the submitted 'Overall Landscape Structure Layout' (Dwg No. 428-PA-050 Rev. U) as prepared by Sheilsflynn (Refer to Figure 2 below) includes a generous 10-12 metre (width) landscape buffer to the south of the development site. This new landscape buffer appears to be comprised of retained hedgerow and trees, in addition to new native woodland, native scrub and native tree group planting which would establish over time to create a good linear woodland corridor and landscape structure along this part of A14 as per the aspirations of Project D.6 of the GI Opportunity Map and in accordance with Green Infrastructure Policy BV26 of the BSE Vision 2023. Accordingly, officers are satisfied that the scheme accords with policy BV26.

47. The level of landscaping proposed is considered sufficient to screen and mitigate the visual impact of the proposed development on the surrounding locality. Given the above it is considered that the scheme as proposed is acceptable and that sufficient landscaping will be delivered to help mitigate the proposed development and allow it to sit comfortably within the business park. As such it is considered the proposal would comply with policies DM2, CS3 and BV13 in this respect.

Highways

48. Policy DM2 requires new development to maintain or enhance the safety of the highway network.
49. SCC Highways have not objected to the proposal and have stated that "Drive-thru restaurants can generate queuing traffic which at peak times can back up onto the highway and cause congestion. The restaurants would be accessed from a two way road that creates a link at both ends. This will provide two arrival and departure options for visitors and reduce potential inconvenience. Good pedestrian and cycle links are proposed. Cycle parking facility with Sheffield style hoops are proposed in a convenient location on both sites. The car parking offer includes disabled bays, motorcycle parking and EV charging facilities. Clear pedestrian routes are provided to enable customers to move between car park and restaurant safely. This parking offer is considered acceptable. The on-site drive thru approach road for the McDonalds site appears long enough to mitigate against on-carriageway queuing. We note that the layout of the drive-thru road is designed to enable drivers to choose to leave the lane and exit the site through the car park. The proposed site servicing arrangements are evidenced by vehicle track plans and are acceptable."
50. The plot for Costa would provide 40 parking spaces and cycle storage. The plot for McDonalds would provide 49 parking spaces, 4 spaces for motorbikes and cycle storage.
51. The Highway Authority have requested conditions relating to bin storage, construction management, car parking and manoeuvring and cycle storage which is reasonable and necessary.
52. The level of parking is considered acceptable, Suffolk County Council highways have not objected or raised any concerns regarding highway

safety. As such it is considered the proposal complies with the aims of policies DM2, DM46 and CS7.

Impact upon neighbour amenity

53. Given the location of the unit within a business park there are no residential properties within the immediate vicinity of the site. The nearest residential dwelling is approximately 149 metres from the site. Noise and disturbance to residents of properties close to the site was raised as a concern. However, given the background noise of the site being immediately adjacent to the A14, combined with the location within a Business park it is not considered the proposal would result in a significant detrimental impact upon neighbour amenity.
54. Public Health and Housing have not objected to the proposal, but have requested conditions to prevent any negative impact from the substation and odour. These are reasonable and necessary.
55. The proposal is therefore considered to comply with policy DM2 in this regard.

Ecology

56. As required by the National Planning Policy Framework (2021) the LPA have a duty to consider the conservation of biodiversity and to ensure that valued landscapes or sites of biodiversity are protected when determining planning applications. At a local level, this is exhibited through policies CS2, DM10, DM11 and DM12. The National Planning Policy Framework 2021 indicates that when determining planning applications, local planning authorities must aim to conserve and enhance biodiversity and that opportunities to incorporate biodiversity in and around developments should be encouraged (Paragraph 179). This is underpinned by paragraph 8 of the Framework, which details the three overarching objectives that the planning system should try to achieve, and it is here that the Framework indicates that planning should contribute to conserving and enhancing the natural environment.
57. Policy DM12 states measures should be included in the design for all new developments for the protection of biodiversity and the mitigation of any adverse impacts. Additionally, enhancement for biodiversity should be included in all proposals, commensurate with the scale of the development. Although, the site has limited biodiversity presently, it is necessary to attach a condition to ensure additional landscaping and biodiversity improvements in order to mitigate any adverse impacts from the development and to ensure biodiversity enhancements in accordance with policy DM12.
58. The site consists of bare, undeveloped land which is considered to offer little in the way of ecological benefits. The Ecology officer has stated that the Ecological Impact Assessment (MLM, October 2021) provides certainty that with appropriate mitigation measures the development can be made acceptable.

59. Further, the proposed landscaping will also add significant ecology enhancements. A condition requiring compliance with the above measures is therefore recommended.
60. The bat surveys found bats to be using the boundary features as commuting corridors. The Ecology officer has stated that "These features should be protected from light spill. This should be detailed within a wildlife sensitive lighting scheme and secured by a condition." A condition to mitigate light spill and light pollution is considered reasonable and necessary.
61. The mitigation measures detailed within the Ecological Impact Assessment (EIA) (MLM, October 2021) can be secured by condition. No specific biodiversity enhancements are identified within the EIA, Ecology have requested a condition be imposed to ensure reasonable biodiversity enhancement measures are secured.
62. Taking the above into account it is considered the proposal would comply with the aims of policies CS2, DM11 and DM12.

Anti-social behaviour

63. DM2 states development should aim to take account of crime prevention and community safety.
- Suffolk Constabulary have not objected to the proposal and have recommended a number of conditions to reduce any anti-social behaviour. McDonalds also have their own guidance document "Guidance for managing anti-social behaviour" which aims to effectively manage any anti-social behaviour. A condition can be imposed requiring a scheme of mitigation measures to reduce and prevent crime and anti-social behaviour.
64. Rubbish generation can be controlled by a condition requiring litter bins be installed around the site.
65. Given the above it is considered that anti-social behaviour and litter can be appropriately mitigated by way of a condition as such the proposal complies with the aims of policy DM2.

Archaeology

66. DM20 aims to protect site of archaeological importance from development which would have an adverse impact.
67. Archaeology have stated "This site lies in an area of known archaeology recorded on the County Historic Environment Record. During two phases of trial trenched evaluation across the proposed development area, medieval occupation was recorded within a number of trenches, including features likely associated with the remains of a building (RGH 125) and a large assemblage of finds. Previous archaeological investigations in the vicinity of the proposal site across the wider business park area, along the route of the Bury PZ water main and along the Bury relief road have revealed extensive multi-period archaeological remains (RGH 076-080, 086, 096). As a result, groundworks associated

with the development will damage or destroy known archaeological remains and there is also high potential for the discovery of additional below-ground heritage assets of archaeological importance within this area. There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed."

68. Archaeology have requested a condition requiring a post investigation assessment, which is considered reasonable and necessary. Given that any harm to an archaeological site can be sufficiently mitigated it is considered the proposal complies with the aims of policy DM20.

Other matters

69. The LPA have consulted the Lead Local Flood Authority (LLFA) (Surface Water and flood Team) at SCC to ensure that the proposed buildings, car parking, landscaping etc all tie in with the proposed drainage so that for example the landscaping does not compromise the proposed drainage. The LLFA have confirmed that they have reviewed the details submitted and have no objections to the proposed development subject to conditions. The LLFA have requested conditions relating to a strategy for the disposal of surface water and a construction surface water management plan. The conditions are considered reasonable and necessary. The proposal is therefore considered to comply with policy DM6 in this regard.
70. Concerns have been raised by neighbours regarding the restaurant's association with unhealthy foods. Paragraph 92 of the NPPF states; "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling". The site has good pedestrian and cycle links and would encourage a healthy lifestyle. There is not a saturation of fast-food restaurants within the vicinity of the site. Consumption of healthy foods cannot be controlled by the planning system and could not be used as a reason to refuse permission.
71. Noting the principle of development is on balance considered to be acceptable, the wages and contracts any staff working here may have, is not a material planning consideration.

Conclusion:

72. The application site lies within the Suffolk Business Park which is an allocated employment site under policy BV13 of the Bury St Edmunds Vision Document. BV13 sets out that B1 and B8 uses are acceptable in principle. The proposed uses, being a restaurant and coffee shop both with drive-thru, fall under sui generis use class which includes an E(b) use. As such the proposal fails to accord with policy BV13 and represents

a departure from the development plan. However, the site was identified within the Suffolk Business Park Extension Masterplan, 2010 as being an appropriate site for motorist service facilities. Whilst adopted, the Masterplan refers to the now superseded St Edmundsbury Local Plan, 2016.

73. Whilst the proposal would fail to deliver employment uses which fall within the B1 and B8 use classes, it would provide a restaurant and coffee shop, which align with the motorist services envisioned for this site within the aims of the Suffolk Business Park Extension Masterplan 2010 and the Suffolk Business Park Concept Statement and this carries a significant degree of weight in favour of the proposal. Plot 710 has had a previous permission for a similar use which is also a material consideration. As assessed within this report it is not considered the proposal would have a detrimental impact upon the form and character of the locality, neighbour amenity, ecology, archaeology or highway safety.

74. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 12 of the NPPF, the development plan is the starting point for decision making and proposals that conflict with the development plan should be refused unless other material considerations indicate otherwise. It is clear that the proposal fails to accord with policy BV13 as the proposed development is not for B1 or B8 uses and this therefore weighs against the proposal. As set out within this report it is considered that significant weight can be attached to the aims of the Masterplan and the Suffolk Business Park Concept Statement which envisaged roadside types uses in this area, this weighs in favour of the development. Suitable landscaping is proposed to help screen and mitigate the visual impact of the proposal. The site is in an easily accessible location, with links for cycling and pedestrian access. Having regard to all relevant material planning considerations the proposal is considered on balance to be acceptable.

Recommendation:

75. It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than three 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, unless otherwise stated below:

Reference number	Plan type	Date received
19153-LSI-700-ZZ-DR-A-1170-P02	Location plan	16 March 2022
19153-LSI-710-GF-DR-A-1300 P05	Proposed ground floor plan	16 March 2022
509-SFL-EX-00-DR-L-0501 Rev P03	Landscape plan	26 October 2023
19153-LSI-730GF-DR-A-1305 P04	Proposed ground floor	16 March 2022

	plan	
19153-LSI-710-ZZ-DR-A-1350 P04	Proposed elevations	16 March 2022
19153-LSI-710-SS-DR-A-1351 P03	Proposed elevations	16 March 2022
19153-LSI-730-ZZ-DR-A-1360 P02	Proposed elevations	16 March 2022
19153-LSI-700-ZZ-DR-A-1175 P10	Proposed block plan	16 March 2022
66200833-SWE-ZZ-XX-DR-C-2105 P04	Surface water drainage strategy	29 July 2022
66200833-SWE-ZZ-XX-DR-C-2110 P01	Highway plan	16 March 2022
66200833-SWE-ZZ-XX-DR-C-2120 C01	Highway plan	16 March 2022
66200833-SWE-ZZ-XX-DR-C-2121 C01	Highway plan	16 March 2022
19153-LSI-710-RF-DR-A-1315 P03	Roof plans	16 March 2022
19153-LSI-730-RF-DR-A-1320 P02	Roof plans	16 March 2022
19153-LSI-710-ZZ-DR-A-1370 P03	Sections	16 March 2022
19153-LSI-730-ZZ-DR-A-1380 P02	Sections	16 March 2022
19153-LSI-700-ZZ-DR-A-A1180 P02	Existing block plan	16 March 2022
Landscape and Visual Impact Assessment (updated Sept 2022)	Landscape and visual assessment	26 October 2022
509-SFL-EX-00DR-L-0501-P03	Landscape plan	26 October 2022
Annex D - visualisation 1	Landscape and visual assessment	26 October 2022
19153-LSI-700-ZZ-DR-A-1176 -P01	Proposed block plan	8 February 2023
Annex C1 - Sensitivity of Visual Receptors	Landscape and visual assessment	26 October 2022
Annex D - visualisation 2	Landscape and visual assessment	26 October 2022
Annex D - visualisation 3	Landscape and visual assessment	26 October 2022
Annex B - Sensitivity of Landscape Receptors and Predicted Landscape Effects	Landscape and visual assessment	26 October 2022
Annex C1 - Sensitivity of Visual Receptors	Landscape and visual assessment	26 October 2022
509-SFL-EX-00-DR-L-0901 P01	Sections	26 October 2022
ANNEX C2 - PREDICTED VISUAL EFFECTS	Landscape and visual assessment	26 October 2022
planting schedule	Planting Scheme	26 October 2022
509-SFL-EX-00-DR-L-0714 -P04	Landscape plan	26 October 2022
509-SFL-EX-00-DR-L-0713 -P04	Landscape plan	26 October 2022
509-SFL-EX-00-DR-L-0712 -P04	Landscape plan	26 October 2022
509-SFL-EX-00-DR-L-0711 -P04	Landscape plan	26 October 2022
Annex A METHODOLOGY	Landscape and visual assessment	26 October 2022
Landscape works Spec	Landscape Management Plan	26 October 2023
landscape management plan	Landscape Management Plan	26 October 2023
drainage details 1 66200833-SWE-ZZ-XX-RP-C-0002 rev. 4	Drainage plans	29 July 2022
drainage details 2 MD4180262/ZM/008 rev 3	Drainage plans	29 July 2022

drainage details 3 MD4180262/ZM/008 rev 3	Drainage plans	29 July 2022
drainage details 4 66200833-SWE- ZZ-XX-RP-C-0002 rev 4	Drainage plans	29 July 2022
AT Coombes Associates Ltd (12 Feb 2022)	Arboricultural impact assessment	7 April 2022

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

- 3 No building shall be occupied (open for trade) on Site A until the site investigation and post investigation assessment, in so far as it relates to Site A, 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 dated 12.5.22 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Joint Development Management policies document, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2021).

- 4 No building shall be occupied (open for trade to the public) on Site B until the site investigation and post investigation assessment, in so far as it relates to Site B, 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 dated 12.5.22 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with , in accordance with Policy DM20 of the Joint Development Management Policies Document, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2021).

- 5 The Highway and associated infrastructure, site C, shall not be brought into use until the site investigation and post investigation assessment, in so far as it relates to Site C, 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 dated 12.5.22 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and

timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Joint Development Management Policies Document, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2021).

- 6 All planting within the approved scheme of soft landscaping works shall be implemented not 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.

Reason: To ensure the approved scheme is implemented and that the development positively contributes to the character of the locality in accordance with DM2.

- 7 Notwithstanding the indicative details shown on the plans hereby approved, no development above ground level shall take place on either Site A or Site B of the development, until a scheme of hard landscaping has been submitted for that individual site and agreed in writing by the Local Planning Authority and shall include the following:

- a) Finished levels, materials, any signage, furniture/sitting areas and a maintenance plan to demonstrate how the hard landscaping features will be repaired/replaced (as appropriate) over time.
- b) All details of any fencing, gates, walls or other means of enclosure within the development.
- c) details of demarcation of parking bays and pedestrian pathways
- d) A programme setting out how the plan will be put into practice including measures for protecting plants, including root barrier membranes for proposed tree, woodland, hedgerow and scrub landscaping, for both during and after development has finished.

The hard landscaping scheme shall be installed prior to first occupation of the commercial buildings hereby permitted to which the details relate or the substantial completion of the development, whichever is the sooner, and maintained thereafter in accordance with the maintenance plans hereby approved.

Reason: To ensure a satisfactory appearance, to take opportunities to enhance biodiversity, to ensure that there is appropriate child play and communal space within the development in accordance with policy DM2.

- 8 Prior to the first occupation of Sites A, and B and/or first use of the roadways, footways, and cycle ways in Site C by members of the public, a Landscape Management Plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The details should include the long-term design objectives, management responsibilities, specifications, maintenance schedules and periods for all hard and soft landscape areas and including all wooded, vegetated and SuDS areas together with a timetable for the implementation of the Landscape

Management Plan. The Management Plan shall include details of the arrangements for its implementation and shall be carried out in accordance with the approved details, supporting documents / reports, surveys, and timetable(s) unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure the approved scheme is retained in accordance with the approved plan and that the development positively contributes to the character of the locality in accordance with policy DM2 and DM13.

- 9 The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No. 509-SFL-EX-00-DR-L-0501 Rev P03 for Site A and Site B, shall be provided in their entirety, before the development on that individual site is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

- 10 A Construction Management Strategy for either Site A or Site B shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on that individual site. The strategy shall include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

- 11 The use shall not commence on either Site A or Site B until the areas within the site shown on Drawing No. 509-SFL-EX-00-DR-L-0501 Rev P03 for the purposes of loading, unloading, manoeuvring and parking of vehicles and the facilities for the purposes of cycle parking have been provided on that individual site and thereafter the areas shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

- 12 The strategy for the disposal of surface water for either Site A, Site B or Site C, (Ref: 66200833-SWE-ZZ-XX-RP-C-3010 Rev 04 Dated: 25 July 2022 and 22 July 2022 Ref: 4180262/ZM/009) and the Flood Risk Assessment (FRA) (Ref: 66200833-SWE-ZZ-XX-RP-C-0002 Rev 04 Dated: 25 July 2022) and all supporting information shall be implemented as approved in writing by the local planning authority (LPA). The strategy shall thereafter be managed and maintained in accordance with the

approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained

- 13 Within 28 days of practical completion of either Site A, Site B or Site C, the surface water drainage verification report for that individual site shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

- 14 Prior to the commencement of development on either Site A, Site B or Site C details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-floodrisk/construction-surface-water-management-plan/>

- 15 Prior to the occupation of either Site A or Site B hereby permitted a scheme detailing mitigation measures to reduce and prevent crime and anti-social behaviour on and around that site should be submitted to and approved by the LPA. The mitigation measures shall be retained thereafter.

The Scheme should take into account the guidance and recommendations made by Suffolk Constabulary.

Reasons; To prevent anti-social behaviour within the locality of the site in accordance with the aims of DM2.

- 16 The site preparation and construction works (excluding internal fit out) including deliveries to the site and the removal of excavated materials and waste from the site shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:00 on Saturdays and at no time on Sundays, Bank or Public Holidays without the prior consent of the Local Planning Authority.

Reason: to protect the amenity of occupiers of properties in the vicinity

- 17 Prior to first use of either Site A or Site B, details of the ventilation system and system to control odours from any primary cooking process of that individual site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the measures to abate the noise from the systems and a maintenance programme for the systems. In the event of primary cooking taking place, the system shall be installed prior to first use and thereafter the systems shall be retained and maintained in complete accordance with the approved details unless the written consent of the Local Planning Authority is obtained for any variation.

Reason: to protect the amenity of occupiers of properties in the vicinity in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

- 18 The cumulative noise rating level resulting from the operation of all new fixed plant for either site A or Site B shall not exceed:
- a. at Battlies Lodge Daytime (0700 2300 hours) 40 dB LAeq1hr Night time (2300 0700 hours) 30 dB LAeq15min
 - b. At 94/95 Ipswich Road - Daytime (0700 2300 hours) 50 dB LAeq1hr Night time (2300 0700 hours) 40 dB LAeq15min,

Reason: to protect the amenity of occupiers of properties in the vicinity

- 19 All lighting installations to be provided at the site, including those within the car parking areas and service yards, shall be positioned so as not to cause any glare to the residential properties in the vicinity of the site.

Reason: to protect the amenity of occupiers of properties in the vicinity

- 20 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (MLM, October 2021). This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow

the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- 21 Prior to the commencement of development on Site A, Site B or Site C, A Farmland Bird Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation measures to be secured by legal agreement, in nearby agricultural land, prior to commencement.

The content of the Farmland Bird Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark plots;
- b) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';
- c) locations of the compensation measures by appropriate maps and/or plans;
- d) persons responsible for implementing the compensation measure.

The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years

Reason: To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species)

- 22 Prior to the commencement of development on either Site A, Site B or Site C, A Biodiversity Enhancement Strategy for protected and Priority species on that individual site, prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

- 23 Neither Site A or Site B, shall be brought into use until a lighting design scheme for biodiversity relating to that individual site, shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux

drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting for that site, shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

- 24 During construction of the development hereby permitted, the trees located within the site (Zone 2 Suffolk Business Park General Castle Way Rougham Industrial Estate, (Sites A, B and C) shall not be lopped or felled without the written consent of the local planning authority unless noted on the approved soft landscape plans or Arboricultural Impact Assessment.

Reason: In order to maintain the existing vegetation at the site, which makes an important contribution to the character of the area in accordance with DM2 and DM13.

- 25 During construction of either Site A, Site B or Site C, any trees within or near to that individual site, shall be protected in accordance with the requirements of BS 5837 (2012) 'Trees in Relation to Design, Demolition and Construction'. The protection measures shall be implemented prior to any below ground works and shall be retained for the entire period of the duration of any work at the site, in connection with the development hereby permitted.

Reason: In order to maintain the existing vegetation at the site, which makes an important contribution to the character of the area.

- 26 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended (or any Order revoking and re-enacting that Order) and the Town and Country Planning (General Permitted Development) Order 2015, as amended, the use of Site A shall be used only as a restaurant - food and drink (with takeaway including from the building and delivery) and associated drive thru and for no other purpose; and site B shall be used only as a café - food and drink (with takeaway including from the building and delivery) and associated drive thru and for no other purpose.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 27 Prior to the commencement of the use on either Site A or Site B, the section of highways, access, and pedestrian footpaths identified as Site C, shall be fully completed in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of

residents and the public, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 28 The use of Site C shall not commence until full details of lighting to serve the highway have been submitted to and approved by the Local Planning Authority. The development shall be completed in accordance with the approved scheme which shall thereafter be retained and maintained in accordance with the approved scheme.

Reason: To ensure that lighting is not detrimental to the surrounding locality in accordance with DM2 and to ensure the development is sufficiently illuminated to provide safe access to Sites A and B in accordance with policy DM46.

- 29 If, during development, of either Site A, Site B or Site C, contamination not previously identified is found to be present within that site then no further development of said site (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority 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, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy.

- 30 Within 3 months of occupation (open for trade to the public) of either Site A or Site B, at least two (2no) in the of the car park area for each individual site shall be equipped with dedicated, working, electric vehicle charge points, which shall be available for public use. The electric vehicle charge points shall be 'rapid', i.e. they will be DC chargers with a CCS cable, with each individual unit capable of a power rating of at least 50kW. The electric vehicle charge points shall be retained thereafter and maintained in an operational condition.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 107 and 112 of the National Planning Policy Framework (NPPF) and the Suffolk Parking Standards.

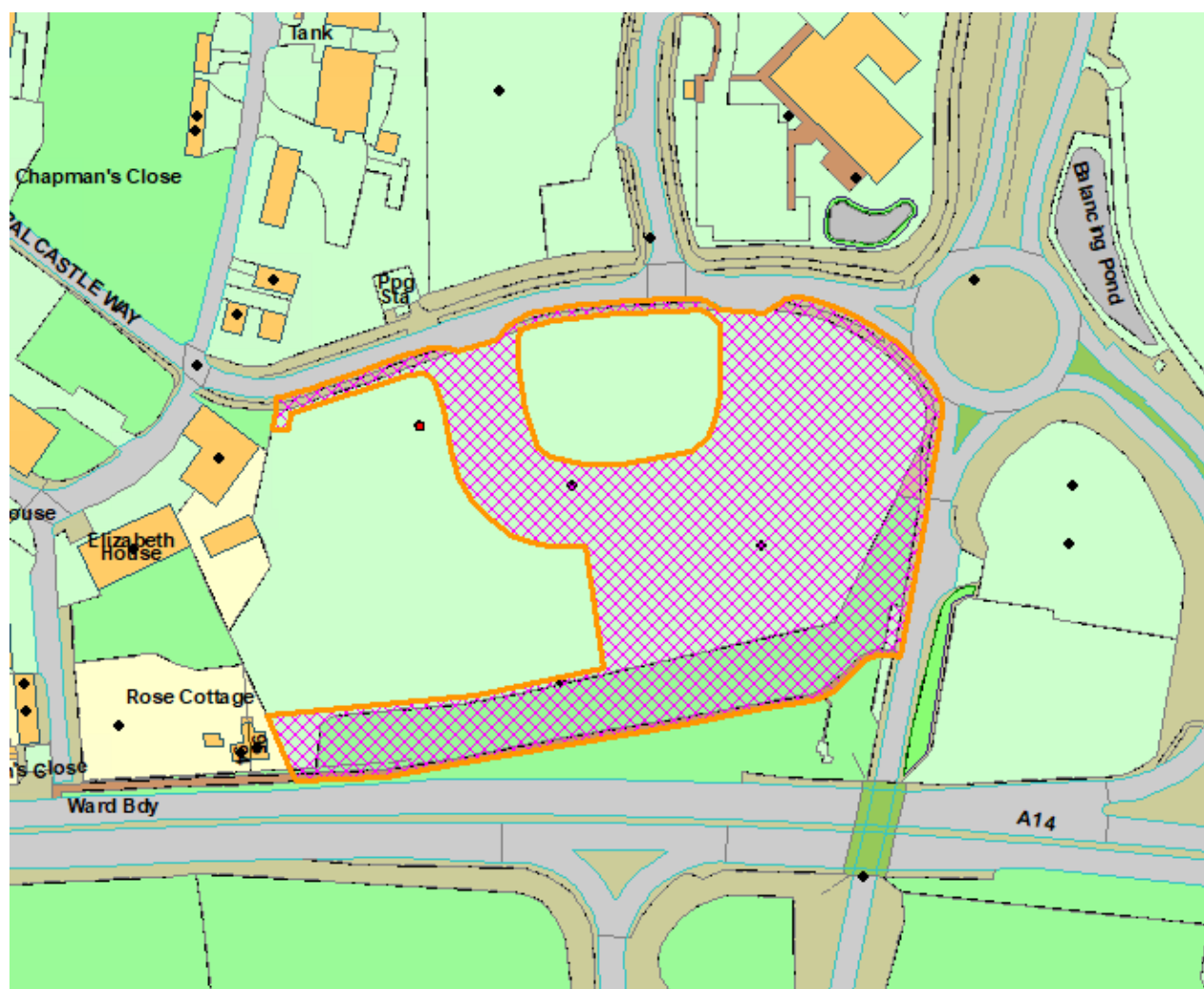
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0476/FUL](https://www.suffolk.gov.uk/DC/22/0476/FUL)

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Zone 2 Suffolk Business Park, General Castle Way, Rougham Industrial Estate,
Rougham, Suffolk



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P10 RR	18.02.22	Kerb line amended to Plot 0710	
P09 DO	09.02.22	Amendments made to Plot 0730 boundary and other minor landscaping layout amendments to align with the latest 'Overall Landscape Structure Layout by Sheils Flynn [Dwg No: 428-PA-050 U]	
P08 RR	26.10.21	Plot Layouts updated, archaeology trench locations omitted	
P07 DC	06.10.21	Addition of 'blue' additional ownership lines.	
P06 DC	04.08.21	Addition of archaeology trench locations.	
P05 DC	26.05.21	Adjustment of internal site layout to suit tracking and landscape scheme updates.	
P04 DC	14.04.21	Adjustment of plot boundary and plots to suit new road layout / plot layouts	
P03 DC	20.01.21	Adjustment of plot boundary	
P02 DC	19.01.21	Incorporation of revised road layout	
P01 MM	24.11.20	First Issue	
Rev	Init	Date	Revision





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Title
Plot 710&730 Site
Block Plan

Scale @ A2 1:500	Date 24/11/20	Drawn MM
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