

Development Control Committee



Title	Agenda																				
Date	Wednesday 6 March 2024																				
Time	PART A Commences at 10.00am PART B Commences not before 1.00pm (see list of agenda items for further details)																				
Venue	Conference Chamber West Suffolk House Western Way, Bury St Edmunds IP33 3YU																				
Full Members	<p style="text-align: center;">Chair Andrew Smith</p> <p style="text-align: center;">Vice Chairs Jon London and Phil Wittam</p> <p>Conservative Group (7)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Carol Bull</td> <td style="width: 33%;">Ian Houlder</td> </tr> <tr> <td>Mike Chester</td> <td>Sara Mildmay-White</td> </tr> <tr> <td>Susan Glossop</td> <td>Andrew Smith</td> </tr> <tr> <td>Rachel Hood</td> <td></td> </tr> </table> <p>Independents (5)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Mick Bradshaw</td> <td style="width: 33%;">Jim Thorndyke</td> </tr> <tr> <td>Roger Dicker</td> <td>Phil Wittam</td> </tr> <tr> <td>Andy Neal</td> <td></td> </tr> </table> <p>Progressive Alliance Grouping (4)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Jon London</td> <td style="width: 33%;">Marilyn Sayer</td> </tr> <tr> <td>Lora-Jane Miller-Jones</td> <td>David Smith</td> </tr> </table>			Carol Bull	Ian Houlder	Mike Chester	Sara Mildmay-White	Susan Glossop	Andrew Smith	Rachel Hood		Mick Bradshaw	Jim Thorndyke	Roger Dicker	Phil Wittam	Andy Neal		Jon London	Marilyn Sayer	Lora-Jane Miller-Jones	David Smith
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Interests – declaration and restriction on participation	Members are reminded of their responsibility to declare any disclosable pecuniary interest, other registerable or non-registerable 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.																				
Quorum	Six Members																				
Committee administrator	Helen Hardinge - Democratic Services Officer Telephone 01638 719363 Email democratic.services@westsuffolk.gov.uk <i>Details of Site Visits overleaf...</i>																				

SITE VISITS WILL BE HELD ON MONDAY 4 MARCH 2024 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/22/2190/HYB - Land at Shepherds Grove, Bury Road, Stanton

Hybrid planning application - (A) (i) Full application on 27.56 ha of the site for the storage, distribution and processing of accident damaged and non-damaged motor vehicles, together with the construction of ancillary buildings (B8 Use Class), perimeter fencing and landscaping works (ii) Full application for a new roundabout/road and additional landscaping on circa 5.37 ha of the application site - (B) (i) Outline application for the construction of buildings for commercial/roadside uses (Use Classes B2, B8, C1, E (excluding E(a)), and a hot food takeaway and pub/restaurant) on circa 2.7 ha of the application site (Plots A, B and C) with all matters reserved except for access (ii) Outline application for the construction of building(s) for general employment uses (Use Classes B2, B8 and E(g)) on circa 1.37ha of the application site (Plot D) with all matters reserved except for access

Site visit to be held at 9.55am – Members are encouraged to use the coach that is provided in order to allow the Case Officer to also provide a briefing whilst traversing round the site

2. Planning Application DC/22/1887/FUL - Land off The Street, Fornham All Saints

Planning application - create access into All Saints Golf and Country Club
Site visit to be held at 11.00am

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

Where otherwise required for this agenda, site visits will be facilitated virtually by way of the inclusion of videos within the Case Officer's presentation of the application to the meeting.

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)
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- 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

Part A

(commences at 10am)

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 - 14

To confirm the minutes of the meeting held on 7 February 2024 (copy attached).

4. Declarations of interest

Members are reminded of their responsibility to declare any disclosable pecuniary interest, other registerable or non-registerable 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/22/2190/HYB - Land at Shepherds Grove, Bury Road, Stanton

15 - 80

Report No: **DEV/WS/24/008**

Hybrid planning application - (A) (i) Full application on 27.56 ha of the site for the storage, distribution and processing of accident damaged and non-damaged motor vehicles, together with the construction of ancillary buildings (B8 Use Class), perimeter fencing and landscaping works (ii) Full application for a new roundabout/road and additional landscaping on circa 5.37 ha of the application site - (B) (i) Outline application for the construction of buildings for commercial/roadside uses (Use Classes B2, B8, C1, E (excluding E(a)), and a hot food takeaway and pub/restaurant) on circa 2.7 ha of the application site (Plots A, B and C) with all matters reserved except for access (ii) Outline application for the construction of building(s) for general employment uses (Use Classes B2, B8 and E(g)) on circa 1.37ha of the application site (Plot D) with all matters reserved except for access

On conclusion of the above items the Chairman will permit a short break

Part B

(commences not before 1pm)

- 6. Planning Application DC/22/1887/FUL - Land off The Street, Fornham All Saints** **81 - 114**
Report No: **DEV/WS/24/009**
Planning application - create access into All Saints Golf and Country Club
- 7. Planning Application DC/22/0850/FUL - Brandon Remembrance Recreation Field, Skate Park, Victoria Avenue, Brandon** **115 - 132**
Report No: **DEV/WS/24/010**
Planning application - installation of reinforced concrete skate park
- 8. Planning Application DC/23/1938/VAR - 21 Fordham Place, Ixworth** **133 - 148**
Report No: **DEV/WS/24/011**
Planning application - variation of condition 5 of DC/20/1784/HH to allow for different design of privacy screen for first floor extension above existing two bay garage and external staircase with balcony to form annexe
- 9. Planning Application DC/22/1193/RM - Land South of Rougham Hill, Rougham Hill, Bury St Edmunds** **149 - 168**
Report No: **DEV/WS/24/012**
Reserved matters application - submission of details under DC/15/2483/OUT - means of appearance, landscaping, layout and scale for the construction of 363 dwellings in total (including 109 affordable homes) and associated car parking; access roads; playing pitch; landscaping; open space; play areas; sustainable urban drainage (SuDS) and infrastructure
- 10. Planning Application DC/23/2040/FUL - 30-38 High Street, Haverhill** **169 - 180**
Report No: **DEV/WS/24/013**
Planning application - change of use from Class E (c)(i) (professional services) to Class F.1(a) for the provision of education to part of the ground floor and part of the second floor

Development Control Committee



Minutes of a meeting of the **Development Control Committee** held on **Wednesday 7 February 2024** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Andrew Smith

Vice Chairs Jon London and Phil Wittam

Mick Bradshaw

Carol Bull

Mike Chester

Roger Dicker

Susan Glossop

Rachel Hood

Ian Houlder

Sara Mildmay-White

Lora-Jane Miller-Jones

Marilyn Sayer

David Smith

Jim Thorndyke

Don Waldron

In attendance

Sarah Broughton - Ward Member: The Fornhams and Great Barton

Beccy Hopfensperger - Ward Member: The Fornhams and Great Barton

David Taylor - Ward Member: Manor

Julia Wakelam - Ward Member: Abbeygate

409. **Apologies for absence**

Apologies for absence were received from Councillor Andy Neal.

410. **Substitutes**

The following substitution was declared:

Councillor Don Waldron substituting for Councillor Andy Neal.

411. **Minutes**

The minutes of the meeting held on 3 January 2024 were confirmed as a correct record and signed by the Chair.

412. **Declarations of interest**

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

Councillor Jim Thorndyke stated that he would need to leave the meeting before consideration of Report number: DEV/WS/24/006 (Planning Application

DC/23/0783/VAR - Doctors Hall, Bury Lane, Stanton). As ward member, he had produced a pre-prepared statement, which would be read out on his behalf by the Democratic Services Officer at the appropriate time during the consideration of that item.

413. **Planning Application DC/22/1887/FUL - Land off The Street, Fornham All Saints (Report number: DEV/WS/24/004)**

(Councillor Marilyn Sayer declared a non registrable interest as she had previously commented on this application in her capacity as a local resident living in the vicinity of the proposed development. She left the meeting and therefore did not take part in the debate or vote on the item.)

Planning application – create access into All Saints Golf and Country Club

This application was presented to the Delegation Panel as the officer's recommendation of approval conflicted with Fornham All Saints Parish Council and Councillor Beccy Hopfensperger's, one of the ward members, objection.

The application was referred to the Development Control Committee due to the public interest in the proposed development.

A supplementary 'late paper' was issued following publication of the agenda, which provided additional information supplied by the applicant. This included a statement by Highways Consultant G H Bullard & Associates LLP to address in detail concerns raised by local residents, the parish council and ward member. The information supported the officer recommendation of approval. Members noted that re-consultation with the Highways Authority was not required as no objection had been submitted regarding this development and the information did not change how the proposal was assessed.

A separate document from the applicant had also been provided as part of the 'late paper' named 'All Saints Explanatory Note' which contained further explanation relating to the need and justification for the development.

The Planning Officer reported that since the publication of the report, two further objections had been received from neighbouring residents which accorded with the concerns expressed by other objectors.

Speakers: Malcolm Hancock (neighbouring resident) spoke against the application
Chris Bond (neighbouring resident) spoke against the application on behalf of himself and two other objectors present at the meeting, Daren Watson (neighbouring resident) and Jane Stewart (neighbouring resident)
Councillor Martin Loveridge (Chairman of Fornham All Saints Parish Council and also representing the views of Fornham St Martin cum St Genevieve Parish Council) spoke against the application
Councillor Beccy Hopfensperger (one of the ward members for The Fornhams and Great Barton Ward) spoke against the application.

Mark Knight (agent) spoke in support of the application

(Malcolm Hancock was not present at the meeting in order to address the Committee, instead the Democratic Services Officer read out a pre-prepared statement on his behalf.)

(Councillor Sarah Broughton, the other ward member for The Fornhams and Great Barton Ward was present at the meeting in support of the comments expressed by the objectors and Councillor Beccy Hopfensperger.)

The Committee acknowledged the strength of concern for the proposed construction of a new access road to the All Saints Golf and Country Club including the potential adverse impact on amenity, highway safety and the Conservation Area.

While noting that the Conservation Officer and Highways Authority had not objected to the proposal, some members expressed concern regarding the potential significant detrimental impact upon the historic environment and the potential harm caused to the character and appearance of the Conservation Area. Highway safety was also of concern and it was principally for this reason that Councillor Jim Thorndyke proposed to defer consideration of the application to allow a site visit to be undertaken. This was duly seconded by Councillor Mike Chester.

The discussion then led to several members raising concern regarding the necessity and justification for the access, together with its frequency of use and whether the access would be used for reasons other than maintenance. The Committee was informed that it needed to consider the merits of the application itself and the Highways Authority would have assessed the frequency of use, in terms of a worse case scenario position, when considering the application. In addition, the access would be restricted by condition to only allow maintenance access to serve All Saints Golf and Country Club and for no other purpose.

The potential impact on the privacy of Acer Lodge opposite the proposed access was also raised.

The motion for deferral to allow a member site visit to be undertaken was put to the vote and with 8 voting for the motion, 7 against and no abstentions, it was resolved that

Decision

Consideration of this application be **DEFERRED** to allow a member site visit to be undertaken.

(At this point, the Chair adjourned the meeting to allow a short comfort break. The meeting resumed at 11.13 am.)

(Councillor Marilyn Sayer returned to the meeting following the conclusion of this item.)

414. **Planning Application DC/23/0133/FUL - Land off Fordham Road, Freckenham (Report number: DEV/WS/24/005)**

Planning application - change of use of agricultural land to enclosed field for dog training and exercising and associated access and parking

The application was considered at the last meeting of the Committee meeting held on 3 January 2024 following a site visit which had been undertaken the day before.

Officers were recommending that the planning application be refused for the reason outlined in Paragraph 30 of the report. This recommendation was in conflict with the view of Freckenham Parish Council and Councillor David Taylor (Manor Ward Member) who supported the proposal.

Members at the meeting resolved that they were 'minded to' approve the planning application, subject to conditions, contrary to the officer recommendation of refusal. At this point, the decision making protocol was invoked, requiring a Risk Assessment report to be prepared for this matter before any decision was made.

Members had resolved that they were 'minded to approve' the application as a result of taking into account the biodiversity benefits the native hedging and trees would bring about and they considered that the landscape impact of the proposals would not be adverse.

A risk assessment had been undertaken by officers in accordance with the Committee's Decision-Making Protocol which set out the potential risks that might arise should planning permission be approved, as well as providing clarity on queries raised during the meeting and to also allow appropriate conditions to be drafted.

The report that had previously been presented to the Committee was attached as Working Paper 1, which contained details of the site and development, summaries of consultation responses and neighbour representations, and the officer assessment of the proposal.

A supplementary 'late paper' was issued following publication of the agenda, which gave details regarding the removal of two proposed conditions should permission be granted. For clarity, the revised list of proposed conditions was provided.

Speakers: Councillor David Taylor (Ward Member: Manor) spoke in support of the application
Tracy Cannam (applicant) spoke in support of the application

Having considered the risk assessment undertaken by officers and having inspected the site, members remained in support of the proposal. It was acknowledged that the landscape would change as a result of the fencing; however, members considered the ecological benefits of the mitigation hedging and tree planting that were proposed to the perimeter and site frontage far outweighed any potential harm to the character of the landscape.

To support the rationale for potentially approving the application, recognition was given to the openness of the area, that the fencing was a temporary structure, and that prior to modern farming methods, the countryside would have looked very different with numerous hedgerows providing natural divisions to the landscape into smaller parcels of land.

Recognition was also given to the economic, social and health benefits of the proposal. Members felt this was an innovative new business that would be a welcomed facility by users, which in turn would provide social, physical and well-being health benefits to those accessing the service.

Councillor Sara Mildmay-White proposed that the application be approved, contrary to the officer recommendation and following a risk assessment report where the Committee had been 'minded to approve'. This was duly seconded by Councillor David Smith.

The following reason was given for proposing approval of the application. This was duly accepted by Councillors Mildmay-White and David Smith as proposer and seconder of the motion:

That recognising the biodiversity merits of the proposals including the mitigating hedge and tree planting, the economic and ecological benefits of this proposal outweighed the harm to the landscape perceived by the Committee.

The motion for approval was put to the vote and with the vote being unanimous, it was resolved that

Decision

Planning permission be **APPROVED, CONTRARY TO THE OFFICER RECOMMENDATION**

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:

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

Reference number	Plan type	Date received
	Application Form	27 January 2023

22:123-1	Location Plan	27 January 2023
22:123-2 C	Proposed Site Layout	17 January 2024
22:123-3	Proposed Elevations	6 March 2023
304/2023/02 P1	Vehicle Tracking Alignments Plan – Forward Bay Parking	17 November 2023
304/2023/03 P1	Vehicle Tracking Alignments Plan – Reverse Bay Parking	17 November 2023
	Fence Specifications	27 January 2023
	Landscape and Visual Impact Assessment	4 September 2023
	SUDs Proforma	17 March 2023
	Statement	27 January 2023
	Parking Details	17 November 2023
	Landscaping Specifications	17 January 2024

3. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the 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 enhance the appearance of the development and ensure a satisfactory environment, 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.

4. The use of the development hereby approved shall only permit a maximum of 6 (six) dogs for exercising on the land at any one time and up to two owners at any one time. There shall not at any time be any professional training, obedience, agility classes or similar taking place on the site.

Use of the site shall be restricted to only between the hours of 8am to

8pm hours on any day.

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.

5. No external lighting shall be installed on the application site without prior written consent from the Local Planning Authority.

Reason: To safeguard the residential amenity of neighbouring properties and to minimise light pollution, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, the provisions of the National Planning Policy Framework and all relevant Core Strategy Policies.

6. Before the access is first used visibility splays shall be provided as shown on Drawing No. 22:123-2 Rev C with an X dimension of 2.4 metres and a Y dimension of 45 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the C.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary, 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.

7. No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. 22:123-2 Rev C with an entrance width of 6 metres.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway, 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.

8. Prior to the development hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 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.

9. The use shall not commence until the area(s) within the site shown on drawing no's. 22:123-2 Rev C, 304/2023/02, and 304/2023/02 for the purposes of manoeuvring, and parking of vehicles has / have been provided and thereafter the area(s) 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 manoeuvring would be detrimental to the safe use of the highway, in accordance with policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

(Councillor Jim Thorndyke left the meeting at the conclusion of this item and did not return.)

415. Planning Application DC/23/0783/VAR - Doctors Hall, Bury Lane, Stanton (Report number: DEV/WS/24/006)

Planning application - application to vary conditions 2 (approved plans), 4 (insulation details) and 6 (breeding bitch numbers) of DC/17/1652/FUL for the material change in the use of the land from paddock to the breeding and keeping of dogs comprising the following: (a) 2.1 metre high close boarded timber fence and concrete post; (b) car parking area; (c) 2no. dog kennels and (d) 1no. stable block as amended by plans received 15 November 2023.

This application was presented before the Development Control Committee in December 2023, with a recommendation by officers for approval. The matter was deferred, for the completion of a 'Risk Assessment' report, with the Committee having resolved that it was 'minded to refuse' the application due to concerns about the noise implications of this proposal, and the consequential adverse effects upon amenity.

In accordance with the Council's Decision Making Protocol, the Committee considered this report which provided a risk assessment of the 'minded to refuse' resolution.

This application was initially referred to the Development Control Committee following consideration by the Delegation Panel. Stanton Parish Council objected to the application, contrary to the officer recommendation for approval.

Further background details regarding the application could be found in Working Paper 1 attached to the report.

A member site visit had previously been undertaken in November 2023.

Speakers: Councillor Jim Thorndyke (Ward Member: Stanton) spoke against the application
Charlie Taylor (applicant) spoke in support of the application
(Councillor Thorndyke was not present at the meeting in order to address the Committee, instead the Democratic Services Officer read out a pre-prepared statement on his behalf)

The Committee had previously expressed concerns regarding aspects of the operation of the site and although not material planning considerations but for members' information, the Licensing team had undertaken an inspection of the premises in late 2023 and the site was considered to be meeting the terms of its dog breeding licence.

This led to a discussion regarding the making of referrals of non-material planning considerations to the appropriate body and The Chair outlined the reporting mechanism for this. It was agreed that a referral be made to the Licensing team as licensing authority for issuing dog breeding licences in West Suffolk in respect of raising the Committee's concerns regarding the welfare of the dogs seen on site when the site visit was undertaken.

Councillor Jon London then proposed that the application be approved, as per the officer recommendation, subject to the conditions set out in paragraph 40 of the report, together with making the referral outlined above to the licensing authority. This was duly seconded by Councillor Don Waldron.

A discussion was held on the planning merits of the application. Concern was expressed regarding the potential impact on the single-track lane that led to the site. Three car parking spaces had been allocated under the present planning permission; however, concern was raised that by increasing the number of breeding bitches from ten to 20, this would effectively be doubling the size of the business and whether this would result in an increase in traffic movements. The three parking spaces were felt to be an insufficient number to accommodate visitors. The Committee was informed that the Highways Authority had not objected to the application for 20 breeding bitches and it was not envisaged that the amount of visits to the site would be significant to cause detriment to the access road. There was scope to enable further parking on the premises if it was deemed necessary.

The discussion turned to the reason for the Committee previously being 'minded to refuse' the application. Some concern remained regarding the potential adverse impacts upon amenity on nearby dwellings as a consequence of noise from the premises, which was largely considered to emanate from barking dogs.

The Public Health and Housing Officer had been satisfied that the noise implications arising from this application were satisfactory, subject to the installation of the required acoustic fence. It was noted that the previously

approved acoustic fence had now been installed in accordance with the outstanding details required by the permission granted under DC/17/1652/FUL. The Public Health and Housing team had powers to address any potential adverse impacts caused to neighbouring properties as a result of noise disturbance. Soft landscaping within the site had also started to be planted.

Following further discussion, the motion for approval was then put to the vote and with 10 voting for the motion, 2 against and 3 abstentions, it was resolved that

Decision:

Planning permission be **APPROVED**, following a Risk Assessment report where the Committee had been 'minded to refuse' and subject to the following conditions:

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

Reference No:	Plan Type	Date Received
EP727-17-01 Rev A	Location Plan	18.05.2023
EP727-17-02 REV C	Proposed Site Plan	15.11.2023
EP727-23-03 REV B	Proposed Elevations	
	& Floor Plans	15.11.2023
EP727-17-04 REV A	Proposed Elevations & Floor Plans	15.11.2023
HA/AE338/V2	Noise Impact Assessment	18.05.2023

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

2. All planting comprised in the approved details of landscaping (Drawing Number EP727-17-02 Rev C) shall be carried out in the first planting season (March 2024) with evidence submitted to and acknowledged in writing by 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 enhance the appearance of the development.

3. All of the noise protection and mitigation works associated with the development as detailed in the Healthy Abode (HA) Acoustics Report '*Noise Impact Assessment of Breeding Kennels Incorporating a 2.1 Metre Acoustic Barrier & Details on Sound Insulation to Support Discharge of Planning Consent Ref DC/17/1652/FUL, Condition 4'* (Reference HA/AE338/V2, Date 17 March 2023) shall be completed and retained in their entirety in accordance with the approved details. There shall be no dogs on site unless all acoustic measures have been completed and retained in accordance with the agreed details.

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.

4. Notwithstanding the provisions of the Use Classes Order and the General Permitted Development Order 2015, the site shall be used for the purpose hereby approved, and for no other use.

Reason: In the interests of limiting the scope of this permission, in the interests of sustainable development.

5. No more than a total of 20 breeding bitches shall be kept or kennelled on the site at any one time.

Reason: In the interests of limiting the scope of this permission, in the interests of sustainable development and residential amenity.

6. The use hereby permitted shall only be undertaken by the owner and resident of the dwelling known as 'Doctor's Hall' as shown on the land edged in blue on drawing number EP727-17-01 Rev A.

Reason: Reason: In the interest of residential amenity in accordance with Policy DM2 of the Joint Development Management Policies Local Plan

7. Within 6 months of the date of this approval, the completion of the works shall be verified on site by a specialist noise consultant and the Local Planning Authority shall be notified in writing of the completion and verification of the works. Thereafter the approved works shall be retained.

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.

8. Within 4 months of the date of this approval, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall identify management practices to mitigate noise emanating from the development, and such practices shall be implemented in accordance with the approved plan at all times.

Reason: To protect the amenities of occupiers of properties in the locality, 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.

(At this point, the Chair adjourned the meeting for a short comfort break. The meeting resumed at 12.31pm.)

416. **Planning Application DC/23/0812/FUL - 9 Risbygate Street, Bury St Edmunds (Report number: DEV/WS/24/007)**

Planning application - first floor flat above existing restaurant as amended by plans received 08 September 2023

This application was referred to the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel at the request of Councillor Julia Wakelam, one of the ward members for Abbeygate Ward.

Bury St Edmunds Town Council had recommended refusal in line with the views of the West Suffolk Conservation Officer, and the Officer recommendation was one of refusal.

A Member site visit was undertaken prior to the meeting.

The Principal Planning Officer reported the following additional comments following the distribution of the agenda and papers for this meeting:

- To clarify that the 2019 planning permission, approved in 2020 for a one bedroom flat at first floor level had now lapsed. That element now formed part of the current proposal albeit now with the addition of a flat roof side element.
- Further comments had been received from the Georgian Society whereby there remained no objections in principle to the extending of the building; however, the proposal was still a relatively large structure in comparison to the host building and other adjacent heritage assets through its scale and massing. The society felt it would cause harm to the historic setting and surrounding Conservation Area and unless a less harmful scheme could be formulated, the society would recommend the application be refused.

Speaker: Councillor Julia Wakelam (Ward Member: Abbeygate) spoke in support of the application.

Some members felt that having visited the site, although flat roofs were not in their opinion particularly aesthetically pleasing, it was felt that the proposed extension would not be publicly visible and therefore would not cause harm to the fabric of the existing listed building or its historical setting within the Conservation Area.

Councillor Lora-Jane Miller-Jones subsequently proposed approval of the application, contrary to the officer recommendation of refusal, which was duly seconded by Councillor Ian Houlder.

The debate continued and although a matter for Building Control, concern was expressed regarding provision of an adequate fire escape route which did not appear to have been satisfactorily provided in the design. The lack of bin storage provision was also of concern to some members; however, it was

noted that if the application were to be approved, a condition could be placed on the applicant to provide suitable bin storage facilities.

Some members felt that if the applicant were to submit a proposal that was more sympathetic and in keeping with the Conservation Area, the principle of the development may be acceptable. Generally, it was felt by some and in agreement with officers and comments made by the Conservation Officer and Victorian Society that through the present proposal's scale and massing, and for reasons of unsympathetic approach, in particular its flat roofed design being in conflict with the steeply pitched roofs of the host building to include historic extensions, it would dominate the historic structures causing harm to their setting and to the surrounding Conservation Area.

Before moving the vote on the motion for approval was taken, the Service Manager (Planning and Development) explained that the Decision Making Protocol would need to be invoked, requiring a Risk Assessment to be produced for consideration by the Committee, therefore making the decision a 'minded to' decision. This was because of the impact the development would potentially have on the listed building, its setting or features of special architectural or historic interest which it possessed, together with the potential impact on the character and appearance of the Conservation Area.

It was also reiterated that the development would not need to be publicly visible to cause intrinsic harm to the setting of the listed building and the character and appearance of the Conservation Area.

The Council's duties under the relevant Planning Act regarding Listed Buildings and Conservation Area were also emphasised.

The motion for approval on a 'minded to approve' basis was put to the vote and with the vote being 3 for the motion, 11 against and 1 abstention, the motion was therefore lost.

Councillor Roger Dicker proposed refusal, as per the officer recommendation, and this was duly seconded by Councillor Phil Wittam.

Upon being put to the vote and with 11 voting for the motion, 3 against and 1 abstention, it was resolved that

Decision

Planning permission be **REFUSED** for the following reason:

As set out in the NPPF, heritage assets should be conserved in a way that is appropriate to their significance. Heritage assets include an extensive range of features that include archaeological remains, Scheduled Ancient Monuments, Listed Buildings and Conservation Areas.

DM17 states that proposals within Conservation Areas should preserve or enhance the character or appearance of the conservation area, or its setting, views into, through and out of the area and be of an appropriate scale, form, massing and design. DM15 states that development affecting the setting of a listed building will be permitted where it is not detrimental to the buildings

character, architectural or historic features that contribute to its special interest.

No.9 Risbygate Street is an early nineteenth century structure with later nineteenth century alterations which forms part of a significant group of historic buildings including the adjoining grade II listed No.10, of which it once appears to have formed part. At the rear of the building is an earlier lower wing of eighteenth-century appearance which is also visible from the street. Through its scale and massing, and for reasons of unsympathetic approach, in particular its flat roofed design being in conflict with the steeply pitched roofs of the host building to include historic extensions, the proposed extension will dominate the historic structures causing harm to their setting and to the surrounding Conservation Area.

The proposed therefore development fails to respect the host building and its historic context, proving contrary to policies DM2, DM15, DM17 of the Joint Development Management Policies Document 2015 and policy CS3 of the St Edmundsbury Core Strategy 2010. The development fails to preserve or enhance the character of the Conservation Area, and would adversely impact on the listed building itself, causing less than substantial harm. There is insufficient public benefit to outweigh this harm which results in a material conflict with paragraph 208 of the 2023 National Planning Policy Framework.

The meeting concluded at 1.09 pm

Signed by:

Chair

Development Control Committee

6 March 2024

Planning Application DC/22/2190/HYB – Land at Shepherds Grove, Bury Road, Stanton

Date registered:	4 January 2023	Expiry date:	5 April 2023 (EOT until 29.03.2024)
Case officer:	Gary Hancox	Recommendation:	Approve application
Parish:	Stanton	Ward:	Stanton
Proposal:	Hybrid planning application - (A) (i) Full application on 27.56 ha of the site for the storage, distribution and processing of accident damaged and non-damaged motor vehicles, together with the construction of ancillary buildings (B8 Use Class), perimeter fencing and landscaping works (ii) Full application for a new roundabout/road and additional landscaping on circa 5.37 ha of the application site - (B) (i) Outline application for the construction of buildings for commercial/roadside uses (Use Classes B2, B8, C1, E (excluding E(a)), and a hot food takeaway and pub/restaurant) on circa 2.7 ha of the application site (Plots A, B and C) with all matters reserved except for access (ii) Outline application for the construction of building(s) for general employment uses (Use Classes B2, B8 and E(g)) on circa 1.37ha of the application site (Plot D) with all matters reserved except for access		
Site:	Land at Shepherds Grove, Bury Road, Stanton		
Applicant:	Mr Paul Sutton - Jaynic - Suffolk Park Logistics		

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: Gary Hancox
Email: democratic.services@westsuffolk.gov.uk
Telephone: 01638 719258

Background:

The application is referred to Development Control Committee as the proposed development is of a substantial scale and forms part of a strategic employment allocation.

The application is recommended for APPROVAL and Stanton Parish Council support the application. However, Hepworth, Barningham Ixworth & Ixworth Thorpe, Coney Weston, Bardwell, and Fornham St Martin cum St Genevieve Parish Councils object to the application. A significant number of residents and Parish Councils outside the district have also raised objections to the application.

A site visit is scheduled to take place on Monday 4 March 2024.

Proposal:

1. This hybrid planning application seeks full permission for the following:
 - On 27.56 ha of the site, the storage, distribution and processing of accident damaged and non-damaged motor vehicles, together with the construction of ancillary buildings (B8 Use Class), perimeter fencing and landscaping. The application originally proposed the end user for this as a company called Copart. However, this company has pulled out of the proposal and, at the time of this report being compiled, the occupier for this aspect of the development is yet to be identified.
 - A new roundabout and access road and additional landscaping on circa 5.37 ha of the application site. The northern end of Sumner Road would be diverted to meet the new roundabout and the existing junction of Sumner Road with the A143 would be closed up. The new roundabout will also serve the proposed commercial development Plots A, B and C, and provide a new road around the western boundary of the site and link through to eastern end of Grove Lane at Shepherds Grove West. This new link road would also serve the Copart development and the proposed employment site – Plot D, which is located on the west side of the new access road. The detailed landscaping proposals also include the provision of an acoustic fence along the west side of the new access/link road.
2. The application also seeks outline permission for the following:
 - The construction of buildings for commercial/roadside uses (Use Classes B2, B8, C1, E (excluding E(a)), and a hot food takeaway and pub/restaurant) on circa 2.7 ha of the application site (Plots A, B and C) with all matters reserved except for access.
 - The construction of building(s) for general employment uses (Use Classes B2, B8 and E(g)) on circa 1.37ha of the application site (Plot D) with all matters reserved except for access.

Application supporting material:

3. The application is accompanied by the following plans and documents:

- Applications forms, certificates and notifications
 - Site Location Plan
 - Existing Site Layout and Site Survey Drawings
 - Proposed Site Layout
 - Copart Scheme Drawings (including Lighting Plan)
 - Design and Access Statement
4. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (known as the 'EIA Regulations') provide the regulatory framework for determining when an Environmental Impact Assessment is required for proposed developments. In this case the proposal falls under Schedule 2 of the regulations and given the likelihood of significant environmental impacts, it was agreed with the applicants that a full environmental statement should accompany the planning application. The Environmental Impact Assessment process identifies the likely significant environmental effects (both adverse and beneficial) of the proposed scheme. Technical assessments are carried out, focused on a range of environmental topics agreed during the scoping stage, and the results are reported in the topic chapters of an Environmental Statement (ES). Scoped into the assessment was consideration of air quality and cumulative impact.
5. In addition, a number of standalone environmental reports have been produced to accompany the planning application. These include:
- Ecological Impact Assessment
 - Biodiversity Net Gain Assessment
 - Flood Risk Assessment (FRA)
 - Sustainable Urban Drainage Systems (SuDS) Drainage Strategy
 - Heritage Assessment
 - Archaeological Evaluation Report
 - BREAM Pre- Assessment
 - Transport Assessment
 - Arboricultural Impact Assessment
 - Landscape and Visual Assessment
 - Noise Impact Assessment
 - Contaminated Land Assessment
 - UXO Assessment (unexploded ordnance)

Site details:

6. Shepherds Grove is located 2.5km (1.5 miles) east of the village of Stanton, to the south of the A143. The site forms part of the undeveloped land between the two existing industrial estates of Shepherds Grove East and Shepherds Grove West, and extends to some 37 hectares. Shepherds Grove employment site as a whole extends to approximately 53 hectares.
7. Shepherds Grove is a former RAF airfield site that is currently used for a variety of purposes, including, industrial, warehousing, storage, and other commercial uses. These uses developed during the 1970s and 1980s and are located in two distinct areas – Shepherds Grove East, and Shepherds Grove West – which are separated by an area of brownfield land that is now cleared of buildings, structures and hardstandings.
8. To the north, the site is bounded by the A143 Bury Road, and to the east by Sumner Road, which heads south and connects the A143 with Walsham Le

Willows in Mid-Suffolk district. To the south, Shepherds Grove adjoins open countryside in arable use, interspersed by small areas of woodland. To the south-west, Shepherds Grove West adjoins the hamlet of Upthorpe and Shepherds Grove Park (a residential park homes site). To the west (north of Shepherds Grove West), the adjoining land is also in agricultural use. To the north of the site are several residential properties on the northern side of the A143

9. Beyond the site and the A143 to the north is the village of Hepworth, and 1.6 km to the east is the village of Wattisfield (Mid-Suffolk district). The village of Stanton is located 2km to the west, and the roads Grove Lane and Upthorpe Road from this village provide the main access to Shepherds Grove West for all vehicles, including commercial and HGVs. Shepherds Grove East is accessed via two separate entrances from Sumner Road.

Site History:

10. Shepherds Grove is a former World War II airfield (RAF Shepherds Grove) The base closed in 1963 and the "undeveloped" areas of the airfield were returned to agricultural use. Two industrial estates were developed on those "built" areas of the airfield, utilising some of the original airfield buildings, most of which are now known as Shepherds Grove West.

Planning history (most recent):

Reference	Proposal	Status	Decision date
DC/23/1154/OUT	Outline Planning Application (means of access to be considered) for demolition of existing buildings and structures to provide new employment floorspace (Classes E(g)(iii), B2 and B8) including vehicular access with all other matters reserved	Application on adjacent site – not yet determined. Referred to by some consultees in this report as "Equation"	
DC/19/1866/EIASS	Request for Combined Screening Opinion under Part 2, Regulation 6 and Scoping Opinion under Part 4 Regulation 15, of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - New access road and roundabout, 100,000 sq m of employment floorspace, commercial/roadside uses, up to 400 dwellings, associated infrastructure, associated Community		28 October 2019

Facilities and Strategic
Green Infrastructure and
Landscaping

SE/04/3917/P	<p>Planning Application - Renewal - Variation of Condition 1 (Standard Time Limit) of planning permission SE/03/2902/P to allow extension of time for submission of Reserved Matters relating to outline planning permission E/90/3540/P for Class B1 (Business), Class B2 (General Industry) and Class B8 (Storage or Distribution) development, together with service road and access</p>	Application Granted	10 January 2005
SE/03/2902/P	<p>Section 73 Application - Variation of Condition 2 (a) (Standard Time Limit) to allow extension of time for submission of reserved matters relating to outline planning permission E/90/3540/P for B1 (Business), B2 (General Industry) and B8 (Storage or Distribution) development, together with service road and access</p>	Application Granted	6 October 2003
SE/02/1747/P	<p>Planning Application - Development of the site to provide a Distribution Centre comprising 114,900 square metres of B8 floorspace, plus ancillary offices, parking for lorries, cars and cycles, servicing and access including a new roundabout on the A143, landscaping, 2.1 metre high perimeter fencing and the provision of two surface water attenuation lagoons as supported by addendum to the Environmental Statement received 23rd August 2002</p>	Application Granted	21 July 2006

Consultations:

National Highways (formerly Highways England)

11. No objection – we have reached the conclusion that the application will not result in a severe impact on the nearby A14.

SCC Highways

Original plans

12. In terms of traffic generation and impacts the Highway Authority (HA) considers that the development is acceptable. The HA acknowledges that the development proposal will generate traffic and at peak times may contribute to congestion, but the related increases are not considered severe. The application is therefore in accordance with NPPF par 111. The development's considerable highway improvements would have a positive impact in Stanton by substantially reducing HGV movement through the village. This would reduce highway safety risk for all residents in the village. This would be especially beneficial in reducing traffic movements outside the primary school during school drop off and pick up times.
13. The additional footway connection enhances connectivity between the bus stop and the development site. Although the width of the new footway is below standard for a short section, the width increases to 2m and then up to 3.5m which continues to and slightly beyond the new roundabout. The Highway Authority considers that the additional footway is a reasonable and beneficial addition to the off-site highway S278 works package.
14. The development has not included the provision of a safe pedestrian route to the nearby village of Stanton. Despite meetings with the developers, where the Highway Authority have been able to emphasise the importance of the Stanton link, it remains absent. We understand that there could be an arrangement where the liability for the provision could be shared with other development. This may be an acceptable resolution, but no further details have been provided for consideration so it cannot be considered at this time.
15. The NPPF (2023) is very clear in Section 9 that development should promote sustainable travel by pursuing walking and cycling opportunities (NPPF 104c). It is regrettable that to date the application has not included the provision of the missing link between the site and the existing Stanton footway. The footway gap is approximately 650m, not an excessive distance. As it stands anybody wishing to walk from Stanton will have to undertake the 650m non-footway section on the carriageway. The Highway Authority notes also that the NPPF 105 brings balance saying, "opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.". It is not felt that the missing section of path would be rural in nature. The path in question would provide a continuation of existing footway and although it would be a field edge, the setting is not typically rural because it would

provide a connection between the nearby urban areas, Stanton and the new development.

16. We note that the existing footway between Stanton and Shepherds Grove Park is not wide enough to cater for cycle use. There would be merit in the application to deliver an enhanced pedestrian and cycle provision along the entire length of the route between Stanton and the site. This could link to the provision that the spine road construction will deliver. It is this level of provision that would provide a safe route and really promote the prospects of increased numbers of movements to the site by sustainable travel modes. This would be a benefit to residents employed on the site and for visitors to the services that will occupy the site.
17. In terms of the costs of such provision, we acknowledge they would be substantial but the optimal time to secure these facilities is at this stage. Subsequent reserved matters applications are unlikely to have the scale to be able to deliver provision of this scale if it is not secured now.
18. The Highway Authority recognises that this is a very significant, major development, and is the scale of development that would attract comments from Active Travel England (ATE). Clearly, they would support the provision of the best possible facilities because such facilities would optimise the opportunity for increased sustainable travel. This is the level of strategic investment that is required to enable a shift towards much higher levels of sustainable travel than the government plans.
19. In terms of West Suffolk's own planning policies, we note CS7 Sustainable Transport stating that all development will be required to provide for travel by a range of means of transport other than by private car.
20. For the reasons above the Highway Authority continues to recommend that the planning application is not in accordance with NPPF 110 a) that appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; and b, that a safe and suitable access can be secured by all users.
21. The application has not evidenced that it is in accordance with the section of NPPF 112, that applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas.

Amended plans (additional off-site highway works proposed) (received 07.01.2024)

22. Following submission of further proposed off-site highway works to provide for a section of footpath to the south side of Grove Lane resulting in complete footpath connection to Stanton village along Grove Lane, SCC Highways have accepted that an acceptable level of footpath connection is achievable in accordance with the NPPF.

SCC Minerals & Waste

23. No objection.

SCC Archaeology

24. The application area has already been subjected to archaeological works and all works have been completed. No further archaeological work is required, we have no comments or objections.

Environment Agency

25. No objection.

SCC Fire & Rescue

26. Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire-fighting, in which case those standards should be quoted in correspondence.
27. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition.
28. Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions.

Anglian Water

29. The foul drainage from this development is in the catchment of Stanton Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
30. The proposed used water connection is acceptable, via a length of gravity sewer into the Anglian Water network. We do not require a condition in planning for foul water.

Natural England

31. No objection.

Place Services (Trees)

32. No objection - A management plan for the new planting along with a detailed plan has been submitted as part of the application. The suggested tree planting and aftercare is suitable for the site and mitigation for those trees and hedges to be removed. It is recommended that the TPO protection should be extended to include the new tree planting on site to prevent confusion in later years with the existing vegetation and to make sure the new trees are managed in conjunction with those already on site.

33. There are a few further details that will need to be covered prior to any construction commencing on site. These would be the site access as many of the trees border the site and ground protection may be needed during the first stages of development prior to hard surfacing, the need for ground protection in line with BS5837 (2012) and the designated weight specifications should be considered. Further details regard encountering roots during encroachment within the RPA should be included particularly in relation to BS5837 (2012) Section 2. These details and any facilitation pruning should be covered as part of an Arboricultural Method Statement (AMS) for the site.
34. Where permission is granted subject to conditions, the following should apply:
 - Submission Of Arboricultural Method Statement
 - Implementation of landscaping

Place Services (Landscape)

35. A Landscape and Visual Analysis (LVA) has been submitted. On review, the assessment has been carried following best practice guidelines by the Landscape Institute, Guidelines for Landscape and Visual Impact Assessment (GLVIA3). We agree with the judgements and conclusions included in the submitted (LVA). The site is recognised in planning policy under Policy RV4: 'Rural Employment Areas' of the Rural Vision 2031 (adopted in September 2014) therefore the principle of development on the site is not opposed.
36. We consider that the proposed mitigation under the submitted proposal has appropriately dealt with the adverse effect and has deliver biodiversity benefits and positive landscape features that will help to screen and filter views of the new building units. The acceptability of the proposals will be subject to the implementation of the landscape principles from the landscape masterplan ((970-MP-01 Rev B1) and the detail landscape scheme, and the use of appropriate colour to the new building units. We would request that glades and rides areas are shown within the detail planting plans (970-SW-01 - 970-SW-16).

Place Services (Ecology)

37. No objection subject to securing biodiversity mitigation and enhancement measures. We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species and habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
38. Recommends the following conditions:
 - Action required in accordance with ecological appraisal recommendations
 - Concurrent with reserved matters prior to commencement: construction environmental management plan for biodiversity
 - Concurrent with reserved matters: prior to commencement: farmland bird mitigation strategy to be agreed with reserved matters

- Concurrent with reserved matters prior to commencement: biodiversity net gain design stage report

SCC Flood and Water (Local Lead Flood Authority)

39. No objection, subject to the following conditions:

Full application

- Submission of a full surface water drainage strategy (pre-commencement)
- Submission details of the implementation, maintenance and management of the approved drainage (pre-commencement)
- Submission of a Construction Surface Water Management Plan (pre-commencement)

Outline application

- Surface water drainage scheme to be submitted concurrently with RM application
- Submission of SUDS drainage verification report.

Private Sector Housing and Environmental Health

40. No objection, subject to appropriate conditions relating to the submission of a Construction Method Statement, hours of construction, noise protection and mitigation, lighting, and odour control..

Conservation Officer

41. The Council's Conservation Officer has confirmed that there would be no impact on the setting of the identified listed buildings.

SCC Archaeology

42. The application area has already been subjected to archaeological works and all works have been completed. SCC Archaeology have confirmed that no further archaeological work is required, and they have no objections to the development.

Health & Safety Executive

43. The application area has already been subjected to archaeological works and all works have been completed. SCC Archaeology have confirmed that no further archaeological work is required, and they have no objections to the development.

Economic Development

44. Offered the following comments:

- The application is the realisation of a long-held employment allocation, bringing forward job opportunities in this part of West Suffolk. However, it would be useful to work the company to understand the skills, positions and job numbers that would be delivered by the motor vehicle business.

- The application provides much needed road infrastructure to enable the whole site to be accessed, as well as linking to the existing commercial areas of Shepherds Grove.
- This application will provide opportunities for other local companies to relocate and expand.

Representations (summarised – full comments can be found in the [online planning file](#)):

Stanton Parish Council - Support

45. Stanton Parish Council held a Public Meeting on Thursday 4 October 2023. Attendees were asked to indicate whether they opposed or supported the planning application. Out of 39 responses, 5 were in support and 34 opposed the application.
46. Concerns Traffic - There is a concern that both this development and the Equation application will have a massive impact on traffic not just in Stanton but stretching all along the A143 from Bury St Edmunds to Diss and neighbouring villages.
47. There has been no indication of the diversion route should the A143 be closed for any reason as there would be no suitable alternative route that does not go through rural villages. Copart's operation involves selling cars by online auction which then need to be delivered (car transporters) or collected (on suggested flatbed trucks) by the buyer who is given a timed slot to collect. There is no mention of any waiting areas that could be used by buyers who have arrived earlier than their timed slot. It has been noticed that at other Copart locations, those collection vehicles often park randomly and can cause problems for local residents.
48. Environmental and noise - The parish council shares its concerns with residents about the potential environmental impacts of this development. The increase in the number of vehicles using the A143 can only have a detrimental impact on air quality.
49. There are also grave concerns about pollutants leaking from stored vehicles into the ground. Although there is gravel on the ground to try and contain this, some of it will inevitably leak through. Copart have previously been fined for violating hazardous waste laws both in this country and internationally.
50. Opening hours - The potential for around the clock operations is likely to constitute a noise nuisance.
51. Employment opportunities (& losses) - West Suffolk has higher than average employment opportunities therefore any new employment created by the planning application is likely to require recruitment from outside the local community, thereby lessening the benefit locally and increasing the number of workers that would need to drive or use public transport.

52. Opportunities - Relief road The building of a relief road would be welcomed by most Stanton residents. This is something that has been discussed for several years and the possibility of it being built would be a massive benefit to the whole community. It would eliminate the need for HGVs to drive through the village along roads that are narrow at best and occasionally become single vehicle wide when cars are parked on the side of the road. This has become a major issue in the last few years.
53. We understand that there would be a restriction to prevent HGVs going through the village as they would have to use the proposed new relief road to get to the A143. The businesses operating from Shepherds Grove Industrial estate are fully in support of such a relief road.
54. The residents of Shepherds Grove Park and any residents in Upthorpe Road would also benefit by getting easier access to the A143.
55. Employment opportunities - Any local employment would benefit the community especially by those that may have to currently travel outside of the village for work and have to rely on public transport. Having weighed up the concerns and opportunities of this application at their meeting on 12 October 2023, the councillors of Stanton Parish Council have concluded that the benefit of the building of a relief road outweighs the concerns they have. There was a majority vote of 5 in support and 1 against the application. Stanton Parish Council therefore support the application.
56. However, this does not lessen the concerns that have been raised above and in particular the parish council would like to see a condition on the application that sufficient and suitable car parking is made available to any buyers who are collecting auction purchases.

Hepworth Parish Council – Objection

57. Hepworth Parish Council sent a holding objection to DC/22/2190/HYB in February 2023. This response focuses on the new information recently provided by the developer.
58. It is our view that nothing within the further documentation provided by the applicants adequately addresses the concerns raised within our response of February 2023. Specifically, Plots A-C: The applicant has not specified what type of businesses will be accommodated on what is currently agricultural land, and therefore its impact upon traffic flows; noise and light issues and the residential amenity of those living closest to them cannot be properly assessed.
59. Traffic volumes and routes: Nothing within the additional information supplied by the applicants and their client Copart, addresses our concerns about how customers of Copart will use the local road network to access the proposed development or how any conditions regarding routing will be monitored and enforced. Further, we believe that the continued reliance upon TRICS data to calculate traffic volumes is deeply flawed and should not be relied upon by the Planning Officers or Planning Committee. A basic examination of the Copart website gives an illustration of the numbers of vehicles being sold at each Copart site on a daily/weekly basis. We would urge the Planning Officers to enquire with Copart how many vehicles they

expect to be recovered to the proposed site on a weekly basis and how many will be sold each week.

60. It is our belief that the proposed site at Shepherds Grove would be the largest Copart site in the UK. It is inconceivable that Copart have not scoped the numbers of vehicles, which according to their own information, would be recovered from all IP & NR post codes and some northerly CB post codes.
61. Risk of flooding in Hepworth: Again, nothing within the additional information addresses our concerns about the increased risk of flooding in The Street Hepworth, arising from the proposed development.
62. Environmental Concerns: In February 2023, 3 Hepworth Parish Councillors made an unannounced visit to the Copart site in Wisbech. Whilst the Councillors were in attendance, they observed heavy plant scraping the surface of the site and several tipper lorries laden with soil leaving the site. Planning officers will be aware of a large fire at a Copart site in Rochford in August 2023. Hepworth Parish Council is therefore concerned about the significant risk of pollutants finding their way into local water courses and negatively impacting air quality. Nothing within the additional documentation assuages those concerns.
63. Economic Benefits for Hepworth & surrounding areas: Unemployment rates in West Suffolk are considerably lower than other parts of the East of England. Nothing within the additional information provided by the applicants, demonstrates how the proposed development would deliver economic benefits to local communities.
64. 2019 MASTERPLAN: The Planning Statement, unamended since issued in December 2022, at para 4.8 makes reference to the 2019 Shepherds Grove Masterplan. However, the West Suffolk Council decision notice adopting this Masterplan clearly shows that the Masterplan was adopted on 16 October 2019 as informal planning guidance for a period of 3 years.
65. The Parish Council sought clarification of this document from the lead planning officer and the response received on 21 August 2023 is confusing:

"....the adopted masterplan has indeed now expired. However, as there is no masterplan that has superseded it, it is still a material consideration for proposed development on the site, albeit given less weight."
66. The inference seems to be that in the absence of any replacement there is some sort of vacuum, and the 2019 Masterplan should continue to be given some weight. However, this ignores the obvious fact that the document is time limited and has now expired; hence it is of no further effect.
67. This is a matter of some importance as the 2019 Masterplan appears to underpin elements of the Jaynic proposal, especially the inclusion of Plots A-D.
68. The document was never adopted as formal SPD. The Council's preparation of the document makes it clear that it was to be treated as informal planning guidance and it could not be otherwise. It is a lapsed, time-limited document prepared by a commercial entity in support of its business aims.

69. Consequently, the 2019 Masterplan should be given no weight and it should not be allowed to colour the view of the Council's officers or other consultees. The document in no way binds the Council to granting planning permission for Plots A-D . Instead, the Jaynic proposal should be considered on its individual planning merit.
70. HEPWORTH PARISH COUNCIL POSITION - Hepworth Parish Council OBJECTS to this application on the basis that the proposed development is inappropriate for the location and the potential value to the local community is far outweighed by the indicative impacts.

Hepworth Parish Council (further comments)

71. On Monday 16 October 2023, Hepworth Parish Council were copied into the formal notification by Jaynic to West Suffolk Council that Copart had served notice on them to terminate their contract and will not now be pursuing their proposed development at Shepherds Grove. The Parish Council noted that this correspondence also confirmed Jaynic's commitment to the site and that, in their view, Copart's withdrawal is not technically material to the planning application and should continue to be progressed for a decision.
72. Hepworth Parish Council completely reject the view that Copart's withdrawal is not a material consideration and would like to point out that Jaynic's own Planning Statement (para 5.6) states that:
- “... the latest proposals for The Site now include a specific B8 user in the form of Copart, who would develop around one third of The Site. Copart represents a rare 'once in a generation' and previously unforeseen opportunity to develop a substantial part of The Site...”
73. The withdrawal of this key user, upon which much of the associated traffic, noise and environmental studies supporting the application have been based upon, is therefore very much a significant material consideration. Accordingly, the Parish Council considers that West Suffolk Council should request Jaynic to delete the Copart red line site from the current application and determine the remaining elements, namely the road infrastructure improvements and plots A-D. This is particularly important given Copart's unique business model which clearly places it outside Use Class B8. In terms of fact and degree, Copart's activity is a sui generis use. It does not fall within Class B8.

Great Ashfield Parish Council – Object

74. We strongly OBJECT to the commercial development proposals at Shepherds Grove, Stanton. The area surrounding the development is rural in nature & the local infrastructure is ill equipped to accommodate the volume of traffic it will create; planning & highways authorities need to consider the needs of the whole community before allowing inappropriate development to further destroy local communities.
75. As a small village neighbouring Badwell Ash we are likely to be affected by the substantial increase in traffic generated by the development proposals. As with all other village communities in the area we already suffer from significant traffic problems associated with HGV's using unsuitable local roads

& through traffic paying little or no attention to current speed limits, SID devices etc.

76. Additional vehicle numbers are quoted to be 4,500 to 5,000 vehicles, with 24-hour access to site. The main concern is that the A143 will not be able to take the increased traffic, forcing extra vehicles onto local roads. Potential future developments on the sites adjacent to the proposed roundabout on the A143 will compound the situation.
77. Prior to any permission being granted Developers and business operators should be tied to enforceable travel routes for all vehicles entering and exiting the site & all HGV's should, without exception, be restricted to the A143, and no such traffic should be permitted to use local roads. Weight limits and signage on the A143 e.g. "DO NOT FOLLOW SATNAV for destination XXX" should be installed.
78. Ultimately, whilst Shepherds Grove is designated for commercial development, any such development should be appropriate to its location & surrounding infrastructure, commercial operations generating such high volumes of HGV traffic should be in areas where easy access to main routes should be prioritised, ie. as close to the A14 corridor as possible & not out in the countryside.

Mellis Parish Council – Object

79. There are significant associated highways issues due to the increase in HGV traffic this development will create, both during construction and afterwards. The surrounding roads are not designed for this type or volume of traffic, and it will have a detrimental impact on nearby parishes as well as the immediate area.

Wattisfield Parish Council – Object

80. It is acknowledged that the site is earmarked for industrial use but it is suggested that there will be a significant increase in vehicles of varying types using the A143 and local lanes to access the major road network. It is recognised that the A143 is already under pressure in various locations causing the local lanes to be used as rat runs. The A143 needs upgrading in a number of locations to be able to cope with this increase in vehicles in addition to the additional vehicles that will be using the A143 as a result of other developments along the corridor.
81. The increased number of vehicles will worsen the air quality in a number of locations where queues will form. Also, the air quality, and the rural environment, will worsen in the surrounding villages as the lanes are used for rat runs.
82. It is also considered that the development on plots A to D is inappropriate in a rural location. This is a rural stretch of the A143 and whilst there are no details of the type and size of the buildings in the outline application, it is thought that any buildings would spoil the rural feel and street view.

Westhorpe Parish Council - Comments

83. We rely on the planning authority to support the local community in managing traffic routes/volumes and minimising light pollution. We request the upgraded road network is in place before work starts on the site. We are apprehensive about the proposed takeaway as we believe it may result in an increase in litter.

Coney Weston Parish Council - Comments

84. Additional Traffic, from the viewpoint of Coney Weston the biggest issue is the increase in traffic movements especially on A143, and the likely increase in some traffic using the lanes around the village to cut through to Hepworth. This is a major concern for Hepworth residents. Perhaps a suggestion should be that there is an agreed transport route for the deliveries/Copart lorries, NOT using country lanes.

85. Environmental issues, fluids may be removed from cars on site but only as necessary, there are no plans to dismantle the vehicles, merely park them auction them and deliver them to the purchaser.

86. Construction Traffic concerns, this is a large site and there have been concerns expressed about the level of construction traffic, as basically the vehicle parks will be covered in a deep layer of gravel/stone. Again the only sensible solution should be an agreed route.

87. Noise from site, there should be no additional noise, once delivered the vehicles are parked until they are sold, and then dispatched to the new owners.

88. BENEFITS - Brown field site being usefully employed. Around 90 additional jobs locally. Improved road infrastructure, meaning traffic can access the site direct from A143 without driving through the village of Stanton. The development is split into 4 sites, again concern had been expressed about a restaurant and petrol station to be close to the new roundabout, residents state that others have gone out of business.

Bardwell Parish Council - Object

89. Bardwell Parish Councillors would support the development of this site for light industrial or commercial use. However, having now been supplied with more details about the proposal, they consider the location of a Copart vehicle processing centre to be unsuitable on this site.

90. Volume of traffic: The A143 cannot be considered a good transport link, especially towards Bury St Edmunds; concerns have already been outlined regarding the current level of use, and planned housing. The very high level and type of transport used by Copart will have a significant impact on the current problems. Stanton is served only by the one major road, the A143, but is connected to the surrounding villages by a network of small single track roads. These roads are already used by drivers to shorten their route by driving through Bardwell, Hepworth and Walsham-Le-Willows. Whenever there are delays or road closures on the A143, Bardwell becomes gridlocked at times as drivers attempt to avoid the delay. With no details of what action is proposed to resolve either the current or future issues, councillors find this application unacceptable.

91. Storage and site contamination: The plans show storage areas which can hold in excess of 5000 vehicles, which can be in various states of accident damage. This will inevitably lead to oil and fuel leakage into the ground. There appear to be no plans to provide fuel interceptors, or bunded areas to prevent land and underground water contamination.
92. Light pollution: The storage areas have in excess of 100 floodlights, over half with an output equivalent to 490W. Even with the proposed shielding, the opinion of councillors is that this will create an unacceptable level of light pollution.
93. Noise levels: Car processing and dismantling is a noisy process, and councillors believe that in this location the noise will adversely impact wildlife, the SSSI, those who live in close proximity, and footpath users.
94. Fast food outlet: Councillors were not in support of having a fast-food outlet on the site. Such types of food are now being actively discouraged. They increase car use and traffic levels, and generate litter from discarded packaging and cups, and therefore should not be located in rural areas.

Walsham le Willows Parish Council – Object

95. Walsham le Willows Parish Council has considered the application at the Parish Council meetings in January and February 2023. The Council resolved to object to the application. The Parish Council also considered that if the application were to be approved, what appropriate conditions should be imposed on that permission. Walsham le Willows is an adjoining parish within Mid Suffolk District. The application site is approximately 800m from the parish boundary of Walsham le Willows.
96. Principle of Development: The Parish Council have concluded that it will be difficult to sustain an objection to the principle of this form of development of this site as it has already been established through the Adopted Rural Vision 2031 and the Masterplan. Although adjacent to the site Walsham le Willows is not in the West Suffolk area so the Parish Council was not consulted on these documents. The submitted application is broadly in accordance with both of those policy documents and the potential benefits in terms of jobs, highway improvements and other facilities are likely to outweigh the Parish Council's objections in relation to the principle of development. The Parish Council has instead focussed its attention on matters of detail and matters which (if the application is granted) should be covered by condition.
97. Details of objection/comments:
 - a) The increase in traffic: The movement off site of soil and debris and the movement onto site of aggregates. The application does not give an estimate as to the total number of movements, but we estimate that it is likely to be several thousands. The considerable increase in traffic movements that will result both during and after construction, on roads not designed for such volumes. The strong likelihood that the resulting increased traffic will use inappropriate roads and access routes rather than the A143 both during and after construction. The application makes a virtue of proximity to the M1 which is approximately 100 miles away. None of the other Copart sites are this far from such a major

transport route. The A143 is not a major road anything like those that support other Copart sites.

This is an important point. Securing the highways infrastructure is critical and this needs to be achieved ahead of the rest of the development taking place or the traffic impacts on the surrounding rural area will be severe. The car processing use which is of a significant scale should not be implemented until the highways works are complete and it is imperative that the situation is avoided whereby the other uses are operating without the highways works having taken place. The two elements need to be tied together either through a legal agreement or a condition. The legal agreement being the preferable mechanism. In addition, the production of an agreed Construction Management Plan which controls the practical construction and development of the site should be produced and enforced. Such a document will control the sequence of events and how the site is to be constructed including details of traffic routing, development triggers, phasing etc. This is essential to avoid the implications set out above. It is noted that there is currently a Highways Direction on the application from National Highways which means that application cannot be determined until May to give them the opportunity to assess the implications on the Strategic Road Network. The remit of National Highways would not extend to the rural roads around the site which fall under Suffolk County Council who have not yet responded in their Highways role. Suffolk County Council have responded in their role as Lead Local Flood Authority and have raised a 'holding objection' whilst the applicants are given time to address their concerns including undertaking further work in respect of flood risk and surface water drainage.

- b) The creation of nuisance: Through the noise, dust and light emitted from the site. Given the scale and proposed nature of some of the uses it is essential that these issues are properly assessed in order to protect the amenity of local residents. The wider landscape is relatively flat and therefore sound is likely to carry for some distance and also the site will have a visual impact - even more so at night where a lighting scheme is proposed. Any permission should have rigorous conditions to govern impacts but also to be successful they will need to be enforced. The site is the largest rural employment site in the District so should be a priority for the Council.
- c) Methodology for measurement of net gain in Biodiversity & target. A net gain for biodiversity is not possible due to the scale and location. Whilst biodiversity net gain (BNG) is not yet mandatory (November 2023 expected), the application is expected to set out how it will achieve this. In this case BNG may need to be achieved off site in some form and the Local Planning Authority should condition this appropriately.
- d) The further loss of Dark Skies. It is likely that planning policies regarding light and dark skies cannot be adhered to. Given the scale of the development, which is accompanied by a lighting plan (amended), and the general landscape character of the area, the lighting of this development has the potential for significant impact across a wide area and should therefore be conditioned accordingly.

98. Matters for conditions. If, despite objections, the application was to be approved the Parish Council requests that conditions are applied and robustly enforced to protect the quality of life of local residents, specifically:

- Development work on the site should not start until the roundabout is in place and fully operational to avoid the inappropriate use of local village roads during construction. In particular, the locally known concrete road which joins Summer Road and is cited in the application to be used for access during construction.
- The issue of construction could be addressed via a Construction Management Plan which will clearly control the construction of the site. This could be secured via a pre-commencement condition requiring the production of the Construction Management Plan.
- The issue of securing the highways works before the other uses are implemented should be dealt with either through a condition or preferably a legal agreement to ensure that the remainder of the site is only developed once the highways works are complete.
- The new roundabout must be in place prior to the commencement of the development otherwise the significantly increased lorry movements through the accident black spot at the junction of the Summer Road / A143 would be unsafe.
- A clear and unambiguous transport plan should be drawn up and strictly enforced based on the category appropriate to the volumes involved. This could be secured via S106/legal agreement. However, it will require enforcement.
- Clear and unambiguous conditions should be applied to minimise impacts of light and noise pollution during construction and operation. This could be addressed in part by a Construction Management Plan imposed as a pre-commencement condition.
- Clear and unambiguous conditions should be applied to control the generation of dust during the period of the construction. This could be addressed in part by a Construction Management Plan imposed as a pre-commencement condition.

99. Enforcement and Monitoring: However, as a general point, conditions are only effective if they are enforced. Given the Adopted Local Plan indicated that this site is the largest employment site in the rural area, it should therefore be given a priority by the Local Planning Authority for condition monitoring and enforcement.

100. Furthermore, the Local Planning Authority could adopt a proactive approach by establishing a Liaison Group consisting of representatives from the applicants, the LPA, SCC and relevant parish councils who could jointly assist with the monitoring of the development, through construction to implementation but thereafter to monitor compliance with conditions.

101. The Liaison Group could be the first port of call for discussion and resolution of any ongoing matters arising from the development and operation of the

site. There are precedents for this approach where the scale of a development has likely wide-reaching impacts and is used by a number of LPAs (Broads Authority for extension to Cantley Sugar Factory, Breckland Council for construction and implementation of the FibroThet power station).

102. Such groups are usually established once permission has been granted and have clear terms of reference, although the role may evolve over time and can be temporary or permanent depending on need.

Barningham Parish Council – Object

103. It is felt that this type of industry, at this scale, is not appropriate for a rural location. The Parish Council feel that the single carriageway road network is not suitable for such an enterprise and that it would be better to locate it along the A14 corridor, a dual carriageway equipped to deal with the size and volume of vehicles that this enterprise will bring. In addition, it was felt that traffic will undoubtedly use the road network through local villages as an easy route to the A11. There are also concerns about the environmental impact such a development will bring. Light, noise and air pollution are likely to increase significantly. The significant increase in traffic, coupled with the detrimental environmental factors mentioned above, are very likely to have a substantially negative impact on the quality of life of those who live near, and along the route, of the proposed development.

Ixworth & Ixworth Thorpe Parish Council – Object

104. In July 2022, the Chairman of Ixworth and Ixworth Thorpe Parish Council attended the public consultation exhibition hosted by the applicant in Stanton Village Hall and expressed concern at the volume of traffic (both HGV and employment) that would be generated from this site and the unique impact this will have on the A143 at Ixworth between the A1088 roundabouts. This stretch of road is a 60-mph national speed limit with northbound being a dual-carriageway and southbound being a single-carriageway. In the middle of this stretch of road is two dead-ends of Crown Lane created upon the construction of the bypass in 1986 which is part of a public footpath network where pedestrians are required to ascend/descend steep staircases and cross the three lanes of traffic. As per the details in the St. Edmundsbury Borough Council Rural Vision 2031 that was adopted, it is recognised that this safety hazard requires the provision of a safe crossing over the A143 by way of a footbridge which was initially anticipated to be delivered in-line with major housing development in Ixworth.
105. Suffolk County Council Highways Department were anticipated to undertake traffic modelling data to assess the impact of this application on the vicinity of this development including the A143 at Ixworth. Most unhelpfully, they have confirmed they will now not do this.
106. Material Planning Reasons for Objection - This application accelerates the requirement for a safe crossing by way of a footbridge over the A143. Given that this application will exacerbate the already long-overdue need for such a safe crossing, it is disappointing that despite providing these strong representations to the applicant that no provisions have been included within this planning application.

107. From the applicant's transport assessment, it anticipates 924 vehicle arrival movements and 931 vehicle departure movements in a 12-hour period. 78.8% of these will come from the west (ie. from Ixworth heading towards the site and proposed development). At that rate, 728 vehicle arrival movements and 733 vehicle departure movements can be expected to utilise the A143 Ixworth Bypass. These figures do not take into account the additional uses the applicant seeks for this site by way of a potential public house and/or fast-food facilities that will likely generate a significant increase in traffic.
108. The A143 Ixworth Bypass is already incredibly congested during weekday peak period times (from 07:30am to 09:00am and from 16:30 to 18:30 in the evenings). This significant increase in vehicle movements will exacerbate that congestion as well as the safety hazard for pedestrians crossing the road to benefit the access to countryside and green open spaces. The transport assessment does not appear to give any information as to how the generation of construction traffic during the period of development.
109. Within the application, the applicant suggests that they would look to create footpath/cycling access to the site "safely". If someone from Ixworth was employed at that site and wanted to travel by cycle, they cannot do that safely given the way the A143 is at the moment as well as considering the current extent of traffic congestion. Most people would likely prefer to use quieter roads and lanes but for anyone living in Ixworth, this means crossing 60mph roads or negotiating roundabouts. A footbridge across the bypass would give people the ability to cross safely and use the quieter roads between Ixworth and Stanton to commute to/from work.
110. Ixworth and Ixworth Thorpe Parish Council would be very willing to engage in meaningful dialogue with the applicant and any other key stakeholders such as West Suffolk Council S106 Officers and the Planning Case Officer as well as Suffolk County Council Highways Department to further discuss the reasoning behind this objection and the indisputable requirement that this application provides the footbridge over the A143 that is not only already long overdue but will most likely see a catastrophic event take place in the event that this application is granted consent whilst overlooking the wider impacts to immediate neighbouring villages. Unfortunately, Suffolk County Council Highways Department have, by their own admission, only advised that the "immediate vicinity" of the proposed development needs to be considered which seems to exclude impacts on any neighbouring villages.

Fornham St Martin cum St Genevieve Parish Council – Object

111. Submit objections to this application, on the grounds of increased traffic becoming likely on the A143, as many of our residents often use the A143 for commuting, we feel this would cause inconvenience. We therefore support the objections and concerns raised by Walsham Le Willows Parish Council in regards to the Increase on Traffic movements;
- The considerable increase in traffic movements that will result both during and after construction, on roads not designed for such volumes.
 - The strong likelihood that the resulting increased traffic will use inappropriate roads and access routes. The A143 is not a major road anything like those that support other Copart sites.

- Securing the highways infrastructure is critical and this needs to be achieved ahead of the rest of the development taking place or the traffic impacts on the surrounding rural area will be severe.

Green Ixworth

112. Green Ixworth represents those concerned with the built and natural environment in the eastern part of West Suffolk and are OBJECTING to the Copart Development at Shepherds Grove, Stanton.
113. We are mindful of the needs to reduce traffic for reasons of Climate Change and replace fossil fuelled vehicles and that entails providing more local employment for local people and scrapping older vehicles. We therefore understand the need to support developments where this principle applies, providing our concerns are met. However, the details provided in the application lead us to be unable to support it and therefore object to the development as it stands.
114. In summary - the site has already been zoned for development. However, concerns remain:
- The site is unsuitable for car breaking on a very large scale in a very rural and generally quiet area.
 - There is evidence of not being a good neighbour and ignoring statutory regulators.
 - A large increase in heavy traffic on an already heavily congested A143.
 - Potential damage to the aquifer and local water bodies.
115. Unless these matters are fully addressed the benefits of the development; local jobs, access to the A143 from Shepherds Grove West and reducing heavy traffic in Stanton, all of which we welcome, would be lost.

Local residents and businesses

116. Four letters of support have been received from businesses at Shepherd's Grove as well as the previous landowner of the application site. A summary of their comments is as follows:
117. MGF (Trench Construction Systems) - As a business we see the proposals, including the new road to the A143 as a key part in our future plans to invest and grow our Depot at Stanton. Even though we don't generate a great deal of traffic, we do receive several deliveries from HGV's and other large vehicles which are currently having to access our Depot through the village.
118. Property Recycling Group Plc - We support this application and are very pleased that after all these years this vacant brownfield site (which has been earmarked for employment development since the 1980's) can finally come forward for commercial development. The development will be a gamechanger for the residents of Stanton, removing the need for HGV's to navigate the village streets past the primary school; but it will also resolve the access issues experienced by local businesses, some of whom may have

help back investment or aspirations for future growth as a result of the highway constraints.

119. The cost of the highway improvements is vast and has always been the major hurdle in delivering an employment development on this land. It requires the support and investment of a larger business occupier, which history tells us is a once in a generation occurrence (IKEA around 20 years ago).
120. Crowland Cranes & Dorling Transport - The only way to access the main road (A143) is via the Upthorpe Road. This route takes us pass the school which at the start and finish of the school day the road is lined each side with cars leaving a narrow channel for us to pass through which in turn can be very dangerous. Once we get passed the school, we have then contended with an ever-growing amount of parked cars along the Hepworth Road which will increase when the new Coop store opens. I have been waiting anxiously for the development to the north (Hepworth) by Messrs Jaynic. The situation at Shepherds Grove desperately requires this road to relieve the dangerous situation as described. I would be grateful if you could advise me of the commencement date of the project which is so urgently needed.
121. One hundred and five (105) letters of objection received to the original plans and application information from local residents. The issues and concerns raised can be summarised as follows:
 - Development of Shepherds Grove will add to flooding issues in Hepworth
 - A143 will not be able to cope with additional traffic
 - Masterplan for the site has expired – a new one should be produced
 - Light pollution
 - Litter pollution
 - Noise pollution
 - Increased traffic on smaller village roads
 - Health impact on local residents
 - Over-development of the site
 - Environmental impact from pollution of the site
 - Rural area will not be able to support the increased traffic flows from the site
 - No need for another public house in the area
 - Detrimental impact on air quality
 - Road in Hepworth not suitable for additional traffic
 - Additional carbon produced by the development will add to the climate emergency
 - Level of job creation on a site of this size is below average
 - No social benefit from the development
 - Hepworth will become a cut through for motorists
 - Insensitive development in a rural area
 - Precedent for future development along the A143
 - Impact on wildlife/biodiversity
 - Danger from fire – risk to Avanti Gas site
 - Industrialisation of the countryside
122. Joseph King (Norfolk) Co-ordination (owners of land at Shepherd's Grove leased to Avanti Gas) raised concerns specific to their tenant's operation.

They requested further details on what will be stored within the building and adjacent tank farm and what form of 'processing' will be taking place as well as details on any anticipated noise generated by the intended operations.

123. They also requested that there is uninterrupted access to the Avanti Gas site so that operations are not detrimentally affected by the development proposals during the construction phase and following completion of the development. A request was also made for the proposed access alterations to be undertaken and completed in the first phase of the development, and that access to the Avanti Gas site is maintained at all times.

Policy:

124. 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.

125. 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:

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 CS7 - Sustainable Transport

Core Strategy Policy CS8 – Strategic Transport Improvements

Core Strategy Policy CS9 - Employment and the Local Economy

Core Strategy Policy CS14 - Community infrastructure capacity and tariffs

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 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 DM20 Archaeology

Policy DM45 Transport Assessments and Travel Plans

Policy DM46 Parking Standards

Rural Vision 2031

Vision Policy RV4 - Rural Employment Areas

Other planning policy:

National Planning Policy Framework (NPPF)

126. The NPPF was revised in December 2023 and is a material consideration in decision making from the day of its publication. Paragraph 225 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 2023 NPPF that full weight can be attached to them in the decision-making process. The following paragraphs of the NPPF are considered directly relevant to this application.
127. Paragraph 8 of the NPPF sets out three overarching objectives that the planning system must meet in achieving sustainable development:
- An economic objective - including identifying and coordinating the provision of infrastructure;
 - A social objective – including supporting strong, vibrant and healthy communities; and
 - An environmental objective – including the need to protect and enhance our natural, built and historic environment, using natural resources prudently and mitigating and adapting to climate change.
128. Paragraph 11 of the NPPF sets out the Government’s presumption in favour of sustainable development, making it clear that development that accords with an up-to-date development plan should be approved without delay. This presumption in favour of sustainable development is at the heart of the NPPF and is based upon a number of core principles and themes, including:
- Building a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth;
 - Promoting healthy and safe communities;

- Promoting sustainable transport;
- Making effective use of land;
- Achieving well-designed places;
- Meeting the challenge of climate change, flooding and coastal change;
- Conserving and enhancing the natural environment;
- Conserving and enhancing the historic environment; and
- Facilitating the sustainable use of minerals.

Emerging Local Plan

129. West Suffolk Council is currently undertaking a review of the current St Edmundsbury and Forest Heath Local Plans and will produce a new Local Plan for the combined authority area. The Council's Local Development Scheme (LDS) sets out the expected timescales for the preparation of the new Local Plan and, following a consultation of its preferred options for development sites (known as regulation 18), the Council has prepared its preferred sites and policies and is currently out to consultation (regulation 19) before final preparation and submission to the secretary of state. This is currently scheduled for Spring 2024.
130. As the emerging Local Plan is still at a very early stage in its adoption process, and policies are only in draft form, the weight to be attributed to it in the planning balance is minimal.
131. However, it is noted that Policy AP42 of the emerging Site Allocations Local Plan re-allocates the site for employment uses.

Officer comment:

Legal Context and Primary Legislation

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (known as the 'EIA Regulations')

132. These regulations provide the regulatory framework for determining when an Environmental Impact Assessment is required for proposed developments. The proposed development is a Schedule 2 development within the EIA Regulations and falls within Criteria 10(a) 'Industrial Development Projects', Criteria 10(b) 'Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas' and Criteria 10(f) 'Construction of roads'. The threshold criterion for projects in Criteria 10(a), 10(b) and 10(f) is that the proposed developments falls within are 'exceeds 0.5 hectare', 'the development includes more than 1 hectare of urban development which is not dwellinghouse development' and 'the area of works exceeds more than 1 hectare'. The application site measures approximately 37 hectares (ha) and therefore meets the threshold criteria under Schedule 2, Criteria 10. This means that the development has the potential for significant environmental impact.
133. The applicant submitted a request for a Screening Opinion to the Council in November 2021 to determine whether the development would be classified as 'EIA development'. The Council issued its Screening Opinion in January 2022 which determined that the development was EIA development likely to

have significant environmental impact and therefore an Environmental Statement (ES) would need to be submitted with any planning application.

134. In June 2022 the applicant then submitted a Scoping request to agree the basis of the ES and environmental disciplines to be scoped in. The technical disciplines listed below have been scoped into the ES, all other disciplines were scoped out.

- Air Quality
- Cumulative Effects

The Conservation of Habitats and Species Regulations 2010

135. The LPA, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by The Conservation of Habitats and Species Regulations 2017 (as amended). Regulation 61 requires a Competent Authority, before deciding to give any consent to a project which is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of that site, to make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives.

Natural Environment and Rural Communities Act 2006 (as amended by the Environment Act 2021)

136. This Act places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. The potential impacts of the application proposals upon biodiversity interests are discussed later in this report.

Planning and Compulsory Purchase Act 2004 (as amended)

137. 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 for this part of West Suffolk Council is comprised of the adopted Core Strategy, as amended by the Single Issue Review of policy CS7, the Joint Development Management Policies Document and the Site Allocations Local Plan. National planning policies set out in the NPPF are a key material consideration.

138. Having regard to the development plan, the NPPF, the ES, and other material considerations, the issues to be considered in the determination of the application are:

- Principle of Development
- Economic and employment impact
- Landscape & visual impact (including design and layout)
- Highway impact
- Ecology and biodiversity
- Drainage and flood risk
- Air quality
- Noise
- Sustainability

- Other matters
- Conclusion and Planning Balance

Principle of development

139. Shepherds Grove, Stanton is included within the 'Rural Vision 2031' Local Plan, which was adopted in September 2014. It is also highlighted in Core Strategy Policy CS9 as an employment area that will continue to meet local and sub-regional employment needs. Rural Vision Policy RV4 designates Shepherds Grove, Stanton as one of eleven 'Rural Employment Areas' for new business uses within Use Classes B1 (now Class E), B2 and B8 (offices, 'research and development' and light industrial; general industrial; and storage and distribution). The policy also states that within the Shepherds Grove Rural Employment Area there is 53 hectares of developable site area, but that new infrastructure is required to facilitate development – specifically, a new access road to serve the Shepherds Grove Industrial Estates (Shepherds Grove East and Shepherds Grove West) as well as the undeveloped land between them. This policy, along with Joint Development Management Policy DM3, also requires a Masterplan to be produced for Shepherds Grove employment area.
140. A [masterplan](#) for the site was produced by Jaynic and following consultation was adopted as planning guidance by the Council in October 2019. The purpose of the masterplan was to:
- Set out a 'vision' for the development of Shepherd's Grove, in accordance with Local Plan policy
 - Provide a framework masterplan to identify developable areas, potential land uses, access arrangements, phasing of development, overall design, layout and landscaping
 - Explain and justify the inclusion of residential development to make the provision of the necessary infrastructure economically viable; and,
 - Describe how the detailed assessment of the masterplan area has influenced the 'vision' and the framework masterplan.
141. The masterplan was adopted for a period of 3 years from October 2019, so its status as adopted planning guidance has expired. The document still provides a useful framework plan for Shepherds Grove and the submitted planning application is still broadly in accordance with it. The weight to be attached to the masterplan document itself in the planning process is however reduced. Policy RV4 also explains that planning permission would only be determined once the masterplan has been adopted by the local planning authority.
142. Allocation Policy RV4 also allowed for a significant proportion of residential and/or other higher value development, subject to certain criteria relating to the economic viability of any development and the exclusion of town centre uses. However, the applicant has reconsidered the viability of scheme and revised the development proposals. The proposed uses now being put forward in this hybrid planning application no longer include the previously proposed 400 dwellings and associated uses.

143. An important element of the masterplan was to provide a new access road through to Shepherds Grove West directly from the A143. This would then have the local benefit of helping to remove HGV and other commercial traffic from the narrow roads that run through Stanton village. The application proposes this new access road and roundabout from the A143 in full. This will then unlock future development of the remainder of the Shepherds Grove allocation.
144. Although carrying minimal weight at this stage, the Emerging Site Allocations Local Plan re-allocates the application site as Policy AP42, a 31-hectare area of land zoned for employment uses. The required infrastructure is as set out for the current RV4 allocation. This emerging policy adds further weight, albeit minimal at this stage, in support of the principle of development.

The Proposal

145. The hybrid planning application includes four main elements. Two elements are proposed in full, the accident damaged vehicle processing (including the provision of ancillary buildings and structures), and the proposed means of access to the application site and structural landscaping. The remaining elements are in outline only, these being the use of Plots A, B and C for commercial/roadside uses, and the use of Plot D for general employment uses).
146. The vehicle processing element of the proposal would include the following buildings: administration office (648 sq.m); motorcycle store and fitters area (1,098 sq.m); preparation and photo bays (600 sq.m); and processing building (315 sq.m). While the majority of this portion of the site would be used for the open storage of vehicles, as described above, the following areas would be located around the entrance to the site and the main office building: car parking for staff (90 spaces); lorry parking (28 bays); loading area (9,500 sq.m); pre-sale (13,400 sq.m); and a receiving area.
147. A new four arm roundabout on the A143 would provide access to the application site. The northern end of Sumner Road would be diverted to meet the new roundabout and the existing junction of Sumner Road with the A143 closed up. The new roundabout would also serve the proposed commercial development Plots A, B and C, and provide a new internal road to the western boundary of the site linking through to the eastern end of Grove Lane at 'Shepherds Grove West'. This new link road would also serve the vehicle processing and the proposed employment site – Plot D located on the west side of the new access road.
148. Importantly, the new access roundabout onto the A143 would be constructed as a first phase of development. This would then serve the remainder of the site and via the re-aligned Sumner Road, 'Shepherd's Grove East'.
149. The applicant has indicated that Plots A, B and C are likely to comprise commercial/roadside development within Use Classes B2 (general industrial), B8 (storage and distribution), C1 (hotels/B&B) and E (retail, financial and professional, restaurant/café) and/or a hot food takeaway and pub/restaurant on a total of 2.7 hectares of land. It is intended that detailed applications would follow once interest from specific operators has been established. Plot D would comprise development for general employment uses within Use Classes B2, B8 and E(g) (office, research and development

or light industrial) on 1.3 hectares of land. Again, detailed applications would follow once interest from specific operators has been established.

150. The application proposes land uses and infrastructure that accords with both the policy allocation under RV4 and the now expired adopted masterplan for the site. Furthermore, the proposal accords with paragraph 85 of the NPPF which states that 'planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.' It also notes that 'significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.' NPPF paragraph 88 further states that 'both planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas.'
151. The proposed development accords with Vision policy RV4 and paragraphs 85 and 88 of the NPPF and is considered acceptable in principle.
152. The economic and environmental impact of the development must now be considered against other relevant development plan policies, the NPPF and any other material considerations.

Economic and employment impact

153. Based on the information submitted by the applicant, and following consultation with the Council's own Economic Development Team, the economic benefits of the development can be summarised as follows:
- The proposed development will deliver a substantial part of a rural employment allocation, contributing towards the economy of the district.
 - The development provides the key infrastructure necessary to unlock the delivery of the remainder of the strategic employment allocation.
 - Significant job creation (potentially 90 jobs for the vehicle processing use), including future job opportunities associated with the proposed use classes B2 (general industrial), C1 (hotel) and E (retail, offices café/restaurant).
154. The economic benefits highlighted above accord with aspirations of the Rural Vision Policy. The increase in employment and wider economic benefits are acknowledged and welcomed by the Council's Economic Development (ED) team who comment that 'there is a current shortage of available commercial land and unit options across the district. Therefore, providing that the required road infrastructure is in place, this application would be the realisation of a long-held employment allocation, bringing forward job opportunities in this part of West Suffolk. The application provides much needed road infrastructure to enable the whole site to be accessed, as well as linking to the existing commercial areas of Shepherds Grove.'
155. The contribution towards the economic growth of the district is in line with the economic element of sustainable development as set out in paragraph 8 of the NPPF. The economic benefits of the proposal and its accordance in

principle with rural vision policy RV4, and Core Strategy Policy CS9, weigh in favour of the scheme.

Landscape & visual impact (including design and layout)

156. Although the site is located within an area allocated for development, the site is in the main surrounded by countryside. Due to the significant scale and likely mass of the proposed buildings, the development will have a significant impact on the surrounding area.
157. Core strategy policy CS9 states that 'all employment proposals will be expected to meet the criteria set out in Policy CS2 to protect and enhance natural resources and ensure the sustainable design of the built environment.'
158. Furthermore, Core Strategy Policy CS3 states that 'Proposals for new development must create and contribute to a high quality, safe and sustainable environment.'
159. In line with the NPPF's overarching objective to protect and enhance our natural, built, and historic environment, Policy CS2 of the St Edmundsbury Core Strategy seeks to protect the valued landscapes of the countryside requiring the quality, character, diversity and local distinctiveness of the district's landscape and historic environment to be protected, conserved and, where possible, enhanced. Proposals for development should take account of the local distinctiveness and sensitivity to change of distinctive landscape character types, and historic assets and their settings.
160. Joint Development Management Policy DM13 allows development where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value.
161. Furthermore, par. 180 of the NPPF indicates that planning decisions should, amongst other things, 'protect and enhance valued landscape'.
162. The site itself has no national or international landscape designations, although a group Tree Preservation Order (TPO) covers much of the application site and several large mature Oak trees can be found in the northern and eastern boundaries of the site. In terms of topography, the site is located on a slightly raised plateau (60m AOD) and in a gently undulating landscape, typical of the 'Plateau Estate Farmlands' character area it is situated in. To the northwest the landscape generally falls towards the Little Ouse River 5km away. To the southeast the landscape gently rises to some 70 meters AOD. The gently rolling landscape restricts views of the site to within 2.5km away.
163. Whilst the land surrounding the site is rural in character, and indeed is on land with an agricultural classification of Grade 3, there are built up commercial/industrial areas to the east and southwest. These areas strongly influence the character of the site, which is clearly associated with Shepherds Grove Industrial Estate. The Landscape & Visual Analysis submitted with the application concludes that the site is located within a landscape of good to medium strength of character, although the site itself is clearly influenced by existing industrial development. The sensitivity of the receiving landscape is judged to be moderate to low with some capacity for change without

significant effects on the wider landscape. The Council's landscape consultants do not differ from this conclusion.

164. The application proposal has sought to retain as much as possible of the existing vegetation with the exception of the removal of a small number of trees. In order to implement the road layout along the A143 and Summer Road it will be necessary to remove two B category oak trees, and one C category hedge, and sections of two further C category hedges. Compensation for tree losses has been provided through significant new planting. The retention of existing vegetation to the southern boundary and the increase in landscape buffer to this boundary by creating an attractive and varied landscape with glades and rides is welcomed, and along with 10m and 5m landscape buffers to all site boundaries including some areas with new woodland planting, will help to soften the edge of the proposed development against the open countryside to the western boundary.
165. Within the site, the main road through the development incorporates landscape features such as meadows, swales, hedges and scrub planting to provide visual interest, screen and soften the proposed built form and hard landscape areas.
166. The Council's landscape consultants have concluded that the proposed mitigation under the submitted proposal has appropriately dealt with the potential adverse effect of the proposal. The scheme will deliver biodiversity benefits and positive landscape features that will help to screen and filter views of the new building units. The acceptability of the proposals will be subject to the implementation of the landscape principles from the landscape masterplan and the detail landscape scheme, and the use of appropriate colour to the new building units. This can be secured by condition.
167. In conclusion, the application proposal acknowledges the existing character of the landscape setting and proposed vegetation retention and new landscape features that will minimise its impact with the local setting. There will be no significant impact on the wider landscape setting, and whilst the landscape character is not of high value, the proposal does seek to enhance it through enhanced biodiversity and landscape mitigation. This accords with Core Strategy Policies CS2 and CS9, Joint Development Management Policy DM13, and the NPPF.

Highway Impact

168. In line with the requirements of the NPPF, the application is accompanied by a Transport Assessment (TA), which includes the following:
- A review of National and Local transport policy
 - A description of the existing conditions including the surrounding highway network, the available facilities for public transport, cyclists and pedestrians and the range of local amenities
 - A review of highway injury/accident records
 - An estimation of the level of trip generation and distribution of vehicular trips likely to be associated with the development
 - Consideration of the capacity of the proposed new highway with respect to the A143.

169. The TA has been considered both by National Highways (in respect of the potential impact on the A14) and SCC as Local Highway Authority.
170. Paragraph 109 of the NPPF states that 'significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.'
171. In considering development proposals paragraph 114 of the NPPF requires the following:
- appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location;
 - safe and suitable access to the site can be achieved for all users;
 - the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance;
 - any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
172. The NPPF is also clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
173. Core Strategy Policy CS4 identifies Stanton as a Key Service Centre. With respect to the proposed development, a transport hierarchy is set out as part of Policy CS7 and identifies a potential need for a TA. There is also a Council commitment to working with developers for the improvement of the public transport network this forms part of Policy CS8. Furthermore, Joint Development Management Policy (JDMP) DM45 identifies the potential need for a TA and for a Travel Plan, whilst Policy DM46 requires the adopted parking standards.

Current situation

174. Access to the current Shepherds Grove West employment area is from Stanton via Grove Lane, Upthorpe Road and Readings Lane. Shepherds Grove East is accessed directly from Sumner Road. There is presently no link between the existing areas of employment. Sumner Road provides access to the A143 to the north for onward travel to the principal road network. The eastern part of the site is also accessed from Walsham le Willows using Sumner Road. The site itself only currently has gated access from Grove Lane and Sumner Road.
175. There are presently no footway connections to the site, with no Public Rights of Way within or immediately adjacent to the site. With respect to cycling, there is some on-street connectivity, with the settlements of Stanton, Hepworth, Barningham, Walsham le Willows, Bardwell (part of) and Wattisfield within a 5km cycling distance. It is necessary however to cross the A143 to reach Hepworth, Barningham, and Bardwell to the north and north-west.

176. There is a bus stop on the A143 west of The Street to the north of the site for the 304/337/338 bus services between Bury St Edmunds and Diss.

Proposed access

177. Access to the development will be primarily from the A143 in the form of a new four-arm roundabout to be built between the junctions of The Street and Clay Lane. Sumner Road, which presently connects with the A143 at the junction with Clay Lane will be diverted onto the site to the new roundabout junction as part of the proposal. The road within the site then continues to the south to connect up with Grove Lane, as required by local planning policy. The primary purpose of this is to allow for direct access to the A143 for existing businesses on Upthorpe Road, Grove Lane and Readings Lane (Shepherds Grove Industrial Estate West) without having to proceed via Stanton village. A 3.5m wide foot/cycleway is provided on one side along the new road's length with additional footway or foot/cycleway provision provided at the access points to the development.

178. Where Sumner Road is diverted into the site it will be a minimum of 6.0m in width (wider at the A143 junction) and include a foot/cycleway on one side with additional foot/cycleway at any new access points to developable areas. The redundant section of Sumner Road will remain available for foot/cycle use. The existing junction of the A143/Sumner Road/Clay Lane will effectively become a simple 3-arm priority of the A143/Clay Lane only.

179. The option for a new bus stop on the link road within the site is also part of the application proposal.

180. In respect of parking, this is proposed in detail only for the full element of this hybrid scheme, this being the vehicle processing use. The applicant's TA explains that car parking would be based on a rate of 1 space per full time equivalent member of staff permanently at the site with additional visitor parking provided as appropriate. Access and loading areas for an articulated car transporter are also indicated. Disabled and powered two-wheeler car parking spaces would be provided as per the required standards. For electric vehicles, the same requirement for charging as for other business uses would also be expected to apply. (The delivery of this can be controlled via a condition of any planning permission.)

181. The proposed layout indicates formal parking areas for 90 staff cars (inclusive of 5 disabled spaces), 12 visitor cars, 8 powered two wheelers (6 staff and 2 visitors) and, 28 HGV's (car transporters). An informal loading area is also shown adjacent to the customer parking for collections which would be suitable for access by single and double vehicle transporters and for vehicles towing a car trailer.

182. The overnight storage of any excess car transporters would be accommodated informally in either the storage or loading areas as may be appropriate. Cycle parking based on the SCC guidance would be provided at 2 spaces per 4 staff or 45 spaces for the 90 staff (with 46 spaces shown on the layout).

Construction

183. Construction vehicle movements associated with the development are difficult to predict at this stage. However, it is recommended that any planning permission granted should include a condition requiring the submission of a Construction Management Plan (CMP). Construction traffic is expected to reach the development via the principal road network. The intended traffic route for all construction traffic to travel to the site is via the A143. No construction traffic would need or be expected to proceed via Stanton, Hepworth or Walsham le Willows.

Impact on Strategic Road Network (SRN)

184. National Highways have undertaken a review of the submitted TA, specifically having regard to the impact on the A14 including junctions 43 and 47. Following the submission of further information in respect of likely traffic flows and the scale of impact on the SRN, National Highways are satisfied that the proposals would not have a severe impact on the A14 and offers no objection to the application.

Local Highway Impact

185. It is acknowledged that many local residents, Hepworth Parish Council and other local Parish Councils have raised significant concerns in respect of the traffic impact on the local highway network. Specific concerns raised include, the increase of traffic on the A143, local roads and villages; Hepworth and other local villages being used as a cut through for vehicles accessing the site, and; the exacerbation of existing traffic tailbacks during peak times at Ixworth and Great Barton.

186. Shepherds Grove is an allocated site for employment development, with a Masterplan approved (now expired) that included a new roundabout access from the A143 to serve the site. In reaching this point, basic traffic impact assessments were carried out, leading to the acceptance of serving the development site via the new roundabout arrangement and the provision of the link road to Grove Lane. To support the current application for both the detailed and outline development proposed, the submitted TA (undertaken by Richard Jackson Transport Consultants) fully considers the transport implications of developing the employment site.

187. The TA comments that 'the likely traffic generation of the development has been considered along with the potential for traffic to divert from Upthorpe Road and Stanton through the site to reach the A143. Weekday AM and PM peak capacity modelling of the new junction to the A143 has been undertaken to demonstrate that the proposed junction will be provided with sufficient capacity for the development proposals.'

188. The roundabout junction has been modelled with updated geometry and allocated development flows using the Lane Simulation mode requested by SCC Highways. The modelling shows that the junction is expected to be within capacity for the assessed traffic.

189. In terms of likely trip generation, the TA predicts that proposal will generate a total of 931 vehicles arriving and departing over a 12-hour period (7am-7pm). Of these, 81 vehicles arriving and departing are predicted to be goods vehicles (including HGV's). For the vehicle processing, based on Copart figures, 145 two-way vehicle movements are predicted, of which 55 are likely

to be goods vehicles (transporters). Through appropriate site management, and as required by planning condition, no HGV movements should take place during peak hours. For the AM peak time, a total of 237 vehicles are predicted to arrive, and 34 to depart. For the PM peak time, 271 vehicles are predicted to arrive, and 56 vehicles depart. HGV movements are likely to be spread across the 12-hour period.

190. For comparison, a scheme that included 400 dwellings, as set out in the original Masterplan, is predicted to generate up to 428 two-way vehicle movements. Much higher than the vehicle processing use now proposed. It must also be acknowledged however, that a residential use of part of the site would result in less HGV movements overall.
191. Considering the fact that the proposed development no longer includes a residential development of up to 400 dwellings as envisaged in the original Masterplan for the site, the impact on the local highway network will therefore be lower than would have been allowed for when the site was allocated.
192. The County Council as Local Highway Authority have considered the impacts on the local highway network, as well as the detailed elements of the access proposals and parking. Since the submission of the initial TA, the original end user of the vehicle processing, Copart, has pulled out. Although this may mean that the current TA is less relative to a specific proposed use than it was, the site's B8 use remains the same and the TRICS trip generation estimates are valid even in their absence. (Note:- TRICS stands for Trip Rate Information Computer System - a database of trip rates for developments used in the United Kingdom for transport planning purposes.)
193. The assumptions and assignment for trip generations set out in the TA are considered to be robust and acceptable to SCC Highways. The likely level of traffic resulting from the development would not have an unacceptable impact on highway safety.
194. SCC Highways have also considered the technical design and layout of the new roundabout and access road through the site. Following amendments to the design and layout of the roundabout to improve as much as possible the width of the footpath/cycleway to the north of the A143 between the new access point and The Street, SCC Highways have accepted its design. They comment that 'the additional footway connection enhances connectivity between the bus stop and the development site. Although the width of the new footway is below standard for a short section, the width increases to 2m and then up to 3.5m which continues to and slightly beyond the new roundabout. The Highway Authority considers that the additional footway is a reasonable and beneficial addition to the off-site highway S278 works package.'
195. However, SCC Highways has commented that 'there is an existing footway on the opposite western side of this southern end of The Street which follows the radius of the kerb and proceeds on the northern side of the A143. It would be better if the new footway reflected this existing arrangement and provided a tactile surfaced crossing set back from the give-way junction line.' The applicants have now provided amended plans that now indicates the crossing point as requested.

196. The development proposal removes the need for all vehicles to enter the site via Stanton and allow for improved and safer cycle connection between Stanton and the site. Subject to public consultation, consideration can be given by the local highway authority to a Traffic Regulation Order to restrict HGV's and/or a weight restriction through the village. With or without this in place, the reduction in traffic movements through the village is a considerable benefit to residents and a significant positive for the scheme overall. This is recognised by SCC Highways. However, they also comment that the current proposal falls short of providing opportunities to maximise sustainable transport solutions as required by the NPPF.
197. The Dep. For Transport's 'Gear Change' document sets out the Government's bold vision for England concerning walking and cycling. This document is clear that planning for walking and cycling can no longer be an afterthought. Indeed, the ambition set out by the Government is extremely ambitious and the guidance acknowledges that for this aspiration to be met, proper high-quality walking and cycling infrastructure is needed.
198. Paragraph 108 of the NPPF states that when considering new development 'opportunities to promote walking, cycling and public transport use are identified and pursued'. NPPF paragraph 114 also states that in assessing new development it should be ensured that 'appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location' and that 'safe and suitable access to the site can be achieved for all users'. Core Strategy Policy CS7 also emphasises that 'all proposals for development will be required to provide for travel by a range of means of transport other than the private car'.
199. To improve the footpath connectivity to the site, lengthy discussions have taken place with a view to providing a 550-metre new section of footpath along Grove Lane from its new entrance to the south-west of the site, joining up with the existing footpath outside the entrance to Shepherds Grove Park. This would result in a continuous footpath from Stanton village. The applicants have submitted a draft footway design solution for a footpath running to the south of Grove Lane within highway land. The developer would be required to deliver this footpath under a S278 highways agreement, and this can be secured by way of a planning condition. SCC Highways are happy with this approach.
200. The additional footpath link goes some way to enhancing the sustainable transport links for the site and will allow for pedestrians and cyclists (cycling on Grove Lane with a significantly reduced amount of traffic, particularly in respect of HGV's and other goods vehicles) to access the site in a safe manner. This is an improvement on the current situation and, taken together with the other foot/cycle path connectivity within the site and at the main roundabout access, demonstrates consideration having been given to cyclists and pedestrians and that safe and suitable access to the site can be achieved for all users in accordance with paragraphs 108(c) and 114 of the NPPF.
201. In conclusion, the proposal is not considered to have a significant adverse impact on the highway network and provides for appropriate levels of sustainable transport solutions. This is in accordance with the NPPF and policies CS7, DM2, DM45 and DM46 in this regard.

Ecology and biodiversity

202. In accordance with Joint Development Management Policy DM12, and in order to discharge the duties of the LPA under the s40 of the NERC Act 2006 (Priority habitats & species), there should be an overall biodiversity net gain, and proposed landscaping as well as tree protection should also form part of any proposal. The NPPF sets out how the planning system should protect and enhance nature conservation interest, with section 15 concerned with conserving and enhancing the natural environment (paragraphs 180 to 188). It states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; and
- Minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

203. Alongside the ES the applicants have submitted the following documents:

- Landscape Masterplan
- Landscape and Ecology Management Plan
- Detailed Planting Plans
- External Lighting
- Biodiversity Net Gain Assessment
- Skylark Mitigation Strategy
- Farmland Bird Management Scheme
- Landscape and Ecology Management Plan Revision A2
- Detailed Planting Plan
- Landscape Masterplan
- Ecological Impact Assessment.

The above documents have been assessed by the Councils ecological consultants who are satisfied that, subject to the mitigation measures identified in the Ecological Appraisal and other supporting documents being secured by condition of any approval, the ecological information provides certainty for the LPA of the likely impacts on protected and Priority species and habitats and the development can be made acceptable.

204. The site does not fall within any nationally or internationally designated areas, however there are four sites of national importance within 5km of the application site with the closest site being Stanton Woods SSSI located 1.35km to the south-west. Each of the sites has been designated for the significance of their constituent habitats which support an assemblage of notable plant communities. There are also two non-statutory designated sites within a 2km radius of the site, these being a roadside nature reserve and High Woods County Wildlife Site (CWS). The impact of the proposed development on these sites is considered to be minimal.

205. The Council's ecology consultant comments that the site is predominantly bare ground- with hedgerows, woodlands, scrub and grassland around the perimeter. (The centre of the site comprised intensive agriculture prior to clearance.) The hedgerows and three woodlands on site are Priority habitats (Habitats of Principal Importance). The woodland, scattered trees and the majority of the hedgerows will be retained but the northern boundary hedgerow would be lost to facilitate the development. The site is suitable for bats (European Protected Species), nesting birds, reptiles, Badgers, Grass Snake (protected species), birds, Hedgehogs, Brown Hare and amphibians such as Common Toad (Priority species).
206. Birds - the submitted breeding bird surveys recorded a total of 36 species of which 33 were considered likely to be breeding or utilising the site during the breeding season. The survey indicated the likely presence of two breeding territories of Skylark on site. Skylarks are ground nesting birds which do not like to nest near structures (including hedgerows) due to the risk of predation. It can therefore be likely concluded that adverse impacts may be caused to this Priority species as a result of the proposed development.
207. To mitigate for this impact, the applicant has submitted a Skylark Mitigation Strategy and a Farmland Bird Management Scheme. This includes details relating to four Skylark plots to be provided as compensation, the offsite location, management and a monitoring plan. The Skylark Mitigation Strategy states "Mitigation land will be provided at land NW of Wattisfield, which is within 2 km of the site boundary and will be provided for 10 years. This will provide off-site compensatory breeding habitat for skylark." The Council's ecology consultant is satisfied there is now enough information available relating to the mitigation and compensation of farmland birds. To ensure that the proposed Farmland Bird Mitigation Strategy is implemented in full for the minimum 10-year period, it will be secured by a legal agreement.
208. Bats - nine bat species were confirmed to be using the site for commuting and foraging purposes, including the rare Barbastelle Bat. However, all of the trees identified as having suitability for roosting bats are shown as being retained and so no further survey effort focussing on these trees was undertaken. The ecology assessment proposes a "wildlife-friendly lighting scheme throughout the development, which maintains 'dark zones' and avoids direct lighting of ecologically sensitive features such as tree canopies". This can be secured by condition of any permission.
209. Reptiles - although only one grass snake was found on the site, a reptile mitigation strategy is proposed which can form part of a Construction Environmental Management Plan.
210. Biodiversity Net Gain (BNG) – A Biodiversity Net Gain Assessment submitted with the application, and recently updated, estimates that the proposed scheme could result in an overall Biodiversity Net Gain of 11.23% for area-based habitats and 145.65% increase in hedgerows (linear habitats). This is a significant increase and is considered acceptable. As the application is hybrid in nature, some of the site will be the subject of further planning applications. To ensure that the biodiversity provision is as stated above, full calculations should be submitted within a design stage BNG report. This can be secured by a condition of the outline part of any planning permission.

211. In respect of woodland habitat and planting, the ecology assessment explains that existing areas of woodland on the southern and eastern boundaries will be retained and managed as part of the Landscape and Ecology Management Plan (LEMP). Three additional small areas of broadleaved woodland will be created as well as three areas of native mixed scrub; wet grassland, wildflower grassland and species rich amenity grassland. This is acceptable, however, having regard to BNG, further justification regarding the proposed onsite habitat condition scores from habitat creation and enhancement is required. The suggested BNG and LEMP conditions will ensure that this happens.
212. As stated at par. 129 of this report, the Council, as Competent Authority responsible for undertaking a Habitat Regulations Assessment (HRA), is satisfied that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes (either alone or in combination with other plans or projects). Subject to the provision of mitigation in accordance with the ecological appraisal recommendations, the submission of an Construction Ecological Management Plan for Biodiversity (CEMP) and a revised final Landscape and Ecological Management Plan (LEMP) (as set out in the comments of the consultant ecologist), and the securing by S106 legal agreement of a Skylark Mitigation Plot for a period of 10 years, the proposal accords with the requirements of Joint Development Management Policy DM12, s40 of the NERC Act 2006 (Priority habitats & species), the Conservation of Habitats and Species Regulations 2017 (as amended) and paragraphs 174 to 182 of the NPPF.

Drainage and flood risk

213. The applicant has submitted a flood risk assessment (FRA), which seeks to address the requirements of National and Local Planning Policy with respect to flood risk. The FRA includes mitigation measures as necessary to enable the development to proceed ensuring that it is safe from flooding to recognised standards and does not increase the risk of flooding to neighbouring properties as required by Joint Development Management Policy DM6 and the NPPF.
214. In terms of fluvial flooding, the site is correctly identified as being wholly within Flood Zone 1 (low risk). The site is also at low risk from groundwater flooding. However, the Government's surface water flood mapping indicates that a small part of the site is at risk from surface water flooding from a ditch. This does not exactly correlate with the topography of the site, and as a consequence, the applicants undertook their own detailed drainage catchment assessment. This concludes that the mapping is exaggerated and that the existing above ground drainage has capacity to convey surface water flows up to and including the 1 in 1000-year event.
215. Following the National Planning Policy Guidance (NPPG) for flood risk, as the site is already allocated for development and the known level of surface water drainage is low, there is no requirement for the applicants to undertake a sequential test. This position is accepted by the Local Lead Flood Authority.
216. Surface water management – For proposed outline plots A, B, C and D, the applicants flood risk assessment (FRA) indicates that surface water flows from the site currently drain overland to existing watercourses. The drainage

strategy proposes to discharge the flows from the site to this existing watercourse. Due to the soils within most of the site being clay, infiltration drainage is not possible. The FRA calculates the 1 in 1 year greenfield run off rate as being 15.44l/s. To meet the requirements of the LLFA and both local and national drainage guidance, drainage from the site will be attenuated to 15.44l/s by the provision of an appropriate flow control devices.

217. For the vehicle processing element of the proposal (formerly Copart), it is proposed to discharge surface water to an existing sewer. This is due to the soils in this area again being clay, and there being no existing watercourse within the immediate vicinity. Again, the surface water runoff will be restricted to the current greenfield runoff rate in this area.
218. The roundabout and main spine road through the site will be drained using a mixture of existing drainage channels/watercourses and newly created swales.
219. The LLFA has reviewed the drainage strategy and is satisfied that the proposed development can be satisfactorily drained without increasing the risk of flooding elsewhere in accordance with the requirements of Joint Development Management Policy DM6 and the NPPF.

Air Quality

220. Paragraph 111 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 116 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.'
221. The Council's Environment Team advises that 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)." Policy DM14 of the Joint Development Management Policies Document also states that proposals for all new developments should minimise all emissions and ensure no deterioration to either air or water quality.
222. SCC Highways parking standards also has requirements for electrical vehicle charging infrastructure, including the installation of a suitable consumer unit capable of providing 7.4kW charge in all new dwellings. This is in line with Part S of the Building Regulations that requires an electric vehicle charging point to be included for new dwellings where there is an associated parking space.
223. The main contributor to a reduction in air quality is the presence of nitrogen, the majority of which is produced by the engines of vehicles, especially HGV's. Air quality can be significantly reduced where traffic is stationary or slow moving and engines are idling, such as in queuing traffic. Problem areas are often covered by an Air Quality Management Area (AQMA), where air quality levels are monitored, and strategies/mitigation put in place with the aim of reducing pollution and improving air quality. One such location is within Great Barton, a village approximately 4km northeast of the centre of

Bury St Edmunds. The A143 cuts through the centre of Great Barton which is the main road linking Bury St Edmunds to a number of rural areas and south Norfolk towns including Diss and Great Yarmouth. The A143 is a designated Strategic Lorry Route in the Suffolk Recommended Lorry Route Network.

224. The AQMA is limited in size and primarily covers the only dwellings in Great Barton where the buildings having a roadside frontage, with most other dwellings being generally set back from the road behind medium to large front gardens. Opposite the AQMA, the road is bordered by a flint and brick wall, wooden fence and heavy vegetation which restrict dispersion of pollutants. Two minor roads also join the A143 just to the east of the AQMA, which causes disturbance of traffic flow and acceleration through the sensitive area. The pedestrian crossing and junctions are often especially busy during the school pick-up and drop-off period due to the proximity of the village school. Traffic also queues (during the afternoon peak period) through the village due to congestion at a junction 1.3km to the east of the village, adjacent to the Bunbury Arms. Flow is also disturbed by buses stopping at the nearby bus stops.
225. As the Council's own Air Quality Action Plan (AQAP) explains, the cumulative impact of approved and proposed development in the area is forecast to adversely impact the air quality in the Great Barton AQMA, to the extent that it will exceed the objective for nitrogen dioxide. In addition to this application by Jaynic, other developments to be considered include an approved animal feed mill (DC/22/1294/FUL) and a large-scale proposed distribution centre at Shepherds Grove (DC/23/1154/OUT).
226. Research commissioned by the Council indicates the potential for future exceedances of the Department of Health air quality objectives following the construction of nearby developments. One of the key priorities of the Council's AQAP is to ensure new developments contribute to air quality actions with measures to improve efficiency and minimise emissions as much as possible.
227. In consideration of air quality, the applicants have submitted an Air Quality Impact Assessment, the results of which have been assessed by the Council's Environment Team. They comment that 'although the report states that the proposed development will not result in any exceedance of the air quality health-based objective at any sensitive receptor within or outside the AQMA, when considered cumulatively with other committed developments within the local area, it does states that a worsening of air quality within an Air Quality Management Area will occur, and yet no operational mitigation is recommended.'
228. The applicants were therefore requested to submit an Air Quality Mitigation (Low Emission) Strategy. This strategy would cover all reasonable measures which could be employed to minimise emissions generated by the operational phase of the development. The objective would be to minimise the impact on air quality, including the AQMA, as far as reasonably practicable. The strategy was duly submitted in January 2024.
229. The submitted Low Emission Strategy includes measures that can be used by future occupants of the detailed elements of the proposed development to limit the quantity of emissions to air associated with vehicle movements generated. Application of these measures will contribute to reducing and/or

mitigating the impact of those emissions on local air quality and specifically within the Great Barton AQMA. Measures include:

- On-site car parking with 22 EVC spaces
- 46 cycle parking spaces
- Reduction in the need to travel by private car through applying the following measures; car sharing website managed by Suffolk County Council
- Provision for employees to have the opportunity of Personal Travel Planning to a regular destination from the application site
- Provide each employee a Welcome Leaflet with maps and information to promote to them, from the outset, the sustainable travel options available, including walking and cycling
- Heavy Duty Vehicle HDV (freight vehicles of more than 3.5 tonnes (lorries) or passenger transport vehicles of more than 8 seats) driver education – all HDV drivers employed directly by the business occupier(s) of the detailed element of the Proposed Development application will receive appropriate training specific to the application site, ensuring that HDV engines are idling for a minimum of five minutes prior to leaving the site. This ensures the HDV engine is sufficiently warmed up to minimise the risk of 'cold start' exhaust emissions (i.e. elevated NOx emissions released immediately following engine ignition and prior to catalytic converter reaching optimum temperature range) being released within the Great Barton AQMA, which has the potential to be within the early part of a HDV journey away from the application site
- HDV routing strategy – The occupant of the detailed element of the Proposed Development will have due regard to minimising HDV movements for their owned fleet through the Great Barton AQMA during peak periods of the day (i.e. AM/PM peak), where practical/feasible. (This measure will be subject to agreement with the end user of this element of the application site, once they are established, and should not be considered a firm commitment at this stage.)

230. The Council's Environment Team are satisfied that the strategy fulfils our requirements and proposes key measures for the reduction of air pollution, including employee travel planning and heavy-duty vehicle driver training and route planning. In order to secure the mitigation measures for future occupiers of the site, a Low Emission Strategy Monitoring Report shall be submitted to, and approved in writing by, the local planning authority within 16 months post occupation. The report should include all elements detailed in Section 5 of the Low Emission Strategy "Monitoring of LES Effectiveness", including the results of the multi-modal travel survey that is to be completed one year after first occupation. The report should also provide detailed information of the heavy-duty vehicle measures implemented and their effectiveness. The report will be required by condition of any approval.

231. Other conditions would require the submission of travel plans and the provision of EV charging points. Subject to these conditions, the proposal is considered to accord with Core Strategy Policy CS2, Joint Development

Management Policy DM14 and paragraphs 111 and 116 of the NPPF in this regard.

Noise

232. Joint Development Management Policies DM2 and DM14, amongst other things, seeks to protect the amenity of occupiers of properties adjacent or close to proposed development. Paragraph 191(a) of the NPPF also requires the decision-maker to 'mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.' Paragraph 193 of the NPPF states that 'Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities...'
233. The application is accompanied by a Noise Impact Assessment which presents the findings of an assessment of noise impacts on the nearest noise receptors. (The closest one being Montrose Farm situated close to the proposed access road.) The report aims to establish the following:
- the suitability of existing noise levels at the site for the proposed development;
 - To assess the potential impact of noise emissions from operational activities associated with the development (including the new access road) at the positions of existing sensitive receptors in the area, and;
 - To develop noise limits for activities associated with the proposed development.
234. The assessment concludes that noise emissions from proposed new roads and vehicle processing land at the locations of nearby sensitive receptors are considered to be acceptable subject to the adoption of a 3m acoustic barrier. The four other plots submitted in outline have been assessed for Planning Class B2, B8, C1, E, and a hot food takeaway and pub/restaurant. Appropriate limits for noise from mechanical plant and any operational activities for the proposed Plots A to D have been calculated based on measured noise levels at the site and available guidance. A condition on any permission will ensure that the appropriate maximum noise levels are adhered to.
235. The Council's Environmental Health Officers have considered the reports findings and agree that it will be possible to achieve required noise limits through careful design consideration i.e. noise attenuators to external mechanical plant and acoustic barriers to the boundaries of the plots where necessary. Any noise from road traffic is likely to be significantly less than the existing noise level and is expected to have a very low noise impact on the surrounding noise sensitive receptors. Suitable planning conditions will allow for noise to be considered further at the detailed design stage.
236. Appropriate conditions that deal with noise limits and restrictions, are set out at the end of this report. Subject to these conditions, the application is considered to accord with Joint Development Management Policies DM2 and DM14 and Paragraphs 191(a) and 193 of the NPPF.

Sustainability

237. Joint Development Management Policy DM7 states that 'All proposals for new buildings including the re-use or conversion of existing building will be expected to adhere to broad principles of sustainable design and construction and optimise energy efficiency through the use of design, layout, orientation, materials, insulation and construction techniques.' It also states All new developments will be expected to include details in the Design and Access statement (or separate energy statement) of how it is proposed that the site will meet the energy standards set out within national Building Regulations. In particular, any areas in which the proposed energy strategy might conflict with other requirements set out in this Plan.
238. Joint Development Management Policy DM7 also requires BREEAM Excellent to be achieved for non-domestic developments over 1000m2. (BREEAM is an assessment that uses recognised measures of performance, which are set against established benchmarks, to evaluate a building's specification, design, construction and use. The measures used represent a broad range of categories and criteria from energy to ecology.) This ensures that the building is designed to be as sustainable as possible in respect of energy efficiency. The application is accompanied by a BREEAM Pre-Assessment Report (Office Building), which commits to achieving a BREEAM rating of 'excellent'. The Council's Environment Team have assessed the pre-assessment, which, subject to further contingency credits being identified, is considered acceptable.
239. As proposed plots A, B, C and D are submitted in outline only, the final BREEAM reports and certificates will be required to be submitted and approved by condition of any approval.
240. Finally, the applicant has not provided any information on the operational water demand for the commercial units on site and any water efficiency measures to be used to reduce this demand. Any permission should therefore also be subject to a condition requiring a scheme for the provision and implementation of water efficiency measures during the construction and operational phases of the development to be submitted and agreed.
241. Subject to the above conditions, the application accords, or can be made to accord with Core Strategy Policy CS2 and Joint Development Management policy DM7.

Other matters

242. Lighting – The application is supported by an external lighting plan that the majority of light spill would be contained within the site. No existing residential properties would be directly affected by the proposal. The Council's environmental health officers have considered the lighting proposals and offered no objection subject to the imposition of a planning condition restricting the LUX levels of external lighting and associated glare to that set out in the Institute of Lighting Professionals (ILP) Guidance Note GN01/21.
243. Heritage – The Council's Conservation Officer has confirmed that there would be no impact on the setting of the identified listed buildings.
244. Archaeology - The application area has already been subjected to archaeological works and all works have been completed. SCC Archaeology have confirmed that no further archaeological work is required, and they

have no objections to the development. The application accords with Joint Development Management Policy DM20 in this regard.

245. Unexploded Ordnance (UXO) - The application falls within former RAF Shepherd's Grove (active 1944-66). The station was originally built for the United States Airforce (USAF) in 1943 and operated as a base for Stirling Bombers during the final years of the Second World War. During this period, the site footprint was primarily occupied by runways at the north of the station, aircraft dispersal areas on the eastern outskirts of the site footprint (adjacent to the former technical site) and undeveloped land at the north of the site footprint. The station was used by Bomber Command and Transport Command and also operated Special Operations Executive (SOE) missions during and following WWII. During the Cold War period the base became a 'Thor' missile base housing Mark 7 missiles and later Mark 28 thermo-nuclear weapons. These were removed in 1963 before the station was de-commissioned and returned to civilian use.
246. Given the site's former use, there is potential for buried or discarded UXO to be present within the site. The application is supported by a 'detailed unexploded ordnance risk assessment', which based on a study of archive records of historical bombing raids, has concluded that the overall risk to health from UXO's and associated contamination is low to medium. However, the report explains that suitable mitigation such as appropriate training for site workers and a magnetometer survey prior to construction of buildings, can reduce this risk. Risk to health during the construction stage of a development is covered by the Health & Safety Regulations, and ultimately overseen by the Health and Safety Executive (HSE). The Council's environmental health officers raise no objection to the development in this regard, and no planning conditions dealing with this matter are considered necessary.
247. HSE consultation - The site is situated within the consultation zone of a major hazard site, the Avanti Gas storage area. This adjoins the site to the east. A small area of the site within the consultation area is proposed to contain waste fuel and oil tanks of 2500 litres and 1000 litres respectively in capacity, along with a processing building. The land use planning team of the Health and Safety Executive (HSE) were made aware of this, and they raise no objection to the development.
248. Parish Council and local resident's comments - The many comments and concerns raised by local residents and Parish Councils have been taken into account in reaching the recommendation below. In respect of the full elements of the application, (vehicle processing and the highway infrastructure), the impacts of the proposal are either considered acceptable or can be made acceptable through the imposition of suitable planning conditions. For the outline elements of the proposal, (the remaining employment and roadside uses), full details will need to be submitted for approval as reserved matters to establish the acceptability of what is proposed in terms of design, layout, appearance, siting, and landscaping. Issues of lighting, refuse collection (litter), and detailed planting can be considered at this time.
249. There are not considered to be any direct impacts from built development on the amenity of residents close to the site. Impacts in respect of noise and

odour can be controlled through the imposition of conditions as set out at the end of this report.

250. Other matters such as ecology, energy efficiency and detailed drainage solutions, will be required to be submitted by condition of any permission.
251. Planning obligations – In order to mitigate for the impact on Skylarks for a period of at least 10 years, off-site third-party land will be required to be set aside as an appropriate habitat. In order to achieve this the applicant will enter into an agreement with the landowner under section 106 of the Town and Country Planning Act 1990.
252. The above planning obligation meets the test of the Regulation 122 of the Community Infrastructure regulations in that the obligations are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development. This approach also accords with Core Strategy Policy CS14.

Conclusion and planning balance:

253. The proposed development accords with Vision policy RV4, Emerging Site Allocations Policy AP42, and paragraphs 85 and 88 of the NPPF and is considered acceptable in principle.
254. The application provides much needed road infrastructure to enable the whole site to be accessed, removing the need for commercial traffic including HGV's, to the significant benefit of Stanton residents. The contribution towards the economic growth of the district is in line with the economic element of sustainable development as set out in paragraph 11 of the NPPF. The economic benefits of the proposal and its accordance in principle with rural vision policy RV4, and Core Strategy Policy CS9, weigh in favour of the scheme.
255. The application proposal acknowledges the existing character of the landscape setting and proposed vegetation retention and new landscape features that will minimise its impact with the local setting. There will be no significant impact on the wider landscape setting, and whilst the landscape character is not of high value, the proposal does seek to enhance it through enhanced biodiversity and landscape mitigation. This accords with Core Strategy Policies CS2 and CS9, Joint Development Management Policy DM13, and the NPPF.
256. Appropriate regard has been had to the Natural Environment and Rural Communities Act 2006. The Local Planning Authority as Competent Authority has concluded that the development would not have a significant impact on a European designated site. Subject to appropriate conditions securing the precautionary measures and mitigation set out in the ES and CEMP, the impacts of the scheme on biodiversity can be made acceptable in accordance with Joint Development Management Policy DM11 and paragraph 180 of the NPPF. The requirements of the Conservation of Habitats and Species Regulations 2017 will also have been met.
257. The proposed drainage strategy for the site is acceptable and the Local Lead Flood Authority (LLFA) is satisfied that the proposed development can be satisfactorily drained without increasing the risk of flooding elsewhere in

accordance with the requirements of Joint Development Management Policy DM6 and the NPPF.

258. The proposal is not considered to have a significant adverse impact on the highway network and, subject to the conditions set out at the end of this report, including the securing of additional footpath provision, provides for appropriate levels of sustainable transport solutions. This is in accordance with the NPPF and policies DM2, DM45 and DM46.
259. Subject to the implementation of the Low Emission Strategy required by condition, along with other conditions including the submission and implementation of a travel plan, the impact on Air Quality can be made acceptable and in accordance with Core Strategy Policy CS2, Joint Development Management Policy DM14 and paragraphs 111 and 116 of the NPPF in this regard.
260. Subject to appropriate conditions, the noise impact on neighbouring receptors can be made acceptable, and the application is considered to accord with Joint Development Management Policies DM2 and DM14 and Paragraphs 191(a) and 193 of the NPPF.
261. The application has met the required principles of sustainable design and construction, and in terms of water efficiency, through appropriate conditions, can be made to accord with Joint Development Management policy DM7.
262. A planning balance has been undertaken, and the benefits and disbenefits of the proposed development have been assessed. Appropriate weight has then been afforded to them. The benefits of the development can be summarised as follows:
- The proposed development will deliver a substantial part of a rural employment allocation, contributing towards the economy of the district;
 - The development provides the key infrastructure necessary to unlock the delivery of the remainder of the strategic employment allocation;
 - Significant job creation (potentially 90 jobs for the vehicle processing use), including future job opportunities associated with the proposed use classes B2 (general industrial), C1 (hotel) and E (retail, offices café/restaurant);
 - Significant reduction in traffic movements associated with commercial activity at Shepherds Grove through Stanton village, and;
 - Enhanced pedestrian and cycle connectivity to Stanton village.
263. Paragraph 85 of the NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. NPPF paragraph 87 also states that planning decisions should recognise and

address the specific locational requirements of different sectors. It is acknowledged that in line with these economic objectives of sustainable development, the proposal and its benefits (set out at par. 47 of this report), represents growth, and improved productivity.

264. The potential local and regional economic benefits, including job creation, of the development accords with the NPPF, Rural Vision Policy RV4 and Core Strategy policies CS2 and CS9. The benefits of the development are afforded significant weight in the planning balance.
265. The significant reduction in traffic movements through Stanton as a result of the re-routing of traffic associated with Shepherds Grove, along with the enhanced pedestrian and cycle connectivity, are attached significant weight in the planning balance.
266. Balanced against the above benefits are the following disbenefits:
- Increased traffic on the local road network, specifically the A143 and local villages along this route (although not considered to be severe impact by the SCC Highways) Moderate weight is attached to this impact.
 - Increase in traffic on the A14 junctions 43 and 47, although not considered severe by National Highways. Low to moderate weight is attached to this impact.
 - Degree of landscape harm through construction of a new roundabout and adjoining businesses resulting in a change to the existing character and appearance of the area. The sensitivity of the landscape is judged to be moderate to low, therefore low to moderate weight is attached to this impact.
267. Overall, subject to mitigation and conditions set out above that deal with emissions, noise, traffic, and drainage, the cumulative impact with other current/proposed development is or can be made acceptable, and having considered the ES as a whole, Officers are satisfied with the conclusions and assessments undertaken in that the operational development the subject of this application, submitted in both full and outline, would not give rise to significant environmental impact. Future reserved matters submissions will consider detail elements of design, appearance, scale and landscaping.
268. Having considered the material considerations raised by the application proposal, along with the environmental impacts as set out in the ES, officers consider that the clear benefits arising from the development are substantial, outweighing any identified harm. Subject to appropriate planning conditions and obligations to be secured by way of a S106 legal agreement, the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

269. It is recommended that planning permission be **APPROVED** subject to the completion of a S106 legal agreement to secure a Farmland Bird Mitigation Strategy for a period of 10 years, and the following conditions:

Both full and outline permissions

1. 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
36457_T REV 0	Topographic survey	21 December 2022
970-MP-01_B1	Landscape masterplan	31 August 2023
970-SE-01 REV A	Landscape plan	21 December 2022
970-SW-01 Rev C	Detail planting plan	31 August 2023
970-SW-02 Rev C	Detail planting plan	31 August 2023
970-SW-03 Rev C	Detail planting plan	31 August 2023
970-SW-04 Rev C	Detail planting plan	31 August 2023
970-SW-05 Rev C	Detail planting plan	31 August 2023
970-SW-06 Rev C	Detail planting plan	31 August 2023
970-SW-07 Rev C	Detail planting plan	31 August 2023
970-SW-08 Rev C	Detail planting plan	31 August 2023
970-SW-09 Rev C	Detail planting plan	31 August 2023
970-SW-10 Rev C	Detail planting plan	31 August 2023
970-SW-11 Rev C	Detail planting plan	31 August 2023
970-SW-12 Rev C	Detail planting plan	31 August 2023
970-SW-13 Rev C	Detail planting plan	31 August 2023
970-SW-14 Rev C	Detail planting plan	31 August 2023
970-SW-15 Rev C	Detail planting plan	31 August 2023
970-SW-16 Rev C	Detail planting plan	31 August 2023
970A-VIA-01 REV A	Visuals	21 December 2022
970A-VIA-02 REV A	Visuals	21 December 2022
210570-GC-A-DR-3-001	Tree constraint plan	21 December 2022
J210570-GC-A-DR-3-002	Tree constraint plan	21 December 2022
J210570-GC-A-DR-3-003	Tree constraint plan	21 December 2022
J210570-GC-A-DR-3-004	Tree constraint plan	21 December 2022
J210570-GC-A-DR-3-005	Tree constraint plan	21 December 2022
J210570-GC-A-DR-3-TRPP-001	Tree protection plan	21 December 2022
J210570-GC-A-DR-3-TRPP-002	Tree protection plan	21 December 2022
J210570-GC-A-DR-3-TRPP-003	Tree protection plan	21 December 2022
J210570-GC-A-DR-3-TRPP-004	Tree protection plan	21 December 2022
J210570-GC-A-DR-3-TRPP-005	Tree protection plan	21 December 2022
PL_002	Existing block plan	21 December 2022
PL_001	Site location plan	21 December 2022
PL_003	Proposed block plan	21 December 2022
PL_200	Proposed elevations & floor plans	21 December 2022
PL_300	Proposed elevations	21 December 2022

PL_400	& floor plans Proposed elevations & floor plans	21 December 2022
PL 100 REV A	Proposed elevations & floor plans	4 January 2023
49083-C-400-P01	Highway plan	5 December 2023
Skylark Mitigation Strategy Rev A	Ecological survey	12 December 2023
49083-C-205 REV P02	Drainage strategy	19 October 2023
BNG Assessment Rev A	Biodiversity report	7 September 2023
970-LEMP-01 REVA2	Landscape Management Plan	31 August 2023
(-)	Ecological Impact Assessment	31 August 2023
11268-PL_003-A	Site layout	29 August 2023
Parts 1 to 5	Flood risk assessment	3 July 2023
COP-HYD-XX-XX-DR-E- 0101 - REV P01	Lighting details	1 February 2023
Adoptable works drawings 49083-C- 0001 rev H, 0002 Rev I	Transport assessment	21 December 2023
49083-C-401 P02	Off-site footpath details	6 February 2024
49083-C-402 P02	Off site footpath details	6 February 2024
49083-C-400-P01	Footpath provision at roundabout	5 December 2023

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

- No part of the development shall be commenced until details of the proposed footway on Grove Lane in general accordance with Drawings 49083-C-401 P02 and 49083-C-401 P02 have been submitted to and approved in writing by the Local Planning Authority.

The approved footway shall be laid out and constructed in its entirety prior to any other part of the development being occupied. Thereafter the footway shall be retained in its approved form.

Reason: To ensure that the footway is designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time. A Section 278 Agreement will be required to permit the applicant to work within highway maintainable at public expense (see informative relating to Section 278 Agreements).

- Prior to first operational use of the site, at least 20% of car parking spaces shall be equipped with working electric vehicle charge points, which shall be provided for staff and/or visitor use at locations reasonably accessible from car parking spaces. The Electric Vehicle Charge Points shall be retained

thereafter and maintained in an operational condition. An additional 20% of parking spaces shall be installed with the infrastructure in place for future connectivity.

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.

4. Each company or organisation that occupies the site must develop their own travel plan to minimise emissions from staff and business users and promote sustainable transport choices. Plans will need to be approved in writing and shall be implemented in all respects. The travel plan(s) should be submitted to the local planning authority within a maximum of six months post occupation.

Reason: To minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, which states: "Proposals for all new developments should minimise all emissions and other forms of pollution (including light and noise pollution) and ensure no deterioration to either air or water quality."

5. A Low Emission Strategy Monitoring Report should be submitted to, and approved in writing by, the local planning authority within 16 months post occupation. The report should include all elements detailed in Section 5 of the Low Emission Strategy "Monitoring of LES Effectiveness", including the results of the multi-modal travel survey that is to be completed one year after first occupation. The report should also provide detailed information of the heavy-duty vehicle measures implemented and their effectiveness."

Reason: To minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, which states: "Proposals for all new developments should minimise all emissions and other forms of pollution (including light and noise pollution) and ensure no deterioration to either air or water quality."

6. Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:
 - a. Measures for the protection of those trees and hedges on the application site that are to be retained,
 - b. Details of all construction measures within the 'Root Protection Area' (defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,

- c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the trees and hedges on site are adequately protected, to safeguard the character and visual amenity of the area, in accordance with policies DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement of development to ensure that existing trees are adequately protected prior to any ground disturbance.

7. Prior to commencement of development, including any site preparation, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i) The parking of vehicles of site operatives and visitors
 - ii) Loading and unloading of plant and materials
 - iii) Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
 - iv) The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
 - v) Wheel washing facilities
 - vi) Measures to control the emission of dust and dirt during the demolition and construction phases
 - vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) Hours of demolition and construction operations including times for deliveries and the removal of excavated materials and waste
 - ix) Noise method statements and noise levels for each demolition and construction activity including piling and excavation operations
 - x) Access and protection measures around the development site for pedestrians, cyclists and other road users including arrangements for diversions during the demolition and construction periods and for the provision of associated directional signage relating thereto.

Reason: To ensure the satisfactory development of the site and 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. This condition requires matters to be agreed prior to commencement to ensure that appropriate arrangements are put into place before any works take place on site that are likely to impact the area and nearby occupiers.

8. Any site preparation, construction works and ancillary activities, including access road works and deliveries to / collections from the site in connection with the development shall only be carried out between the hours of

08:00 to 18:00 Mondays to Fridays

08:00 to 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.

9. Prior to first use of the development hereby approved:

- i) All of the noise protection and mitigation works associated with the development as detailed in the Cass Allen Noise Impact Assessment for Land at Shepherd's Grove, Stanton (Report reference: RP01-22170-R5, Revision 6, Issue Date 17 November 2022) shall be completed in their entirety in accordance with the approved details.
- ii) The completion of the works shall be verified on site by a specialist noise consultant and the Local Planning Authority shall be notified in writing of the completion and verification of the works. Thereafter the approved works shall be retained.

Reason: To protect the amenities of occupiers of properties in the locality, 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. Note: the above relates specifically, but is not limited to, a 3m acoustic barrier being adopted into the design as shown in Figure 2 on page 10 of 256 of the Cass Allen Noise Impact Assessment.

10. The rating level of noise emitted from any external plant, equipment or machinery, including (but not limited to) any of the proposed commercial / roadside uses (Plots A, B and C) or general employment uses (Plot D) 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 amenities of occupiers of properties in the locality, 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. The rating level of noise emitted from any workshops / motor repair facilities and the like 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 amenities of occupiers of properties in the locality, 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.

12. Any external artificial lighting at the development hereby approved shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals (ILP) Guidance Note GN01/21 'The Reduction of Obtrusive Light'. Lighting should be minimised, and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy 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.

13. Any commercial kitchen extraction / ventilation system associated with the proposed hot food takeaway and pub / restaurant at the development hereby approved shall comply with the EMAQ+ document 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems' in respect of its installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet. Approved details shall be implemented prior to first use of the development and thereafter be permanently retained.

Reason: To protect the amenities of occupiers of properties in the locality, 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.

14. 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.

15. 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.

Full planning permission

16. 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.

17. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

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

18. No development shall commence until details of the implementation, maintenance, and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

19. No development shall commence until 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.

20. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment and Biodiversity Net Gain Assessment (both by Ground Control, August 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. 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, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority".

Reason: To conserve 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).

22. No development shall commence unless and until a Biodiversity Gain Plan to ensure that there is a net gain in biodiversity within a 30-year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the Secretary of State's biodiversity metric as applied in the area in which the site is situated at the relevant time.

The content of the Biodiversity Gain Plan should include the following:

- a) Proposals for the on-site biodiversity net gain;
- b) A management and monitoring plan for onsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

The development shall be implemented in full accordance with the requirements of the approved Biodiversity Gain Plan.

Reason: To allow the development to demonstrate measurable biodiversity net gains and allow LPA to discharge its duties under the NPPF and s40 of the NERC Act 2006 (Priority habitats & species).

23. A lighting design scheme for biodiversity 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 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).

Outline planning permission

24. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-

- i) The expiration of three years from the date of this permission; or
- ii) The expiration of two years from the final approval of the reserved matters; or,

In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

25. Prior to commencement of development, details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

26. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA). The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;

c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Qbar or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;

d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;

e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;

f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;

g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

h. 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 local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and 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 The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

27. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA 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 within the county of Suffolk.

28. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment and Biodiversity Net Gain Assessment (both by Ground Control, August 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. 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).

29. Concurrent with the submission of reserved matters and prior to commencement of development, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following. a) Risk assessment of potentially damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. i) Containment, control and removal of any Invasive non-native species present on site The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve 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).

30. Concurrent with the submission of reserved matters and prior to commencement of development, a Biodiversity Net Gain Design Stage Report, in line with Table 2 of CIEEM Biodiversity Net Gain report and audit templates (July 2021), shall be submitted to and approved in writing by the local planning authority which provides measurable biodiversity net gain, using the DEFRA Biodiversity Metric 4.0 or any successor. The content of the Biodiversity Net Gain report should include the following:

- Baseline data collection and assessment of current conditions on site;
- A commitment to measures in line with the Mitigation Hierarchy and evidence of how BNG Principles have been applied to maximise benefits to biodiversity;
- Provision of the full BNG calculations, with plans for pre and post development and detailed justifications for the choice of habitat types, distinctiveness and condition, connectivity and ecological functionality;
- Details of the implementation measures and management of proposals;
- Details of any off-site provision to be secured by a planning obligation;
- Details of the monitoring and auditing measures.

The proposed enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reasons: In order to demonstrate measurable net gains and allow the LPA to discharge its duties under the NPPF (2023).

31. A lighting design scheme for biodiversity 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 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).

32. Concurrent with the submission of reserved matters, a revised Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to development commencement above slab level. The content of the final LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The final LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be

secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

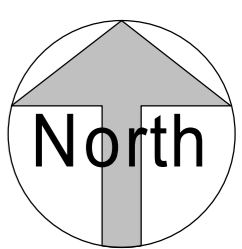
Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

33. The development shall achieve BREEAM Excellent standard. This should be evidenced by a BREEAM fully-fitted certificate upon completion. The development shall achieve a Final BREEAM Excellent rating in accordance with the requirements of the BREEAM New Construction 2018 V6 scheme. The projects Final Certificate must be issued to the local planning authority within a maximum of 6 months post completion.

Reason: In the interests of sustainability as required in policy DM7 of the Joint Development Management Policy Document 2015

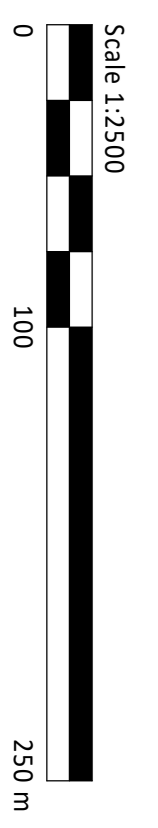
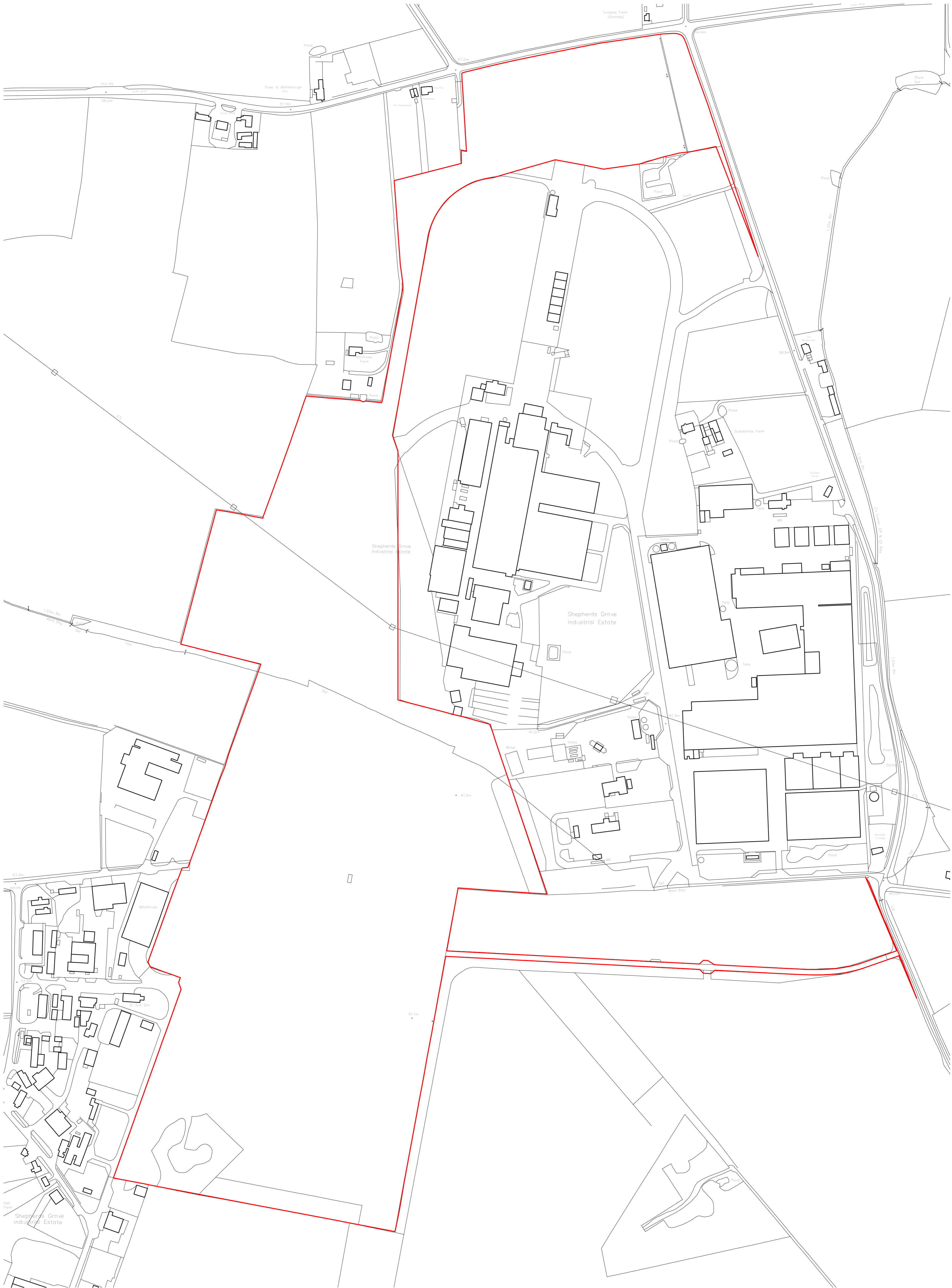
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/2190/HYB](https://www.dorset.gov.uk/online-applications/DC/22/2190/HYB)



Figured dimensions only are to be used. All dimensions to be checked on site of building to be reported to the PRC Group.
The copyright of the drawings and designs contained therein remains with the PRC Group.

Revisions: Drawn / Date: 0.1/01 -
M/C/S/C 29.11.2022
PLANNING ISSUE



Client:
JAYNIC SUFFOLK PARK LOGISTICS LTD



Project:
BURY ROAD STANTON

Drawn & Title:
LOCATION PLAN

Scale @ A1: 1:2500
Checked by: SC
Date: 29.11.2022

Issue Status:
Construction Preliminary
Information Approval
Tender

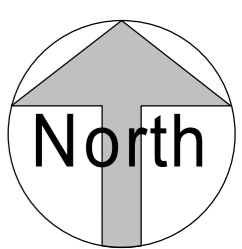
Job No.: 11268
Stage / Drawing No.: PL_001

Issue Status:
Working
London
Milton Keynes
Walsaw

Offices:
Working
London
Milton Keynes
Walsaw

PRC Architecture & Planning
29/11/2022 14:25:05

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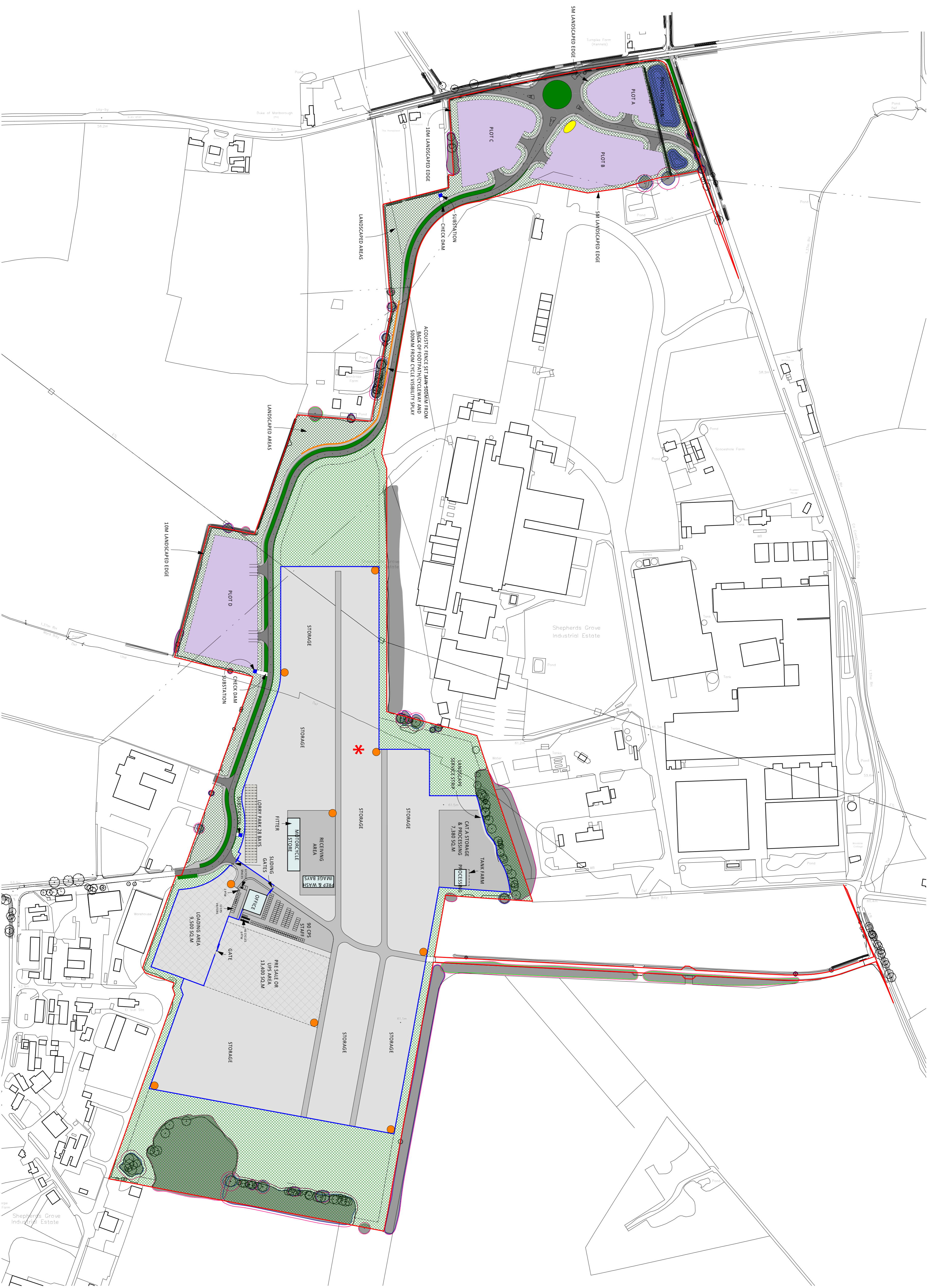


Figured dimensions only are to be used. All dimensions to be checked on site.
 of quantities to be reported to the PRC Group.
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Revisions:

PLANNING ISSUE	M/C/2C	29.11.2022
LANDSCAPE SURFACES AND LANDSCAPE SURFACES	M/C/2C	23.08.2023
UPDATED		

Drawn / Date: 0.11.C.
 23/06/2023 15:16:01



KEY:

- GENERAL EMPLOYMENT & ROADSIDE USES
- B8 USE DEPT FOR THE STORING, DISTRIBUTION AND PROCESSING OF ACCIDENT DAMAGED AND NON-DAMAGED MOTOR VEHICLES
- TARMAC SURFACE
- CONCRETE SURFACE
- STONE SURFACE
- ALLOCATED AREAS (STONE SURFACE)
- EXISTING PERIMETER TREES & LANDSCAPING RETAINED
- NEW PERIMETER & LANDSCAPING FRAMEWORK
- SIGNAGE LAND
- 2.4M PALISADE FENCE
- DISABLED PARKING
- EV PARKING PROVISION
- EV PARKING FUTURE PROVISION
- CAMERA POLES
- ACOUSTIC FENCE - LOCATION ADVISED BY THE ACCOMPANYING NOISE IMPACT ASSESSMENT
- SUBSTATION

CLIENT:
JAYNIC SUFFOLK PARK LOGISTICS LTD

PROJECT:
BURY ROAD STANTON

24 Church St, West, Woking, Surrey, GU24 0HT
 01483 484 350
 info@prc-group.com
 www.prc-group.com

DATE: 29.11.2022

Scale @ A1: 1:2500

Checked by: SC

Drawn: PL_003

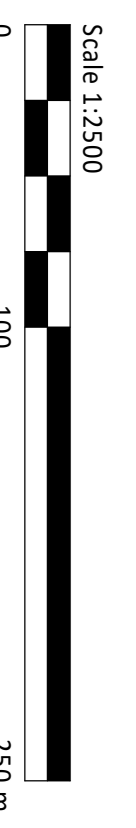
Issue Status: A

Architecture: Planning, Master Planning, Urban Design, Interiors

Offices: Woking, London, Milton Keynes, Walsaw

PRC Architecture & Planning

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Development Control Committee

6 March 2024

Planning Application DC/22/1887/FUL - Land off The Street, Fornham All Saints

Date registered:	4 November 2022	Expiry date:	06.03.2024 (EOT)
Case officer:	James Morriss	Recommendation:	Approve application
Parish:	Fornham All Saints	Ward:	The Fornhams and Great Barton
Proposal:	Planning application - create access into All Saints Golf and Country Club		
Site:	Land off The Street, Fornham All Saints		
Applicant:	M and D Developments Limited		

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:

James Morris

Email: democratic.services@westsuffolk.gov.uk

Telephone: 01284 757370

Background

- 1. This application was presented at Delegation Panel on 16 January 2024 as the Officer's recommendation of approval conflicted with the Parish Council's and Ward Member's objection. The application was referred to Development Control Committee (DCC) due to the public interest in the proposed development.**
- 2. This application was presented at Committee on 7 February 2024 and deferred to allow Members the opportunity of visiting the site. The Committee Site visit will take place on 4 March 2024.**
- 3. During the February committee Members raised concern over the impact of the development upon the character and appearance of the area and Conservation Area. Members also raised concern over the impact upon highway safety, frequency of maintenance vehicles and the impact upon the amenity of Acer Lodge.**

Following the February Committee Officers have received additional representations from members of the public who object to this application. These will be considered in more detail below.

Proposal:

4. Planning permission is sought for a maintenance access to serve All Saints Golf and Country Club. The vehicular access will be located at land off The Street in the location of a historic access onto the northwestern section of the golf course.
5. The access involves construction over a drainage ditch with the creation of an engineered brick retaining wall and the ditch would be piped in accordance with Suffolk County Council's highways standards.
6. The existing footpath section will be tarmacked and beyond the footpath the access is proposed to be surfaced using grasscrete for a length of approximately 5.8 meters. The proposal includes 'estate' style gates and powder coated black fencing at a height of 1.25 metres. Biodiversity enhancements in the form of 3no. bird and bat boxes are also proposed.
7. The applicant has stated that current access to this section of the golf course requires a convoluted route involving crossing several water courses or traveling a greater distance around the golf course to avoid these. The new access would eliminate the need to cross the water courses and assist with efficiency.

Application supporting material:

8. The plans originally submitted have been amended including a relocation by approximately 13.5 meters further West away from the Larks Gate junction. The access has been reduced in width and length and the surface was changed from tarmac to grasscrete. The style and height of the proposed gates and fencing has been amended from industrial style wire fencing and gate to more sympathetic estate type gates and black powder

coated fencing. In support of the amended scheme an ecology report and heritage impact assessment have been provided.

9. This application is supported by the following plans and supporting documents:

- Amended Proposed Location and Block Plan (7400-AR01 REV D)
- Amended Proposed Elevations (7400-AR01 REV A)
- Amended Swept Path (7300-AR01 REV D)
- Amended Ecological Assessment
- Amended Grasscrete Brochure
- Amended Heritage Impact Assessment
- Highways Statement GH Bullard & Associates
- Explanatory Note from applicant

Site details:

10. The application site forms part of the golf course associated with All Saints Hotel and Country Club. From a planning policy perspective, the application site is located within the countryside. On the opposite side of the road B1106 is residential development, which is within Fornham All Saints Conservation Area. The proposed access would be located across the road from Acer Lodge. As noted above the proposed maintenance access would provide vehicular access to the northwestern section of the golf course. The application site is rural, open and verdant in character.

Planning history:

11. There is extensive planning history relating to All Saints Golf and Country Club, but nothing directly relevant in relation to this part of the site.

Consultations:

Conservation Officer

12. Comments on original scheme:

'The application proposes the provision of a new vehicular access to serve an existing golf course with the purpose of providing 'immediate access onto the North West side of the golf club to an area which isn't easily accessed from elsewhere on the site for ongoing and future maintenance.'

The application includes an existing and proposed location plan; a proposed site plan indicating the location and details of the proposed access and the application form.

The conservation area boundary at this particular point runs parallel with the southern side of the highway. The junction between highway and access therefore would appear to sit on the boundary of the conservation area. The remaining development would appear to sit outside the conservation area but immediately abuts its boundary. Given the relationship with the conservation area boundary the proposed development has the potential to affect the setting and therefore significance of the conservation area.

Little information has been submitted to support the proposals other than the details listed above. No description of any Heritage Assets (to include the conservation area) potentially affected by the proposal has been provided as required to enable the impact on the significance of assets affected to be determined.

The southern boundary of this particular part of the conservation area is characterised by a continuous row of Poplar trees(?) running parallel with and set back from the road behind a green verge and footpath. Beyond the trees lies the closely mown undulating landscape of the golf course interspersed with trees all of which provide a constant, verdant backdrop to the conservation area at this point which in contrast to the northern side of the highway is uninterrupted by notable development (in the sense of hard surfacing and groups of housing). The current state provides an attractive setting to the conservation area which positively contributes towards its significance.

It is unclear if the proposals would involve the loss of any of the trees but the introduction of a highway compliant vehicular access would result in a break in the continuous line of vegetation replaced by a hard engineered surface abutting the conservation area whilst projecting some distance into an area which currently provides a softer setting to the conservation area. As a consequence the provision of the proposed access is not considered to either preserve or enhance the character or appearance of the conservation area affecting a setting which currently makes a positive contribution towards its significance.

Based on the limited information submitted and reference to street view it would appear the ability to maintain the area concerned is currently achievable. Whilst the proposed access may be a desirable improvement on the current access, it would appear that the current access is adequate. As such there would appear to be little public benefit to outweigh the harm caused.

The proposed development would therefore fail to meet the requirements of section 72 of the Planning (Listed building and conservation areas) Act 1990 where special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area Forest Heath and St Edmundsbury Local Plan policy DM17 and para 202 of the NPPF'

The application is therefore recommended for refusal.

13. Comments on amended plans:

In response to the amended proposal the conservation officer responded, on the basis the proposal involves the reinstatement of an historic access; the size of the proposed access has been reduced by 13m in length and 1 metre in width; a planting scheme has already been approved to be reinstated along the boundary and the fencing and gate are to match existing. The impact on the setting of the conservation area is considered to be notably reduced particularly if the planting can be enforced. On that basis conservation concerns would largely be addressed and objections would therefore be removed.

Highways

14. Comments on original scheme:

'Suffolk County Council as Highway Authority hereby recommends a Holding Objection is upheld until the information requested within this consultation response has been submitted for review, in the interests of providing safe and suitable access to the site for all users, compliant with Paragraph 110 (b) of the National Planning Policy Framework (NPPF) 2019.

There has been no justification given as to why a standard vehicular crossover cannot be used in this instance. As such it is unclear why SCC drawing no. DM04 is being used considering that DM04 access do not prioritise pedestrians unlike a standard vehicular crossover. Justification of this decision should be provided in detail in any further documents.

Details of the vehicles that will be using the proposed access should be provided alongside swept paths for the largest anticipated vehicles so judgement on the suitability of a DM04 standard access can be made.'

15. Comments on amended plans:

Suffolk County Council have no objections subject to conditions ensuring that the access be constructed in accordance with highways standards. The below response to neighbour concerns raised has also been received from Highways Officers:

'Many of the points raised either had little impact on safety or were not significant enough to warrant a refusal, for us to refuse an application we must have enough justification to uphold our decision should the applicant apply for an appeal as such a refusal is a last resort and unless there are serious safety concerns, we seek to improve the proposal and gain betterments where possible.

We are happy to provide our comments surrounding the impact on pedestrians as well as our judgement on the use of grasscrete, however the other points raised were not significant enough in our assessment to warrant a refusal.

Impact on pedestrians:

This is a due consideration as pedestrian safety is of utmost concern within current legislation. As such and as shown within the provided plans the access will provide 2mx2m pedestrian splays as is standard for access' crossing footways. This is achievable as following our first holding objection the applicant changed the specification of the access to be in line with SCC DM03 standard access drawing which is more pedestrian friendly than the original proposal.

The use of grasscrete:

Due to the abundance of vegetation nearby, grasscrete in this instance would be a suitable material as a way to reduce the access' impact on the street scene.'

Ward Councillor Rebecca Hopfensperger:

16. Objection due to impact upon highway safety, loss of amenity and adverse effects on a Conservation Area.

Fornham All Saints Parish Council & Fornham St Martin Parish Council

17. Objection due to adverse impact upon amenity, highway safety and the Conservation Area.

Representations:

18. A total of 25 representations have been received with 23 objections and 2 comments neither supporting nor objecting to the proposal. The reasons for the objections relate to concerns over:

- The impact upon highway and pedestrian safety
- The impact upon the drainage ditch
- The need / justification for the proposal and future use
- Loss of privacy / neighbour amenity

19. Further comments since Committee in February have been received raising concern over the:

- The accuracy of the Heritage Impact Assessment
- Frequency of vehicular activity
- The whole site has an extensive planning history and DC/17/1351/FUL is relevant as this was for another access on Mildenhall Road.

Policy:

20. 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.

21. 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 DM11 – Protected Species

Policy DM12 – Mitigation Enhancement, Management and Monitoring of Biodiversity

Policy DM17 – Conservation Areas

Policy DM42 - Open Space, Sport and Recreation Facilities

Policy CS2 – Sustainable Development

Policy CS4 - Settlement Hierarchy

Policy CS13 – Rural Areas

Other planning policy:

22.National Planning Policy Framework (NPPF)

23.The NPPF was revised in December 2023 and is a material consideration in decision making from the day of its publication. Paragraph 225 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 2023 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- The principle of development
- Impact upon character of the area
- Impact upon the Conservation Area
- Impact on amenity
- Impact on ecology
- Impact on the highway safety

The principle of development

25.From a planning policy perspective the application site is located adjacent to Fornham All Saint’s defined housing settlement boundary which is an infill village as defined within Policy CS4. The site and wider golf course are located within the countryside for planning policy purposes. The proposed access will serve the existing golf course for easier access to this part of the existing sport and recreation facility.

26.Policy DM5 states that areas designated as countryside will be protected from unsustainable development and that proposals for economic growth and expansion of all types of business and enterprise that recognise the intrinsic character and beauty of the countryside will be permitted. Policy DM42 supports proposals for the provision, enhancement and/or expansion of amenity, sport or recreation open space or facilities subject to

compliance with other Policies in the Joint Development Management Plan Document and other adopted Local Plans.

27. The proposed vehicular maintenance access will serve the northwestern section of the golf course. The development relates to the on-going management and maintenance of All Saints Golf and Country Club and therefore gains support through Policy DM5 and DM42. The principle of development for a maintenance access in this location is considered acceptable subject to further material planning considerations and policy considerations which are discussed in more detail below.

Impact upon character of the area

28. The application site lies opposite the developed village edge and in contrast has a rural and open character with tranquil views from the public highway extending deep within the golf course. The open and undeveloped nature of the golf course is a key feature and characteristic of Fornham All Saints. Whilst not situated within Fornham All Saints Conservation Area the proposed access is located adjacent to its boundary. The impact of this development upon the Conservation Area is discussed in more detail under a separate section below.

29. Policy DM2 is clear that planning permission for all developments should recognise and address the key features, characteristics of the area and its landscape character.

30. Policy DM5 seeks to ensure that development for economic growth and expansion within the countryside should not have a significant detrimental impact upon the historic environment or harm the character and appearance of the area.

31. Policy CS13 states that development outside of defined settlements should be strictly controlled with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside.

32. Planning permission was originally sought for the access at a width of 9 metres and length of 20 metres with a tall, industrial looking wire fence gate. Officers considered that the superseded scheme would have resulted in an unacceptable urbanising and harmful impact upon the rural character and appearance of the area. There was no justification for an access of this size.

33. Policy DM1 states when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible.

34. The amended scheme proposes a significant reduction in width to 6.3 metres and length to 7.5 metres. The amended design includes the provision of grasscrete as an alternative to tarmac beyond the edge of the public highway. The dropped kerb and altered footpath would be finished in tarmac in accordance with highway standards and subject to a S278 legal agreement. The alterations also include new gates and fencing at a reduced

height of 1.25 metres in an 'estate' style to reflect the rural character. A modest engineered brick retaining wall will be constructed no higher than 600mm above the road level. A condition will secure the specification, type and appearance of the brick.

35. The proposed development is not considered to result in an adverse impact upon the rural character and appearance of the area. Whilst the development will create a break in the otherwise continuous verdant roadside, the amendments secured have significantly reduced the visual impact of this development. The access now appears sympathetic and appropriate for this location.
36. The proposal therefore satisfies Policies DM2, DM5, DM42 and CS13.

Impact upon the Conservation Area

37. Policy DM17 states that development within, adjacent to or visible from a Conservation Area should preserve and enhance the character and appearance of the Conservation Area or its setting.
38. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
39. Following concerns raised by the Conservation Officer in response to the original scheme, the applicant has provided a Heritage Impact Assessment (HIA) which considers the potential impact of this development upon the setting and significance of the Conservation Area. Having reviewed the amendments and updated design and HIA the Conservation Officer no longer objects to this application.
40. The HIA identifies a historic access off The Street opposite a farmstead with a large opening within the field drainage system. The HIA states that there is a long-established functional relationship between the meadows to the south of The Street and Bridge House (Grade II Listed). The historic drainage system appears to have been adapted for access to the meadows roughly within the same location as the proposed development. The assessment considers that the reduction of the proposed access in size has also significantly reduced the visual impact on the setting of the Conservation Area in addition to reinstating a historic feature.
41. The Conservation Officer does not object to the amended scheme on the basis that the proposal involves the reinstatement of a historic feature and the size of the access has been considerably reduced. The proposal therefore does not conflict with Policy DM17 and will not result in harm to the setting of the Conservation Area.
42. Concern has been raised over the accuracy of the Heritage Impact Assessment (HIA) and the suggestion that this development represents a reinstatement of a historic feature. The historic mapping shown within the HIA has been compared against the Council's own historic mapping software which reflects what has been submitted. In addition, the Conservation Officer does not dispute this.

43.To support this application and to demonstrate to the Local Authority that this development would not harm the Conservation Area the applicant provided the HIA. The evidence of a historic access in this location is only relevant to the consideration of the impact of this development upon the Conservation Area.

Impact upon amenity

44.Policy DM2 is also relevant in considering the impact on the amenity of adjacent dwellings. The policy requires that the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light or other pollution (including light pollution, or volume or type or vehicular activity generated) must be considered.

45.Concern has been raised over the impact of the proposed maintenance access upon the privacy of Acer Lodge, given the access is located opposite their front lounge window. Acer Lodge is located approximately 13.8 metres from the proposed access and separated by the B1106 highway and a low brick wall. Any front elevation of a dwelling is generally expected to benefit from less privacy than, for example, rear amenity space or windows. The proposed maintenance access to the front of the dwelling, due to this separation and the nature of the development is therefore not considered to result in unacceptable loss of privacy or residential amenity. The proposal therefore satisfies Policy DM2 in this respect.

Impact upon ecology

46.When determining applications, the LPA has a statutory duty to consider biodiversity. The NPPF (2023) within section 15, para 180 seeks to conserve and enhance the natural environment and paragraph 186 d) of the NPPF suggests 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.

47.At a local level, this is exhibited through policies CS2, DM11 and DM12.

48.Following concerns raised by Officers a preliminary ecology report has been submitted to determine the potential impacts of this development upon ecology and protected species. The report concludes that the proposed new access will not result in any significant adverse ecological effects and includes biodiversity enhancement measures with the conclusion that the proposed bat and bird boxes would be appropriate and proportionate to the scale of the development. The proposed development therefore satisfies the above criteria.

Impact on highway safety

49.The applicant's agent states that All Saints Golf and Country Club is approximately 150 acres and that its upkeep and management requires a significant undertaking. Having strategic access points around the perimeter of the site will assist in efficient upkeep and maintaining the quality of the environment. It is noted that access to this section of the golf course is currently achieved from the opposite side of the golf course off Mildenhall Road.

50. Policy DM2 states that proposals for development should produce design in accordance with standards that maintain or enhance the safety of the highway network.
51. Paragraph 115 of the National Planning Policy Framework (2023) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
52. The proposed access would be constructed in accordance with Suffolk County Council's DM03 Domestic Vehicular Access drawing. This access type has been suggested by Highways Officers as it requires a 2 metre by 2 metre pedestrian visibility splay. This section of B1106 highway has a 30mph speed restriction. The proposed block plan indicates a 90 metre visibility splay looking both east and west. The access will be piped with a 600mm concrete pipe which highways consider is acceptable.
53. The proposed swept path plan has been generated to determine the largest possible maintenance vehicle that could use this access. The swept path shows a 2.3 metre wide and 7.17 metre long rigid axle vehicle manoeuvring into the site either in a reverse gear or a forward gear. It is noted that this drawing solely seeks to demonstrate the largest possible vehicle that the access could accommodate. However, the applicant has confirmed that the type of machinery requiring access would include telehandlers, forklifts, 360 JCB, tractors and trailers.
54. The Highway Authority do not object to this application and have confirmed that the proposed development would not result in an unacceptable risk to highway safety that would justify refusal.
55. On the basis of the above, the proposal does not conflict with policy DM2 and the NPPF in this respect.
56. Prior to the February committee meeting, a late paper was issued which brought members attention to a supporting Highways Statement produced by GH Bullard & Associates.
57. The Highways Statement is a desk top assessment produced to directly respond to concerns raised by the Parish Council and members of the public on the impact of this development upon highway safety.
58. The report identifies that:
- There is no evidence of any reported road injury accidents within the past 24 years at the application site.
 - The drawn visibility splay exceeds the requirements for a 30mph limit and at 90 metres it considers speeding vehicles up to 37 mph.
 - The swept path submitted by the agent was produced using CAD software showing the smallest rigid-based lorry within the CAD library. Tractors and trailers are unlikely to need to traverse the road centreline to complete the turn in/ out.
 - The type of vehicles using the access would predominantly be tractors and lawnmowers.
 - This development will not impact the traffic calming features along the B1106 highway.

- The access type has been amended to prioritise pedestrians.

59. During the February committee meeting, Members and public speakers raised concern over the use and the frequency and type of vehicles using the access. Officers consider that a condition restricting the hours of operation and frequency of vehicles using the access would not meet the 6 tests (necessary, relevant to planning, relevant to the development, enforceable, precise and reasonable) for a condition as set out within the NPPF.

Conclusion:

60. In conclusion, the principle and detail of the development as now amended is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

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

1. Time Limit

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. Approved Plans

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:

- Amended Proposed Location and Block Plan (7400-AR01 REV D)
- Amended Proposed Elevations (7400-AR01 REV A)
- Amended Swept Path (7300-AR01 REV D)
- Amended Ecological Assessment
- Amended Grasscrete Brochure
- Amended Heritage Impact Assessment

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

3. Materials

No development shall take place until a brick sample for the proposed retaining wall has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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.

4. Restrict Use

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 proposed access shall be used only as a maintenance access to serve All Saints Golf and Country Club 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.

5. Soft Landscaping

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 soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. 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 assimilate the development into its surroundings and protect the character and appearance of the area, 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.

6. Visibility Splays

Before the access is first used visibility splays shall be provided as shown on Drawing No.AR01 Rev D with an X dimension of 2.4 metres and a Y dimension of 90 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

7. Access

No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. AR01 Rev D with an entrance width of 3m. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.

8. Gradient

The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway. The gradient of the access driveway shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

9. Surfacing

Prior to the access being first used, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 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.

10. Drainage Ditch

Prior to the access being constructed the ditch beneath the proposed access shall be piped or bridged in accordance with details that previously shall have been submitted to and approved in writing by the Local Planning Authority. The piped or bridged ditch shall be retained thereafter in its approved form.

Reason: To facilitate a safe access by ensuring uninterrupted flow of water and reducing the risk of flooding of the highway.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/1887/FUL](https://www.dorsetcouncil.gov.uk/DC/22/1887/FUL)

Development Control Committee
7 February 2024

WORKING PAPER 1

**Planning Application DC/22/1887/FUL – Land off
The Street, Fornham All Saints**

Date registered:	4 November 2022	Expiry date:	7 th February 2024 (Agreed EOT)
Case officer:	James Morriss	Recommendation:	Approve application
Parish:	Fornham All Saints	Ward:	The Fornhams and Great Barton
Proposal:	Planning application - create access into All Saints Golf and Country Club		
Site:	Land off The Street, Fornham All Saints		
Applicant:	M and D Developments Limited		

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:

James Morriss

Email: democratic.services@westsuffolk.gov.uk

Telephone: 01284 757370

Background

This application was presented at Delegation Panel on 16 January 2024 as the Officer's recommendation of APPROVAL conflicts with the Parish Council's and Ward Member Councillor Beccy Hopfensperger's objection.

The application was referred to Development Control Committee due to the public interest in the proposed development.

Proposal:

1. Planning permission is sought for a maintenance access to serve All Saints Golf and Country Club. The vehicular access will be located at land off The Street in the location of a historic access onto the northwestern section of the golf course.
2. The access involves construction over a drainage ditch with the creation of an engineered brick retaining wall and the ditch would be piped in accordance with Suffolk County Council's highways standards.
3. The existing footpath section will be tarmacked and beyond the footpath the access is proposed to be surfaced using grasscrete for a length of approximately 5.8 meters. The proposal includes 'estate' style gates and powder coated black fencing at a height of 1.25 metres. Biodiversity enhancements in the form of 3no. bird and bat boxes are also proposed.
4. The applicant has stated that current access to this section of the golf course requires a convoluted route involving crossing several water courses or traveling a greater distance around the golf course to avoid these. The new access would eliminate the need to cross the water courses and assist with efficiency.

Application supporting material:

5. The plans originally submitted have been amended including a relocation by approximately 13.5 meters further West away from the Larks Gate junction. The access has been reduced in width and lengths and the surface was changed from tarmac to grasscrete. The style and height of the proposed gates and fencing has been amended from industrial style wire fencing and gate to more sympathetic estate type gates and black powder coated fencing. In support of the amended scheme an ecology report and heritage impact assessment have been provided.
 - Amended Proposed Location and Block Plan (7400-AR01 REV D)
 - Amended Proposed Elevations (7400-AR01 REV A)
 - Amended Swept Path (7300-AR01 REV D)
 - Amended Ecological Assessment
 - Amended Grasscrete Brochure
 - Amended Heritage Impact Assessment

Site details:

6. The application site forms part of the golf course associated with All Saints Hotel and Country Club. From a planning policy perspective, the application site is located within the countryside. On the opposite side of the road B1106 is residential development, which is within Fornham All Saints Conservation Area. The proposed access would be located across the road from Acer Lodge. As noted above the proposed maintenance access would provide vehicular access to the northwestern section of the golf course. The application site is rural, open and verdant in character.

Planning history:

7. There is extensive planning history relating to All Saints Golf and Country Club however, none of the previous applications are directly relevant to this proposal.

Consultations:

Conservation Officer

8. Comments on original scheme:

'The application proposes the provision of a new vehicular access to serve an existing golf course with the purpose of providing 'immediate access onto the North West side of the golf club to an area which isn't easily accessed from elsewhere on the site for ongoing and future maintenance.'

The application includes an existing and proposed location plan; a proposed site plan indicating the location and details of the proposed access and the application form.

The conservation area boundary at this particular point runs parallel with the southern side of the highway. The junction between highway and access therefore would appear to sit on the boundary of the conservation area. The remaining development would appear to sit outside the conservation area but immediately abuts its boundary. Given the relationship with the conservation area boundary the proposed development has the potential to affect the setting and therefore significance of the conservation area.

Little information has been submitted to support the proposals other than the details listed above. No description of any Heritage Assets (to include the conservation area) potentially affected by the proposal has been provided as required to enable the impact on the significance of assets affected to be determined.

The southern boundary of this particular part of the conservation area is characterised by a continuous row of Poplar trees(?) running parallel with and set back from the road behind a green verge and footpath. Beyond the trees lies the closely mown undulating landscape of the golf course interspersed with trees all of which provide a constant, verdant backdrop to the conservation area at this point which in contrast to the northern side of the highway is uninterrupted by notable development (in the sense of hard surfacing and groups of housing). The current state provides an

attractive setting to the conservation area which positively contributes towards its significance.

It is unclear if the proposals would involve the loss of any of the trees but the introduction of a highway compliant vehicular access would result in a break in the continuous line of vegetation replaced by a hard engineered surface abutting the conservation area whilst projecting some distance into an area which currently provides a softer setting to the conservation area. As a consequence the provision of the proposed access is not considered to either preserve or enhance the character or appearance of the conservation area affecting a setting which currently makes a positive contribution towards its significance.

Based on the limited information submitted and reference to street view it would appear the ability to maintain the area concerned is currently achievable. Whilst the proposed access may be a desirable improvement on the current access, it would appear that the current access is adequate. As such there would appear to be little public benefit to outweigh the harm caused.

The proposed development would therefore fail to meet the requirements of section 72 of the Planning (Listed building and conservation areas) Act 1990 where special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area Forest Heath and St Edmundsbury Local Plan policy DM17 and para 202 of the NPPF'

The application is therefore recommended for refusal.

9. Comments on amended plans:

In response to the amended proposal the conservation officer responded, on the basis the proposal involves the reinstatement of an historic access; the size of the proposed access has been reduced by 13m in length and 1 metre in width; a planting scheme has already been approved to be reinstated along the boundary and the fencing and gate are to match existing. The impact on the setting of the conservation area is considered to be notably reduced particularly if the planting can be enforced. On that basis conservation concerns would largely be addressed and objections would therefore be removed.

Highways

10. Comments on original scheme:

'Suffolk County Council as Highway Authority hereby recommends a Holding Objection is upheld until the information requested within this consultation response has been submitted for review, in the interests of providing safe and suitable access to the site for all users, compliant with Paragraph 110 (b) of the National Planning Policy Framework (NPPF) 2019.

There has been no justification given as to why a standard vehicular crossover cannot be used in this instance. As such it is unclear why SCC drawing no. DM04 is being used considering that DM04 access do not

prioritise pedestrians unlike a standard vehicular crossover. Justification of this decision should be provided in detail in any further documents.

Details of the vehicles that will be using the proposed access should be provided alongside swept paths for the largest anticipated vehicles so judgement on the suitability of a DM04 standard access can be made.'

11. Comments on amended plans:

Suffolk County Council have no objections subject to conditions ensuring that the access be constructed in accordance with highways standards. The below response to neighbour concerns raised has also been received from Highways Officers:

'Many of the points raised either had little impact on safety or were not significant enough to warrant a refusal, for us to refuse an application we must have enough justification to uphold our decision should the applicant apply for an appeal as such a refusal is a last resort and unless there are serious safety concerns, we seek to improve the proposal and gain betterments where possible.

We are happy to provide our comments surrounding the impact on pedestrians as well as our judgement on the use of grasscrete, however the other points raised were not significant enough in our assessment to warrant a refusal.

Impact on pedestrians:

This is a due consideration as pedestrian safety is of utmost concern within current legislation. As such and as shown within the provided plans the access will provide 2mx2m pedestrian splays as is standard for access' crossing footways. This is achievable as following our first holding objection the applicant changed the specification of the access to be in line with SCC DM03 standard access drawing which is more pedestrian friendly than the original proposal.

The use of grasscrete:

Due to the abundance of vegetation nearby, grasscrete in this instance would be a suitable material as a way to reduce the access' impact on the street scene.'

Ward Councillor Beccy Hopfensperger:

12. Objection due to impact upon highway safety, loss of amenity and adverse effects on a Conservation Area.

Fornham All Saints Parish Council & Fornham St Martin Parish Council

13. Objection due to adverse impact upon amenity, highway safety and the Conservation Area.

Representations:

14. A total of 22 representations have been received with 20 objections and 2 comments neither supporting nor objecting to the proposal. The reasons for the objections relate to concerns over:

- The impact upon highway and pedestrian safety
- The impact upon the drainage ditch
- The need / justification for the proposal and future use
- Loss of privacy / neighbour amenity

Policy:

15. 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.

16. 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 DM11 – Protected Species

Policy DM12 – Mitigation Enhancement, Management and Monitoring of Biodiversity

Policy DM17 – Conservation Areas

Policy DM42 - Open Space, Sport and Recreation Facilities

Policy CS2 – Sustainable Development

Policy CS4 - Settlement Hierarchy

Policy CS13 – Rural Areas

Other planning policy:

17. National Planning Policy Framework (NPPF)

18. The NPPF was revised in December 2023 and is a material consideration in decision making from the day of its publication. Paragraph 225 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 2023 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- The principle of development
- Impact upon character of the area
- Impact upon the Conservation Area
- Impact on amenity
- Impact on ecology
- Impact on the highway safety

The principle of development

20. From a planning policy perspective the application site is located adjacent to Fornham All Saint's defined housing settlement boundary which is an infill village as defined within Policy CS4. The site and wider golf course are located within the countryside for planning policy purposes. The proposed access will serve the existing golf course for easier access to this part of the existing sport and recreation facility.

21. Policy DM5 states that areas designated as countryside will be protected from unsustainable development and that proposals for economic growth and expansion of all types of business and enterprise that recognise the intrinsic character and beauty of the countryside will be permitted. Policy DM42 supports proposals for the provision, enhancement and/or expansion of amenity, sport or recreation open space or facilities subject to compliance with other Policies in the Joint Development Management Plan Document and other adopted Local Plans.

22. The proposed vehicular maintenance access will serve the northwestern section of the golf course. The development relates to the on-going management and maintenance of All Saints Golf and Country Club and therefore gains support through Policy DM5 and DM42. The principle of development for a maintenance access in this location is considered acceptable subject to further material planning considerations and policy considerations which are discussed in more detail below.

Impact upon character of the area

23. The application site lies opposite the developed village edge and in contrast has a rural and open character with tranquil views from the public highway extending deep within the golf course. The open and undeveloped nature of the golf course is a key feature and characteristic of Fornham All Saints.

Whilst not situated within Fornham All Saints Conservation Area the proposed access is located adjacent to its boundary. The impact of this development upon the Conservation Area is discussed in more detail under a separate section below.

24. Policy DM2 is clear that planning permission for all developments should recognise and address the key features, characteristics of the area and its landscape character.
25. Policy DM5 seeks to ensure that development for economic growth and expansion within the countryside should not have a significant detrimental impact upon the historic environment or harm the character and appearance of the area.
26. Policy CS13 states that development outside of defined settlements should be strictly controlled with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside.
27. Planning permission was originally sought for the access at a width of 9 metres and length of 20 metres with a tall, industrial looking wire fence gate. Officers considered that the superseded scheme would have resulted in an unacceptable urbanising and harmful impact upon the rural character and appearance of the area. There was no justification for an access of this size.
28. Policy DM1 states when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible.
29. The amended scheme proposes a significant reduction in width to 6.3 metres and length to 7.5 metres. The amended design includes the provision of grasscrete as an alternative to tarmac beyond the edge of the public highway. The dropped kerb and altered footpath would be finished in tarmac in accordance with highway standards and subject to a S278 legal agreement. The alterations also include new gates and fencing at a reduced height of 1.25 metres in an 'estate' style to reflect the rural character. A modest engineered brick retaining wall will be constructed no higher than 600mm above the road level. A condition will secure the specification, type and appearance of the brick.
30. The proposed development is not considered to result in an adverse impact upon the rural character and appearance of the area. Whilst the development will create a break in the otherwise continuous verdant roadside, the amendments secured have significantly reduced the visual impact of this development. The access now appears sympathetic and appropriate for this location.
31. The proposal therefore satisfies Policies DM2, DM5, DM42 and CS13.

Impact upon the Conservation Area

32. Policy DM17 states that development within, adjacent to or visible from a Conservation Area should preserve and enhance the character and appearance of the Conservation Area or its setting.
33. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
34. Following concerns raised by the Conservation Officer in response to the original scheme, the applicant has provided a Heritage Impact Assessment (HIA) which considers the potential impact of this development upon the setting and significance of the Conservation Area. Having reviewed the amendments and updated design and HIA the Conservation Officer no longer objects to this application.
35. The HIA identifies a historic access off The Street opposite a farmstead with a large opening within the field drainage system. The HIA states that there is a long-established functional relationship between the meadows to the south of The Street and Bridge House (Grade II Listed). The historic drainage system appears to have been adapted for access to the meadows roughly within the same location as the proposed development. The assessment considers that the reduction of the proposed access in size has also significantly reduced the visual impact on the setting of the Conservation Area in addition to reinstating a historic feature.
36. The Conservation Officer does not object to the amended scheme on the basis that the proposal involves the reinstatement of a historic access which has been considerably reduced in size. The proposal therefore does not conflict with Policy DM17 and will not result in harm to the setting of the Conservation Area.

Impact upon amenity

37. Policy DM2 is also relevant in considering the impact on the amenity of adjacent dwellings. The policy requires that the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light or other pollution (including light pollution, or volume or type or vehicular activity generated) must be considered.
38. Concern has been raised over the impact of the proposed maintenance access upon the privacy of Acer Lodge, given the access is located opposite their front lounge window. Acer Lodge is located approximately 13.8 metres from the proposed access and separated by the B1106 highway and a low brick wall. Any front elevation of a dwelling is generally expected to benefit from less privacy than, for example, rear amenity space or windows. The proposed maintenance access to the front of the dwelling, due to this separation and the nature of the development is therefore not considered to result in unacceptable loss of privacy or residential amenity. The proposal therefore satisfies Policy DM2 in this respect.

Ecology Matters

39. When determining applications, the LPA has a statutory duty to consider biodiversity. The NPPF (2023) 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.
40. At a local level, this is exhibited through policies CS2, DM11 and DM12.
41. Following concerns raised by Officers a preliminary ecology report has been submitted to determine the potential impacts of this development upon ecology and protected species. The report concludes that the proposed new access will not result in any significant adverse ecological effects and includes biodiversity enhancement measures with the conclusion that the proposed bat and bird boxes would be appropriate and proportionate to the scale of the development. The proposed development therefore satisfies the above criteria.

Impact on highway safety

42. The applicant's agent states that All Saints Golf and Country Club is approximately 150 acres and that its upkeep and management requires a significant undertaking. Having strategic access points around the perimeter of the site will assist in efficient upkeep and maintaining the quality of the environment. It is noted that access to this section of the golf course is currently achieved from the opposite side of the golf course off Mildenhall Road.
43. Policy DM2 states that proposals for development should produce design in accordance with standards that maintain or enhance the safety of the highway network.
44. Paragraph 115 of the National Planning Policy Framework (2023) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
45. The proposed access would be constructed in accordance with Suffolk County Council's DM03 Domestic Vehicular Access drawing. This access type has been suggested by Highways Officers as it requires a 2 metre by 2 metre pedestrian visibility splay. This section of B1106 highway has a 30mph speed restriction. The proposed block plan indicates a 90 metre visibility splay looking both east and west. The access will be piped with a 600mm concrete pipe which highways consider is acceptable.
46. The proposed swept path plan has been generated to determine the largest possible maintenance vehicle that could use this access. The swept path shows a 2.3 metre wide and 7.17 metre long rigid axle vehicle manoeuvring into the site either in a reverse gear or a forward gear. It is noted that this drawing solely seeks to demonstrate the largest possible vehicle that the access could accommodate. However, the applicant has confirmed that the type of machinery requiring access would include telehandlers, forklifts, 360 JCB, tractors and trailers.

47.The Highway Authority do not object to this application and have confirmed that the proposed development would not result in an unacceptable risk to highway safety that would justify refusal.

48.On the basis of the above, the proposal does not conflict with policy DM2 and the NPPF in this respect.

Conclusion:

49.In conclusion, the principle and detail of the development as now amended is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

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

1. Time Limit

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. Approved Plans

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:

- Amended Proposed Location and Block Plan (7400-AR01 REV D)
- Amended Proposed Elevations (7400-AR01 REV A)
- Amended Swept Path (7300-AR01 REV D)
- Amended Ecological Assessment
- Amended Grasscrete Brochure
- Amended Heritage Impact Assessment

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

3. Materials

No development shall take place until a brick sample for the proposed retaining wall has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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.

4. Restrict Use

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 proposed access shall be used only as a maintenance access to serve All Saints Golf and Country Club 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.

5. Soft Landscaping

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 soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. 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 assimilate the development into its surroundings and protect the character and appearance of the area, 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.

6. Visibility Splays

Before the access is first used visibility splays shall be provided as shown on Drawing No.AR01 Rev D with an X dimension of 2.4 metres and a Y dimension of 90 metres [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

7. Access

No other part of the development hereby permitted shall be commenced until the new access has been laid out and completed in all respects in accordance with drawing no. AR01 Rev D with an entrance width of 3m. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.

8. Gradient

The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway. The gradient of the access driveway shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

9. Surfacing

Prior to the access being first used, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 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.

10. Drainage Ditch

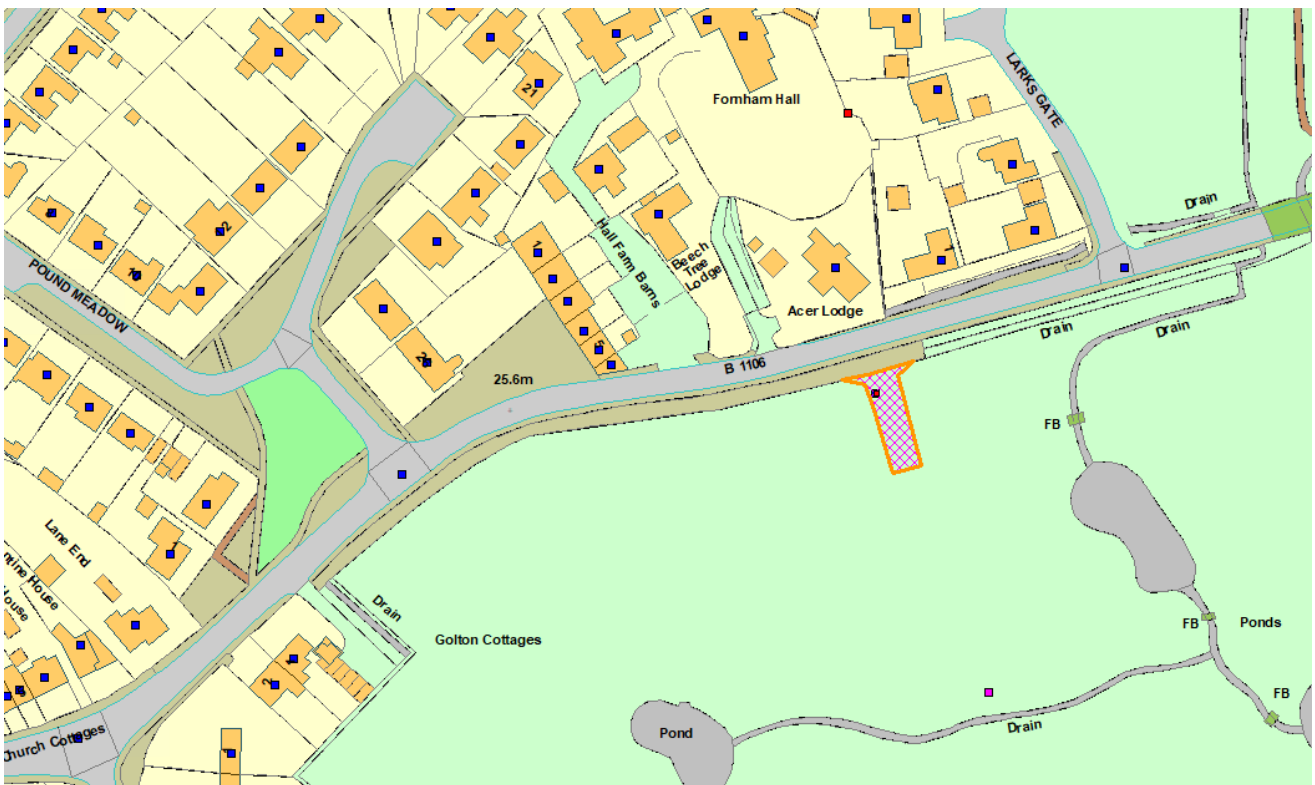
Prior to the access being constructed the ditch beneath the proposed access shall be piped or bridged in accordance with details that previously shall have been submitted to and approved in writing by the Local Planning Authority. The piped or bridged ditch shall be retained thereafter in its approved form.

Reason: To facilitate a safe access by ensuring uninterrupted flow of water and reducing the risk of flooding of the highway.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/1887/FUL](https://www.dorsetcouncil.gov.uk/DC/22/1887/FUL)

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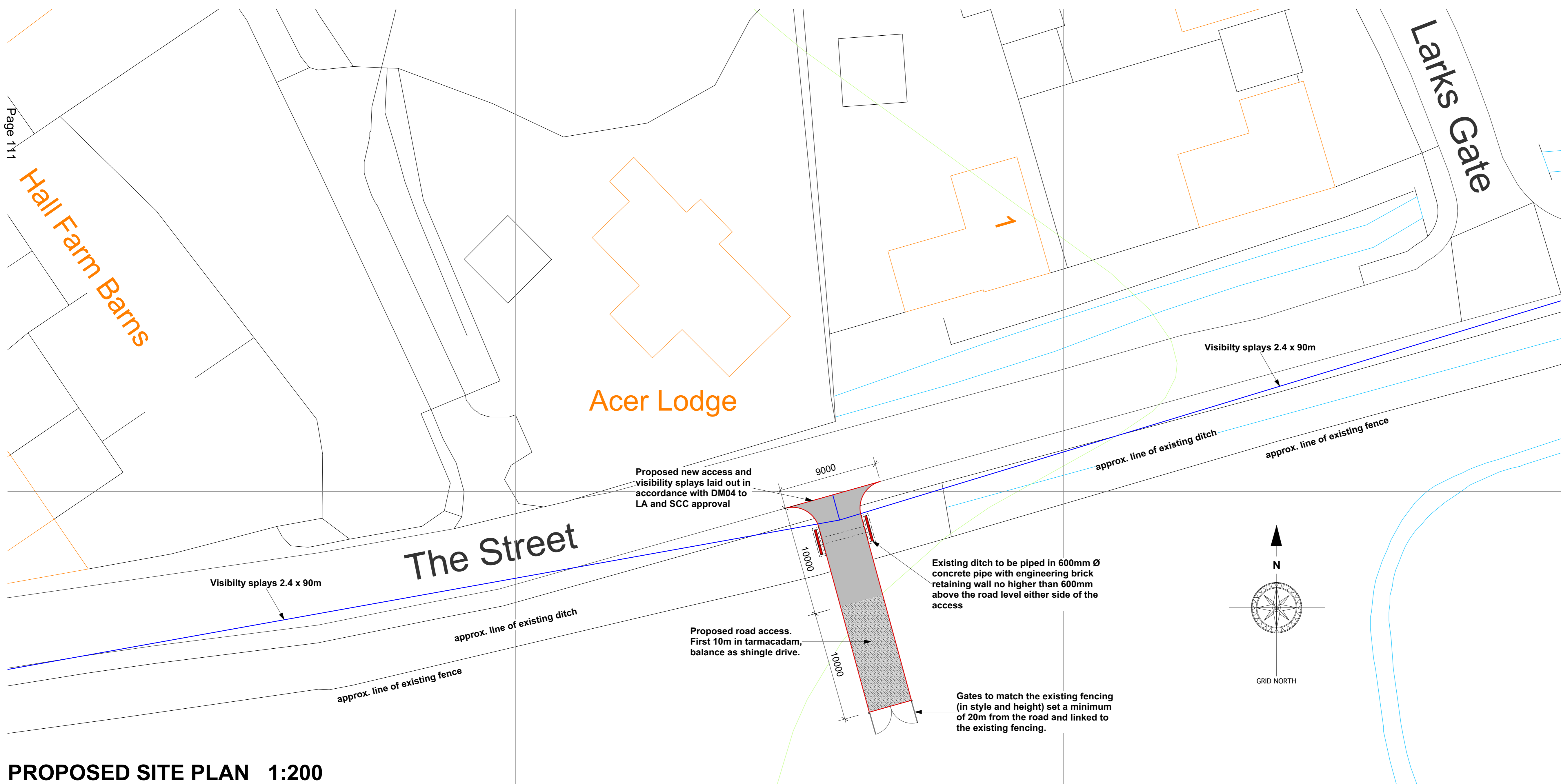
EXISTING LOCATION PLAN 1:1250



PROPOSED LOCATION PLAN 1:1250

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REVISIONS			
Rev	Notes	By	Date



PROPOSED SITE PLAN 1:200

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RIBA
 Chartered Practice

client:
M & D Developments

project:
All Saints Hotel
 Fornham St Genevieve,
 Bury St Edmunds, Suffolk

drawing title:
 Proposed Access Road

project no: 7400	dwg no: AR01	rev: mlk	drawn: stated	scale: 	date: Oct 22
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drawing status: **Planning**

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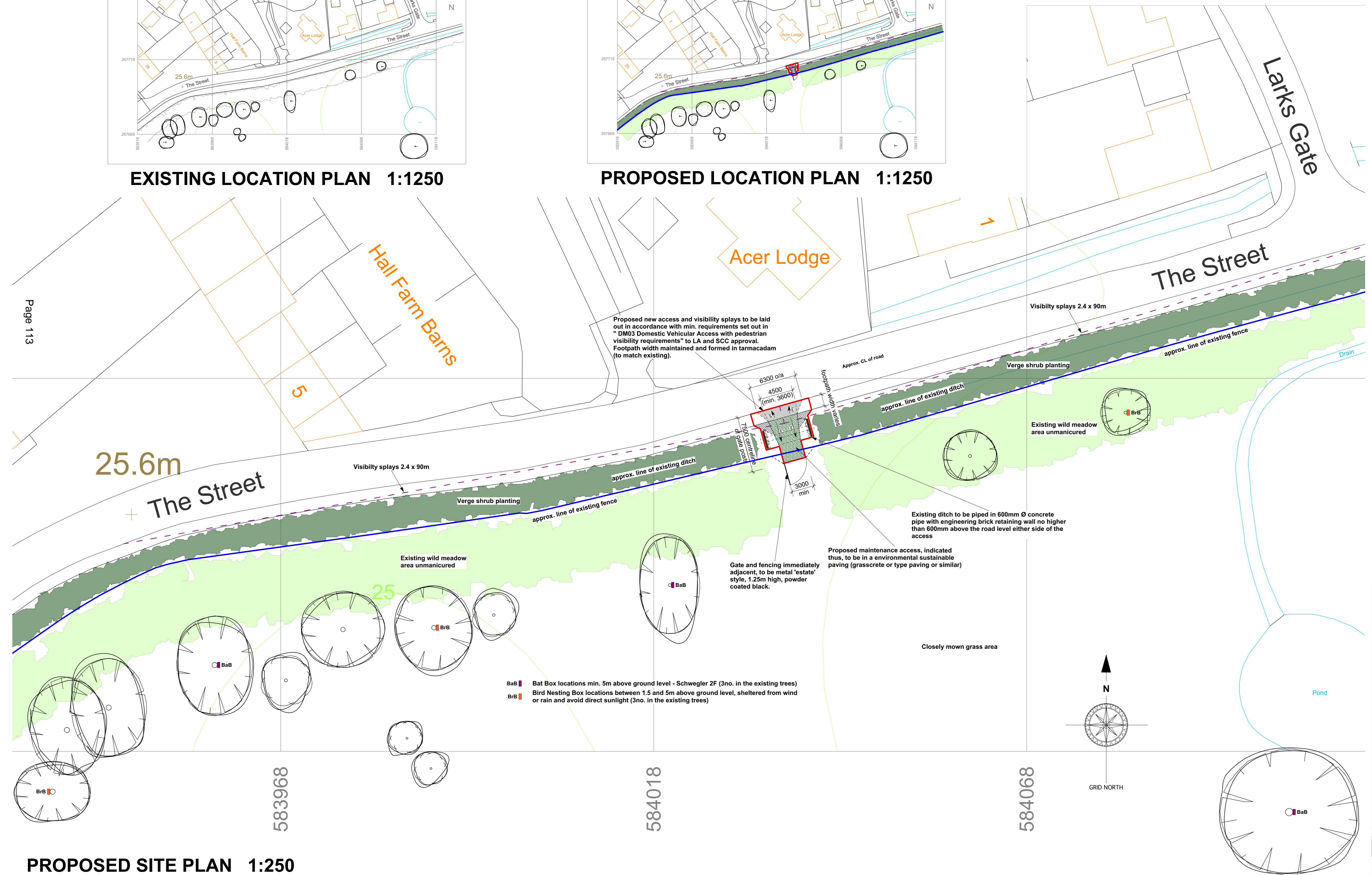
REVISIONS			
Rev	Notes	By	Date
A	Blue line to the site boundary, visibility splay colour and line type adjusted	mlk	03/11/22
B	Maintenance access position relocated, the type of access reference & surface finish amended and ecology measures added.	mlk	24/04/23
C	Width of access reduced to be minimum 3m wide at the gate and extent of drop kerbing along the road edge reduced accordingly, extent of grasscrete track into the site reduced in length, bitlar paving omitted.	mlk	05/10/23
D	Gate/fence style amended and reconfigured; extent of existing planting, shrubbery etc added.	mlk	29/11/23



EXISTING LOCATION PLAN 1:1250



PROPOSED LOCATION PLAN 1:1250



PROPOSED SITE PLAN 1:250

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project:
All Saints Hotel
 Fornham St Genevieve,
 Bury St Edmunds, Suffolk

drawing title:
 Reinstate Historic Access For Maintenance -
 General Arrangement

project no:	dwg no:	rev:	drawn:	scale:	date:
7400	AR01	D	mlk	stated	Oct 22
drawing status:					Planning

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Development Control Committee

6 March 2024

Planning Application DC/22/0850/FUL - Brandon Remembrance Recreation Field, Skate Park, Victoria Avenue, Brandon

Date registered: 21 October 2022 **Expiry date:** 16 December 2022
EOT 08 March 2024

Case officer: Connor Vince **Recommendation:** Refuse application

Parish: Brandon **Ward:** Brandon Central

Proposal: Planning application - installation of reinforced concrete skate park

Site: Brandon Remembrance Recreation Field, Skate Park, Victoria Avenue, Brandon

Applicant: Mr John Kennedy

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:

Connor Vince

Email: democratic.services@westsuffolk.gov.uk

Telephone: 01284 757373

Background:

This application has been referred to the Development Control Committee following consideration by the Delegation Panel. Brandon Town Council support the application.

Proposal:

1. The application seeks approval for the installation of a reinforced concrete skatepark, following the removal of the existing skatepark on an adjacent site to the north.

Application supporting material:

2. Application Form
Location Plan
3D Images
Proposed Site Plan
Civil Details
Flood Risk Assessment

Site details:

3. The application site is situated within designated countryside, approximately 220metres north of the settlement boundary for Brandon. The site is also north of Brandon Leisure Centre. The site is situated within Flood Zone 2 and adjacent to a water drain to the north. The site is adjacent to a Multi-Use Games Area (MUGA) and east of a Lime tree protected by tree preservation order.
4. **Planning history:** None relevant

Consultations:

5. Natural England: "No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Natural England's generic advice on other natural environment issues is set out at Annex A
6. Ecology & Landscape Officer: "The proposed site is located 0.9km for Breckland SPA but is within the 1500m buffer around components parts of Breckland SPA designated for Stone Curlew. The skate park site is located within the existing leisure site.
7. The proposals are unlikely to result in construction or operational disturbance given the distance of more than 500m from the SPA, and the proposals will not result in additional built development. Natural England has been consulted and has confirmed that they have no concerns in relation to statutorily protected nature conservation sites or landscapes. Based on the above likely significant effects on Breckland SPA can be ruled out.
8. Although the proposed site of the skate park is within the existing playing field area it is located within 2m of the adjacent ditch and there are

records of reptiles in the vicinity. The site is also partially within the great crested newt amber risk zone. An ecological impact assessment should be submitted to support the proposals.

9. Tree protection fencing should be provided for the adjacent trees to ensure there is no construction damage."
10. Suffolk Archaeology: "This site lies in an area of very high archaeological potential recorded on the County Historic Environment Record, in close proximity to known find spots/extant and excavated remains from the Terminal Palaeolithic to Post Medieval periods, (BRD 202, 267, 266, 248, 018). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
11. 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."
12. Suffolk Highways: "Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown"
13. Suffolk County Council Lead Local Flood Authority (LLFA): "A holding objection is necessary due to the increasing number of features located adjacent to the watercourse, they will have a cumulative effect on the flood risk within the area and therefore warrant further information being required for the LLFA to assess the application. Additionally, the applicant is proposing the use of infiltration-based features, but there is limited information provided for the underlying geology of the site."
14. Sports England: "No objection"

Representations: No letters of representation have been received.

15. Brandon Town Council: "Brandon Town Council supports this planning application; however Councillors raised the question of the access road needing repairs/upgrading to enable the facilities to be used fully."
16. **Policy:** 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 Forest Heath District Council.

17. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

Forest Heath Core Strategy – CS2 Natural Environment

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 DM42 Open Space, Sport and Recreation Facilities

Other planning policy:

18. The NPPF was revised in December 2023 and is a material consideration in decision making from the day of its publication. Paragraph 225 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 2023 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

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

- Principle of Development, including Flood Risk
- Impact on character and appearance, including existing landscape features.
- Impact on Amenity
- Ecological Impacts
- Other Matters

Principle of Development, including Flood Risk

20. The site is located within land designated as countryside. Within such areas Policy DM5 supports the provision of essential small-scale facilities for outdoor sport and recreation, or facilities that support other uses of land which preserve the openness, appearance and character of the countryside.
21. The location of the proposed skate park is within the existing Remembrance Playing Fields. The wider site contains a number of features as would be expected at an outdoor facility of this nature, including grass and artificial playing pitches, children's play equipment, and an existing metal skate park. The application site is also close to Brandon Leisure Centre approximately 140 metres north-west
22. Policy DM42 recognises that open spaces close to residential areas can add significantly to the quality of life. Such areas help people take part in outdoor pursuits and the policy supports the provision and enhancement of recreational open spaces and facilities. The existing metal skate park has reached the end of its useful life expectancy, and this application seeks permission for a replacement facility. It is anticipated that the existing skate park will be removed. On the basis that this is a replacement for an existing facility that has reached the end of its useful life, it is considered that the proposal is 'essential' therefore meeting the in principle tests of DM5. Further substantial support is offered by the provisions of Policy DM42. The skate park will offer a facility for use by nearby residents, helping support a healthy and active lifestyle and helping improve the quality of life generally for those who use it.
23. On this basis, and on this narrow policy assessment, considerable weight in support of the proposal can be given.
24. However, before the principle of development can be established, consideration of flooding related matters must also be made. Policy DM6 states "Proposals for all new development will be required to submit schemes appropriate to the scale of the proposal detailing how on-site drainage will be managed so as not to cause or exacerbate flooding elsewhere." A Flood Risk Assessment has been provided in support of the proposal which suggests, albeit without modelling, that the site is located within Flood Zone 1. However, the site is actually located within Flood Zone 2 and this has been confirmed by the Environment Agency mapping. The site is also shown as being vulnerable to surface water flooding, as per the comments received from the Lead Local Flood Authority, via the increase in impermeable materials used for construction alongside the close proximity to water sources within flood zone 2.
25. Paragraph 165 of the NPPF states "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)." The NPPF also refers to 'all sources' of flooding, which includes surface water. So, regardless of whether or not this is Flood Zone 1 or 2, the site is susceptible to sources of flooding.
26. National Planning Guidance sets out the process to be followed in cases such as this, with the first step being to 'avoid' development in areas at

risk of flooding through the application of a sequential test. Guidance then explains that the aim of the sequential approach is to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding.

27. Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features. Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied. Application of the sequential approach in the plan-making and decision-making process will help to ensure that development is steered to the lowest risk areas, where it is compatible with sustainable development objectives to do so, and developers do not waste resources promoting proposals which would fail to satisfy the test. Other forms of flooding need to be treated consistently with river and tidal flooding in mapping probability and assessing vulnerability, so that the sequential approach can be applied across all areas of flood risk.

28. As per the government guidance, published by the Environment Agency and Department for Environment, Food and Rural Affairs, the Sequential Test should be applied to 'Major' and 'Non-major development' proposed in areas at risk of flooding, but it will not be required where:

- The site has been allocated for development and subject to the test at the plan making stage (provided the proposed development is consistent with the use for which the site was allocated and provided there have been no significant changes to the known level of flood risk to the site, now or in the future which would have affected the outcome of the test).
- The site is in an area at low risk from all sources of flooding, unless the Strategic Flood Risk Assessment, or other information, indicates there may be a risk of flooding in the future.
- The application is for a development type that is exempt from the test, as specified in footnote 60 of the National Planning Policy Framework.

29. It would appear that none of these exemptions apply in this case and no sequential test has been undertaken. Some minor development is exempted from the need for a sequential test, for example householder extensions and small non-residential extensions, or changes of use. This proposal does not meet any of these exemptions. In any event, and notwithstanding, the NPPF then says at Para. 173 that development should only be allowed in areas at risk of flooding where, in light of this (flood risk) assessment it can be demonstrated that it meets further provisions, but this is in any event on the proviso that it has first met the sequential test.

30. The further provisions that are also required to be met are as follows –

- (a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

- (b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;
- (c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- (d) any residual risk can be safely managed; and
- (e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

31. In this regard, the wider Playing Fields site contains ample areas outside of Flood Zone 2 but no assessment of these matters has been undertaken. It is therefore considered unlikely, were one to be undertaken, that the proposal would satisfy the Sequential Test. Even if there are no alternative suitable sites at lower risk of flooding, the proposal must then also pass an Exception Test. This Exception Test requires an applicant to demonstrate that the development will provide wider sustainability benefits (this might be the case here noting the nature of the use) AND that it can be safe for its lifetime without increasing flood risk elsewhere. This test is a moot point here however since the proposal must first have satisfied the sequential test, which given the ample space on the site outside of Flood Zone 2, is considered unlikely.

32. No formal comments have been received from The Environment Agency. The Environment Agency have confirmed informally, via email that the site is predominantly located within Flood Zone 2 of their flood map for planning and that the application falls within their flood risk standing advice and therefore they should not ordinarily need to be consulted. Therefore, it falls to the Local Planning Authority in any event to assess the matter of any sequential test and the wider implications for flooding (which, as explained above, has not been assessed in the submitted Flood Risk Assessment anyway) but a 'holding objection' has been received from the Lead Local Flood Authority (LLFA).

33. A holding objection is necessary due to the increasing number of features located adjacent to the watercourse, which will have a cumulative effect on the flood risk within the area and therefore warrant further information being required for the LLFA to assess the application. Additionally, the applicant is proposing the use of infiltration-based features, but there is limited information provided for the underlying geology of the site.

The holding objection was raised as a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required to overcome the objection(s). This Holding Objection remains the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. The LLFA have advised that if their position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development.

34. Additionally, the LLFA has also identified six matters upon which further details are required.

1. Submit a surface water drainage strategy that achieves the four pillars of SuDS and utilises above ground SuDS wherever possible for collection, conveyance, storage, and discharge, providing multi-functional and benefits. Features such as tree pits, kerbside raingardens, bioretention features etc all achieve the four pillars of SuDS and are suited to dense urban environments such as this site and should be further considered within the designs.
2. Within the flood risk assessment, there is no impermeable area included on page 6. Please update this to show the correct value.
3. As mentioned above, sufficient site investigation has not been conducted to demonstrate the nature of underlying geology. Further ground investigation including groundwater monitoring and infiltration testing is required.
4. Additional drawings are to be provided, this includes a contour plan to assess the topography of the site and the exceedance flow routes in the event of a failure in the SuDS system or should a storm occur which is greater than the design event.
5. Micro drainage (or equivalent) calculations should be provided of the drainage system.
6. It should be demonstrated that there is a minimum of 3m easement from the top of bank of any existing watercourses or surface water features either on or adjacent to the site to ensure access is available for any maintenance that may be required in the future.

35. This matter has been the subject of extended and detailed further consideration, in consultation and discussion with the applicant. This proposal is a valuable facility and officers have been keen to support it if at all possible. However, the applicant confirmed in December 2023 that they are not going to be able to provide the additional information that was requested and have requested that a decision be made on the proposal as it stands.

36. The existing skate park is located within Flood Zone 2, and will be removed, but is a facility that has been in place for some considerable period of time and no record exists of it ever having been granted planning permission. With no information before the Authority therefore that the proposal will not lead to increased flooding elsewhere, with no sequential test, and in light of all the factors above, all of which would apply in the event that a sequential test has been satisfied (it has in any event not been) and on which the submitted Flood Risk Assessment is silent, the uncertain flooding related implications remain a matter that weighs very significantly against the proposal in the balance of considerations.

Impact on character and appearance, including existing landscape features

37. Policy DM2 states proposals for all development should... "recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area." Moreover, policy DM13 states Development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value.
38. Extensive comments have been received from the LPA's landscaping consultant in relation to the proposal. Whilst not explicitly objecting, the consultant has suggested further information is submitted in relation to a number of areas before permission is granted. Firstly, and as a technical matter that would need to be addressed regardless, the red line of the application site does not encompass the mounding surrounding the skate park. The red line would need to be amended to include this mounding, as well as any other elements of the proposal.
39. A common factor that is referred to by Public Health & Housing and our landscaping consultant is the requirement for a connecting footpath to the existing footpath that connects surrounding facilities to a central pathway to the south-west. The tree to the south-west of the park is now protected by virtue of a Tree Preservation Order. Concerns had previously been raised regarding the lack of Arboricultural assessment in relation to surrounding trees and, given the now protected status of this tree, it is likely that a relocation of the skatepark would be required to avoid any direct impacts to the aforementioned tree and any post-development resentment (potential future pressure for removal or works to the tree as a result of the development being approved). An Arboricultural Impact Assessment would be required to be submitted and subsequently reviewed by our consultant. It is then likely that a pre-commencement condition would be required for an Arboricultural Method Statement to be submitted.
40. Having liaised with the Landscape Consultant, the LPA have on balance determined that many of the elements requiring clarification/further information could be conditioned. This is setting aside the red line 'issue' that has been discussed above, that would need to include the bunding and a footpath to the adjacent footpath to the south-west of the site. In terms of bunding the LPA would need to know whether or not this is going to be the excess removed from the ground to create the space for 'the bowl' or if the soil was to be imported. Tree protection works in relation to the TPO tree can be conditioned as long as the proposals sit outside of the root protection area of the existing lime tree on site, which would need to be illustrated on the amended plan. Additional planting is encouraged and can be conditioned. In terms of hard landscaping the LPA would expect details of a connecting path to be provided including areas for people to sit and observe. Lighting can also be conditioned.
41. Technical details, including full drawings, specifications and sections would be required for the mounding surrounding the skatepark as this is an engineering operation for which planning permission is needed. Hard and Soft landscaping details, including proposed planting, can be conditioned. For clarification, the provision of CCTV, lighting, ecological enhancements, bin storage, etc could also be provided upfront, or conditioned.
42. The above has been presented to the agent, but no further details have been submitted. Based on insufficient information and fundamental plan

errors, the application cannot be supported in its current form. The proposal is therefore contrary to the provisions of DM2 and DM13 in relation to the above.

Impact on Amenity

43. Policy DM2 seeks to secure development proposals which do not have an adverse impact on existing or indeed proposed residential amenity. Furthermore, Policy DM14 requires that all applications where the existence of pollution is suspected (for example, in this case, noise from the utilisation of the adjacent skatepark, and play areas) to contain sufficient information to enable the Authority to make a full assessment of potential hazards. In this case no information has been submitted.
44. Public Health & Housing object to the application. It is considered that a Noise Impact Assessment is required to assess the potential impacts of the proposal, in combination with the surrounding recreational sites. The existing facilities are likely to make this location have a higher existing background noise level than it would if those existing facilities were not present, which in the context of the proposed development is a good thing i.e. the likelihood of an adverse impact is lowered where there is already a high background noise level because one measure of an adverse impact is through a comparison of a specific sound source with existing background levels. It is also considered necessary, to provide further context and information on the application/proposal itself, for a Planning Statement to be submitted.
45. The applicant has been made aware of the information required and requested by consultees. The LPA are of the understanding that the applicant does not wish to submit this information and would like the application to run its course.
46. Officers have assessed the site in relation to the closest residential properties to the site. The nearest residential property, 20 Church Road, is approximately 200 metres south of the application site, with Brandon Leisure Centre and the associated car park in between the two aforementioned sites. Having considered the comments above, noting the location of the proposed skate park, the LPA have not insisted on a Noise Impact Assessment to be submitted. However, the LPA have insisted on a Planning Statement which details the use, materials, the fact that the proposed skate park is replacing an older skate park that any third-parties or consultees would have sight of and comment on, in particular Public Health and Housing. Any approval would require the removal of the existing skate park. A Planning Statement has not been submitted and the LPA therefore consider insufficient information has been submitted in relation to policies DM2 and DM14.

Ecological Impacts

47. As required by the National Planning Policy Framework 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.

48. The National Planning Policy Framework 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.
49. The proposed site is located 0.9km from Breckland SPA but is within the 1500m buffer around components parts of Breckland SPA designated for Stone Curlew. The skate park site is located within the existing leisure site.
50. The proposals are unlikely to result in construction or operational disturbance given the distance of more than 500m from the SPA, and the proposals will not result in additional built development based on the existing skatepark to the north being removed, albeit this is not within the red line of the proposed development site. Natural England has been consulted and has confirmed that they have no concerns in relation to statutorily protected nature conservation sites or landscapes. Based on the above likely significant effects on Breckland SPA can be ruled out.
51. Although the proposed site of the skate park is within the existing playing field area it is located within 2m of the adjacent ditch and there are records of reptiles in the vicinity. The site is also partially within the great crested newt amber risk zone. An Ecological Impact Assessment is therefore required, but has not been submitted by the applicant to support the proposal. As such, there is insufficient information before the Local Planning Authority in order to comprehensively assess the ecological impacts of the proposal. The application is therefore contrary to the provisions of policies CS2, DM10, DM11, DM12 and the NPPF.

Other Matters

52. Comments have been raised by the Town Council regarding the access road to the site, this being via the Leisure Centre, could be upgraded/repared in order for the proposal to be effectively accessed. Currently, the access road does not fall within the red line associated with the application, a matter that has been raised by the LPA. The Highway Authority have also raised no objections subject to a construction management plan being conditioned, but this does not include repairs to the access road. These repairs therefore fall outside of the scope of the application and cannot be considered or insisted upon.

Conclusion:

53. In conclusion, the proposed development is considered to be unacceptable due to the technical reasons regarding the red line denoting the extent of the application site, flooding concerns and insufficient information being provided in relation to noise, ecological and arboricultural matters. The proposal is therefore not in accordance with the referenced policies in the Forest Heath and St Edmundsbury Joint Development Management Policies Document 2015, the St Edmundsbury Core Strategy and the provisions of the National Planning Policy Framework.

Recommendation:

54. It is recommended that planning permission be **REFUSED** for the following reasons:

1. Paragraph 140 of the revised NPPF (2023) states "Local planning authorities should ensure that relevant planning conditions refer to clear and accurate plans and drawings which provide visual clarity about the design of the development and are clear about the approved use of materials where appropriate."

The red line application site plan attributed to the development does not encompass the entire development proposed, excluding mounding and pedestrian access to the site or connecting to a highway. There are therefore technical inaccuracies attributed to the presented drawings, which to give weight to in the planning process would be contrary to paragraph 140 of the NPPF.

2. The proposed site is within Flood Zone 2, whereupon the site is "vulnerable" to flooding. The site is also at risk from surface water flooding. The Flood Risk Assessment which has been submitted does not adequately take into account the context of the site and increased risks of flooding as a result of the proposed development, not outlining suitable mitigation measures to reduce the impacts of flooding on the proposed development; or considering safe access and egress from the proposed development in a flood event. Furthermore, no Exception or Sequential tests have been submitted. In the absence of an adequate Flood Risk Assessment, the applicant has failed to demonstrate that the proposal will not cause or exacerbate flooding on site or elsewhere contrary to Policy DM6 of the Joint Development Management Policy Document 2015 and provisions of the NPPF.
3. Policy DM13 states that development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value. The supporting text to the policy confirms that landscape features such as trees are essential components of the landscape, enhancing visual amenity.

The application includes mounding which is not encompassed by the red line application site plan attributed to the application. Furthermore, no Arboricultural information has been provided in relation to the protected Lime Tree to the west of the site. Although elements of Arboricultural impacts could be conditioned, the LPA have received insufficient information in order to comprehensively assess the likely Arboricultural impacts attributed to the proposal, noting the wider technical details. The proposal is therefore contrary to the provisions of DM13.

4. Policy DM2 seeks to secure development proposals which do not have an adverse impact on existing or indeed proposed residential amenity. Furthermore, Policy DM14 requires that all applications where the existence of pollution is suspected (for example, in this case, noise from the utilisation of the adjacent skatepark, and play areas) to contain sufficient information to enable the Authority to make a full assessment of potential hazards. In this case no information has been submitted.

A concrete skatepark is a noise generating proposal. No information, nor noise impact assessment has been submitted in support of the proposal, despite this being requested. Whilst it is noted from discussions with the applicant that the existing skatepark is to be removed, and noting that the nearest residential property, 20 Church Road, is approximately 200 metres south of the application site, with Brandon Leisure Centre and the associated car park in between the two aforementioned sites, no details of this have been submitted. The LPA considers insufficient information has been submitted in relation to policies DM2 and DM14 to demonstrate that there would not be an adverse impact on residential amenity.

5. Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 states that:

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”

The Duty applies to all public authorities in England and Wales, including all local authorities. Conserving biodiversity includes restoring and enhancing species and populations and habitats, as well as protecting them.

Furthermore, The National Planning Policy Framework (NPPF, 2023) states that “the planning system should contribute to and enhance the natural and local environment by... protecting and enhancing ...sites of biodiversity or geological value...” and “minimising impacts on and providing net gains for biodiversity ...” (paragraph 174).

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.

Although the proposed site of the skate park is within the existing playing field area it is located within 2m of the adjacent ditch and there are records of reptiles in the vicinity. The site is also partially within the great crested newt amber risk zone. An Ecological Impact Assessment is therefore required. However, this has not been submitted by the applicant to support the proposal. As such, there is insufficient information before the Local Planning Authority in order to comprehensively assess the ecological impacts of the proposal. The application is therefore contrary to the provisions of policies CS2, DM10, DM11, DM12 and the NPPF.

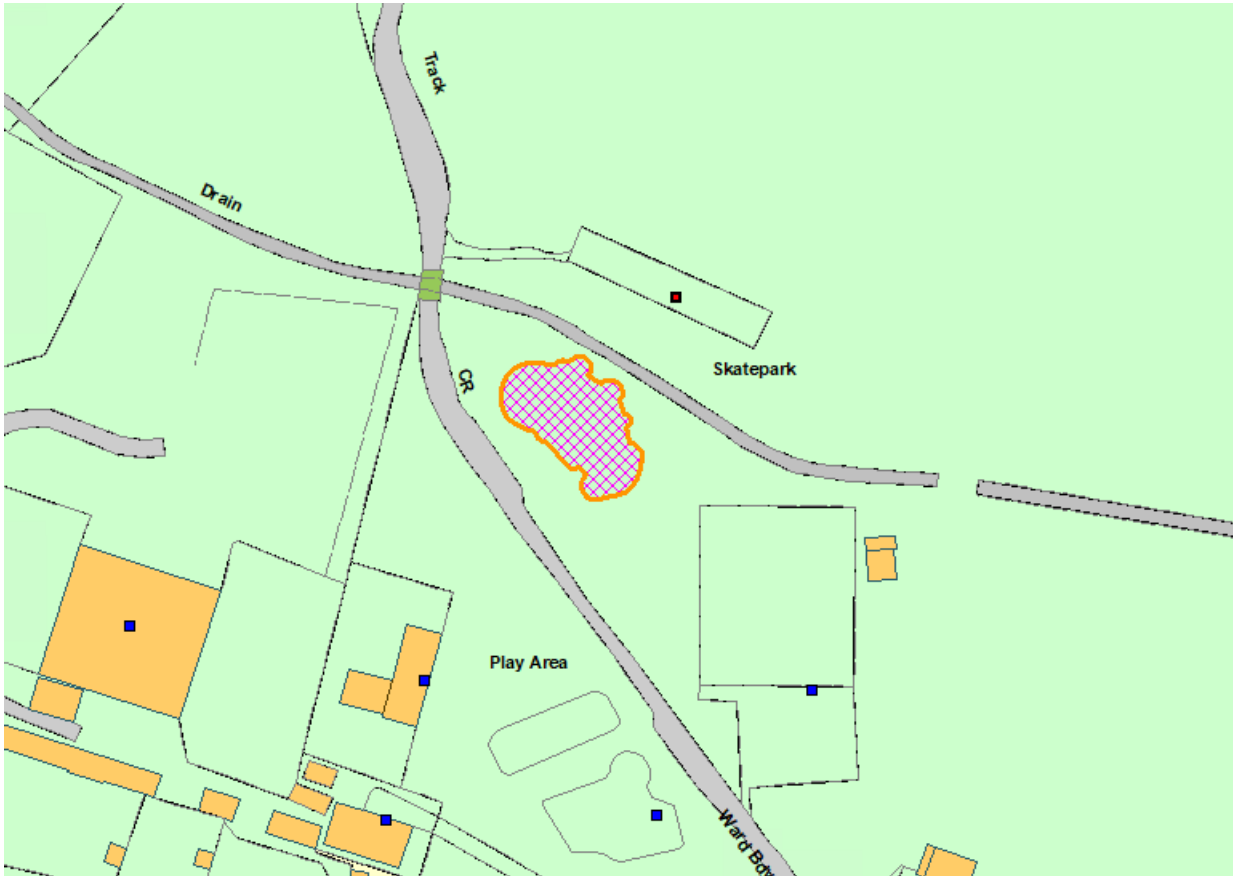
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/0850/FUL](https://www.fulham.gov.uk/DC/22/0850/FUL)

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DC/22/0850/FUL - Brandon Remembrance Recreation Field,
Skate Park, Victoria Avenue, Brandon, IP27 0JB



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Page 131

Legend

- New concrete Skatepark extent
- Bottom of landscaped mound. Generally 1:3 grade
- Existing Fencing
- Drainage pipe. see Specification
- 1:80 Drainage via slab fall
- ← Proposed finished slab level
- LP ● Existing lamp post
- Existing trees

Notes

- All dimensions are in millimetres unless otherwise stated.
- Existing ground levels (egl) are approximate and pending site survey. 9.90egl assumed.
- Finished slab levels (fsl) are based upon approximate existing ground levels. Pending site survey.
- All calculations and specifications are pending site survey.
- Concrete kerbs and coping is not covered under the CANVAS warranty

D	Planning	16/03/22
C	Client changed	15/10/21
B	Footpath leader added	14/10/21
A	Goal posts removed	14/10/21
Rev	Note	Date

Project
Brandon Remembrance Playing Fields Skatepark

Site Address
 Brandon Remembrance Playing Fields
 Church Road, Brandon
 Suffolk, IP27 0JB

Client
 Brandon Remembrance Playing Fields

CANVAS

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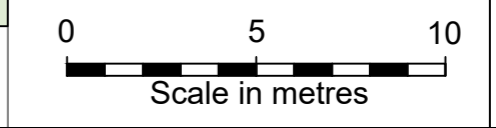
Title
Proposed Site Plan

Scale As Shown		Size A2	
Date 30/09/21	Drn DW	Ckd -	Sgd -

Status
PLANNING

Drawing no. 598-P01-01	Rev D
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Proposed Site Plan Scale 1:200 @ A2



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Development Control Committee 6 March 2024

Planning Application DC/23/1938/VAR – 21 Fordham Place, Ixworth

Date registered:	5 December 2023	Expiry date:	2 February 2024
Case officer:	Amey Yuill	Recommendation:	Refuse application
Parish:	Ixworth & Ixworth Thorpe	Ward:	Ixworth
Proposal:	Planning application - variation of condition 5 of DC/20/1784/HH to allow for different design of privacy screen for first floor extension above existing two bay garage and external staircase with balcony to form annexe		
Site:	21 Fordham Place, Ixworth		
Applicant:	Mr Alf Percival		

Synopsis:

Application under the Town and Country Planning Act 1990.

Recommendation:

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

CONTACT CASE OFFICER:

Amey Yuill

Email Address: democratic.services@westsuffolk.gov.uk

Telephone: 01284 763233

Background:

Planning permission was granted under DC/20/1784/HH in 2021 for a first-floor extension above an existing two bay garage, along with an external staircase with balcony to form an annexe. A privacy screen was added during the course of that application to ensure that the effects of overlooking from the raised external staircase were acceptable given the proximity of this site to neighbouring dwellings.

The first-floor annexe and associated staircase and balcony have been built but the privacy screening has not yet been installed.

A previous Variation of Condition application (DC/23/1117/VAR) which sought amendments to the position, form, and materials of the approved privacy screening was refused on 27 October 2023.

This application now being considered, which proposes an alternative variation to the privacy screen, was referred to the Delegation Panel due to Ixworth and Ixworth Thorpe Parish Council supporting the proposal, contrary to the officer's recommendation of refusal.

Following the Delegation Panel meeting on 30 January 2024, it was concluded that the application should be determined by the Development Control Committee.

Proposal:

1. The proposal seeks the Variation of Condition 5 of DC/20/1784/HH, which requires there to be no use of the annexe permitted until the proposed privacy screen, as shown on drawing GCS 2020 41 (amended December 2020 - Privacy Screen Added) has been provided. Thereafter, the privacy screen shall be retained, in the interests of protecting the residential amenities of nearby dwellings. The Variation of Condition 5 is to allow for a different design of the approved privacy screen.
2. The amended design includes a proposed frame to support the privacy screen in square steel sections, powder coated in matte black to match the existing balcony/staircase, which would be bolted to the ground and the existing external staircase. The proposed screen itself would be a willow ribbon fence panel which comprises thin vertical timber battens and a timber outer frame, with willow woven in between the vertical battens. The position of the proposed screen is the same as what was previously approved under DC/20/1784/HH, sitting in line with the rear wall of the garage/annexe.
3. The reasons for the proposed changes to the privacy screen design have been provided by the applicant as follows:
 - It would avoid the difficulty of having to reroute the drain down pipe to install the original screen horizontal braces to the first floor extension outer wall.
 - It would avoid the need to find suitable anchor points behind the outer wall render to secure the horizontal rails to.
 - It would avoid compromising the outer wall render's weather proof integrity by avoiding having to bolt through it.

- The metal construction and anchorage will be a stronger and a longer lasting solution.
- The new design will better integrate with the existing staircase and balcony design, finish and the way it is constructed.
- By altering from vertical slats to match the decking tread materials on the new staircase to a framed willow ribbon fence panel the weight of the willow screen panel is much reduced compared to one made from composite/resin decking.
- Maintenance and replacement of a willow panel if required is much simplified.
- Airflow through either privacy screen panel is comparable.
- The visual privacy provided by either screen panel is much the same.
- The willow screen panel is a wholly natural, sustainable, eco-friendly and traditionally made product compared to one manufactured from composite decking.
- A willow screen is much more visually in keeping with the natural environment, as the location is in a wooded type setting compared to something made from grey composite decking.

Application supporting material:

4.

- Application Form
- Location Plan
- Proposed Block Plan
- Proposed Site Plan
- Proposed Elevations x 2
- Proposed Floor Plan
- Proposed Section
- Previously Approved Existing and Proposed Plans
- Photographs x 6
- Photomontage (indicative)
- Balcony Sketch (indicative)
- Privacy Screen Sketch (indicative)
- Proposed Screen Panel (indicative)

Site details:

5. The application site lies within the settlement boundary for Ixworth, adjacent to a wooded area to the west, which is within the Ixworth Conservation Area.
6. The dwelling is two storey and detached, set back off Fordham Place in a corner plot. The dwelling benefits from a front parking area with some amenity space to the rear.
7. To the side (northwest) of the dwelling is a detached outbuilding which has been extended at first floor to create a self-contained annexe, with the two garage bays retained at ground floor.
8. To the front of the application site is a tree protected by Tree Preservation Order (TPO 291(2000)).

Relevant Planning history:

9.

Reference	Proposal	Status	Decision date
DC/20/1784/HH	Householder planning application - First floor extension above existing two bay garage and external staircase with balcony to form annexe	Application Granted	27 January 2021
DC/23/1117/VAR	Planning application - variation of condition 5 of DC/20/1784/HH to allow for different design of privacy screen for first floor extension above existing two bay garage and external staircase with balcony to form annexe	Application Refused	27 October 2023

Consultations/Representations:

- 10. Parish Council** – Comments of support were received from Ixworth and Ixworth Thorpe Parish Council.
- 11. Ward Member** – No comments were received from Councillor John Griffiths MBE, Ixworth Ward Councillor, however, Councillor Griffiths did attend the Delegation Panel meeting on 30 January 2024.
- 12. Neighbour Representations** – One neighbour representation was received from 7A Gough Place stating “whilst the proposed new screen design appears to provide the desired privacy to my courtyard garden, can you confirm that the screen once erected will reach balcony floor level and that there is no gap at the bottom. Can you also confirm that there will be a planning requirement for the screen to be replaced when required due to its limited life span.”

Policy:

- 13.** 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.

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

Joint Development Management Policies Document:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM13 Landscape Features
- Policy DM17 Conservation Areas
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
- Policy DM46 Parking Standards

St Edmundsbury Core Strategy:

- Policy CS3 - Design and Local Distinctiveness

Other planning policy:

15. National Planning Policy Framework (NPPF)

16. The NPPF was revised in December 2023 and is a material consideration in decision making from the day of its publication. Paragraph 225 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 2023 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
- Design and impact on character
- Impact upon neighbouring amenity
- Other matters

Principle of development

18. It is proposed, under this variation of condition application, to amend the design of the privacy screen element of the approved first floor extension to the garage to create an annexe, which was granted permission under application DC/20/1784/HH.

19. The principle of the first-floor extension above the existing two bay garage, along with an external staircase and balcony to form an annexe was deemed acceptable under the previous approval, subject to a requirement that the well-designed and effective privacy screen, which was part of the annexe structure and detailed on the approved plans, would be installed prior to its occupation. The annexe along with the staircase and balcony has been constructed but it is understood the annexe is not currently occupied due to the privacy screen being outstanding.
20. The principle of amending the design of the privacy screen is acceptable, subject to the consideration of other material matters, which will be examined below.

Design and impact on character

21. Paragraph 135 of the National Planning Policy Framework (2023) (NPPF) includes the requirement for planning decisions to ensure development functions well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture; are sympathetic to local character; and establish or maintain a strong sense of place.
22. Paragraph 139 of the NPPF further explains that development that is not well designed should be refused.
23. Paragraph 140 of the NPPF states that:

“...Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”
24. The importance the NPPF places on good design is echoed in Development Plan policy DM24 of the Joint Development Management Policies Document (JDMPD) stating that development will be permitted provided that the proposal (a) respects the character, scale and design of the existing house and the character and appearance of the immediate and surrounding area.
25. Furthermore, in accordance with policy DM2 of the JDMPD, proposals are required to respect the character and appearance of the immediate and surrounding area, and not result in an adverse impact upon residential amenity, highway safety or important trees within the street scene.
26. Policy CS3 of the St Edmundsbury Core Strategy states new development must create and contribute to a high quality, safe and sustainable environment, with proposals expected to address the understanding of the local context and how it will enhance the area.
27. Under this new scheme the frame which is to support the privacy screen is proposed to be square steel sections, powder coated in matte black to match the existing balcony/staircase. The frame would be bolted to the ground as well as the existing external staircase. The proposed screen

itself would be a willow ribbon fence panel with vertical timber battens, a timber outer frame, and willow woven in between the vertical battens. The screen would be screwed into the steel frame using TEK screws (screws which do not require a pilot hole).

28. This proposal is an improvement from the previous screen proposed under the refused Variation of Condition application (DC/23/1117/VAR), due to the changes to the frame material to tie in with the existing staircase and balcony. However, the screen itself, a willow ribbon fence panel, is not deemed to be acceptable in terms of the materials, its design, and its ad hoc arrangement, which is considered to diminish the overall quality of the previously approved annexe scheme.
29. Whilst the applicant has stated they believe the willow fence panel would be "more visually in keeping with the natural environment" than the louvre style screen approved, natural screens, such as the woven willow panel proposed, are more appropriate as fencing between and around gardens, rather than at first-floor level, where they could appear rather incongruous. In addition, the life span of the willow ribbon fence panel is limited (10 years), with it potentially becoming unsightly much before this lifespan. Furthermore, it has been detailed that the willow fence panel will be affixed to the metal frame with TEK screws, however, whilst the metal frame may be strong and long lasting, as stated by the applicant, the fence frame surround is a 6cm narrow strip of timber which is to be screwed into the frame, therefore, officers have strong concerns about how robust a solution this will be and whether it is even possible for the fence panel to be attached to the frame successfully.
30. Given the proposed materials and method of construction the proposal is not considered to be a robust or well-designed method of screening. The proposed screen would result in a materially diminished substitute from what was consciously negotiated with the applicant as part of the approval of the original annexe. The approved design was considered to be a bespoke and effective architectural solution which integrated with the design of the annexe and provided sufficient screening. As the amendment is not considered to be good design and would materially diminish the quality of approved development, the National Planning Policy Framework indicates that it should be refused. The refusal of the application is also warranted by it being contrary to Local Plan policies DM2, DM24 and CS3.

Impact upon neighbouring amenity

31. Policy DM2 seeks to ensure that new development does not have a detrimental impact on residential amenity, nor the amenities of the wider area. Policy states the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light or other pollution (including light pollution), or volume or type or vehicular activity generated; must be considered.
32. Policy DM24 supports this by stating that development should not adversely affect the residential amenity of occupiers of nearby properties.
33. With the variation of condition 5 involving changes to the privacy screening, which were carefully negotiated and conditioned under application DC/20/1784/HH to ensure the privacy of neighbouring

properties from the staircase and balcony associated with the annexe, the impact on neighbouring amenity has been carefully assessed for this application.

34. The application site is located within a residential estate, in a plot which is set back from the road, with other residential properties sharing the site boundaries to the north and east. The approved annexe is positioned close to the northern boundary, which is shared with 7A Gough Place. 7A Gough Place has a small courtyard garden which is visible from the annexe staircase and balcony and is therefore extremely sensitive to the development. In addition, the rear garden of property beyond 7A Gough Place, 8A Gough Place, is partially visible from the balcony of the annexe, however, the current views are of the rear of a garden shed and a large shrub within the garden of 8A Gough Place, therefore views are screened into the usable space of the garden, meaning this relationship is not as sensitive as that between the annexe and 7A Gough Place.
35. One neighbour representation has been received from 7A Gough Place. This property would be the most affected by the proposed changes to the privacy screen. The representation stated that the proposed new screen design appears to provide the desired privacy to their garden, however, they queried whether there would be a gap at the bottom of the screen and the staircase/balcony and whether there would be a planning requirement for the screen to be replaced when required due to its limited life span.
36. In terms of the query as to whether there would be a planning requirement for the replacement of the screen due to the limited lifespan of the screen, condition 5 of DC/20/1784/HH requires the approved privacy screen to be retained, however, the Local Planning Authority (LPA) is not able to control the maintenance of the screen through a planning condition. Section 215 of the Town and Country Planning Act could be used to require the upkeep of the panel should its poor condition impact on the amenity of the area.
37. Regarding the neighbour's query as to whether there would be a gap at the bottom of the screen between the screen and the staircase/balcony, from the submitted north east elevation, which is the elevation which would be seen by 7A Gough Place, there is no gap between the screen and the staircase, however, there is a 13cm gap (when measured at the scale detailed for the elevational drawing) on the south west elevation between the bottom of the screen and the staircase/balcony. The applicant has also confirmed there is a gap, however, did not wish to amend the north east elevation to show the gap. Therefore, officers have assessed the proposed screen on the basis that there is a small gap between the privacy screen and staircase/balcony. There are no concerns that this gap will lead to a loss of privacy, noting that when sat or stood on the balcony, this gap would be level with the floor of the balcony, therefore, the only ways to look through the gap would be to lay on the floor of the balcony, pause when walking up the stairs or crouch to look through the gap when walking down the stairs; none of which are considered to be positions which would be held for long periods of time.
38. In terms of the level of privacy the proposed amended design will provide between the application site and neighbouring properties, it is accepted

that the willow ribbon fence panel will provide a similar level of screening to that which was previously approved when first installed. However, it may not offer the same level of protection for the life of the development, noting its 10 year lifespan. Officers also consider the materially diminished design of the screen will result in material harm to the amenity and outlook of 7A Gough Place, noting the elevated position of the screen, close to the shared boundary, which is visible from the rear garden of 7A Gough Place. Therefore, the proposed development is deemed to be contrary with policy DM2 and DM24 of the JDMPD in that regard.

Others matters

39. Policy DM13 of the JDMPD states development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value.
40. The application site is adjacent to the Ixworth Conservation Area to the west, which is a wooded area with a significant dip in gradient away from the host dwelling and garage/annexe development. In addition, to the front of the application site is a tree protected by Tree Preservation Order (TPO 291(2000)).
41. With the privacy screen and frame being positioned to the rear of the site, out of range of the protected tree to the front, on an area of hardstanding which is associated with the annexe, outside of the Conservation Area, officers do not consider that the proposed variation to the design of the privacy screen would have an adverse impact on trees of high amenity value, therefore, the proposal is deemed acceptable in terms of policy DM13.
42. Policy DM2 and DM17 of the JDMPD are relevant to the proposal, noting the application site sits adjacent to the Ixworth Conservation Area. Policy DM17 states that proposals for development within, adjacent to or visible from a Conservation Area should preserve or enhance the character or appearance of the Conservation Area or its setting, and views into, through, and out of the area. This stance is supported by The Planning (Listed Buildings and Conservation Areas) Act 1990 (under Section 72) which requires special attention to be paid by the decision maker to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
43. The proposed screen and application site may be visible from land to the west of the application, which is within the Ixworth Conservation Area, however, this area of the Conservation Area is a wooded, deep pit, and is only accessed via private gardens, therefore, the impact of the proposed screen amendments on the Conservation Area is considered to be limited, even acknowledging that impacts on Conservation Areas do not have to be public views if they do have an impact
44. Policy DM46 of the JDMPD states that all proposals for redevelopment, including changes of use, will be required to provide appropriately designed and sited car and cycle parking, plus make provision for emergency, delivery and service vehicles, in accordance with the adopted standards current at the time of the application. The proposed development does not result in the loss of parking and the application site

is considered to house sufficient parking to support the domestic use of the site.

45. Policy DM1 of the JDMPD states that when considering development proposals, the Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. LPAs will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. In this case, officers have attempted to work with the applicant in order to resolve the concerns raised in terms of the acceptability of the privacy screen's design, however, have been unable to negotiate an appropriate design on this occasion.

Conclusion:

46. Whilst the principle of amending the design of the privacy screening for the approved annexe is acceptable, the design is considered to be an ad hoc addition which is not robust nor well-designed, leading to a materially diminished design from what was approved under the application for the annexe, as well as adversely impacting the amenity of neighbouring properties, contrary to local and national policy to a degree which warrants the refusal of the application.

Recommendation:

47. It is recommended that planning permission be **REFUSED** for the following reason:

1. Policy DM2 and DM24 requires development respects the character, scale and design of the existing house and the character and appearance of the immediate and surrounding area and does not adversely affect the residential amenity of occupiers of nearby properties, which is supported by policy CS3.

Paragraphs 135, 139 and 140 of the NPPF require quality, well designed and visually attractive development which is not materially diminished between permission and completion.

The proposed privacy screen is not considered to be a robust or well-designed method of screening, resulting in a materially diminished substitute from what was consciously negotiated with the applicant as part of the approval of the original annexe.

The proposed changes to the privacy screen design are deemed to lead to an incongruous screening solution which is not sufficiently robust to provide an adequate level of screening for the life of the development, leading to a visually oppressive and jarring relationship to the neighbouring property (7A Gough Place) to a degree which would be materially harmful.

Therefore, the proposal is deemed to be contrary to policies DM2 and DM24 of the Joint Development Management Policies Document, CS3 of

the St Edmundsbury Core Strategy, as well as paragraphs 135, 139 and 140 of the National Planning Policy Framework.

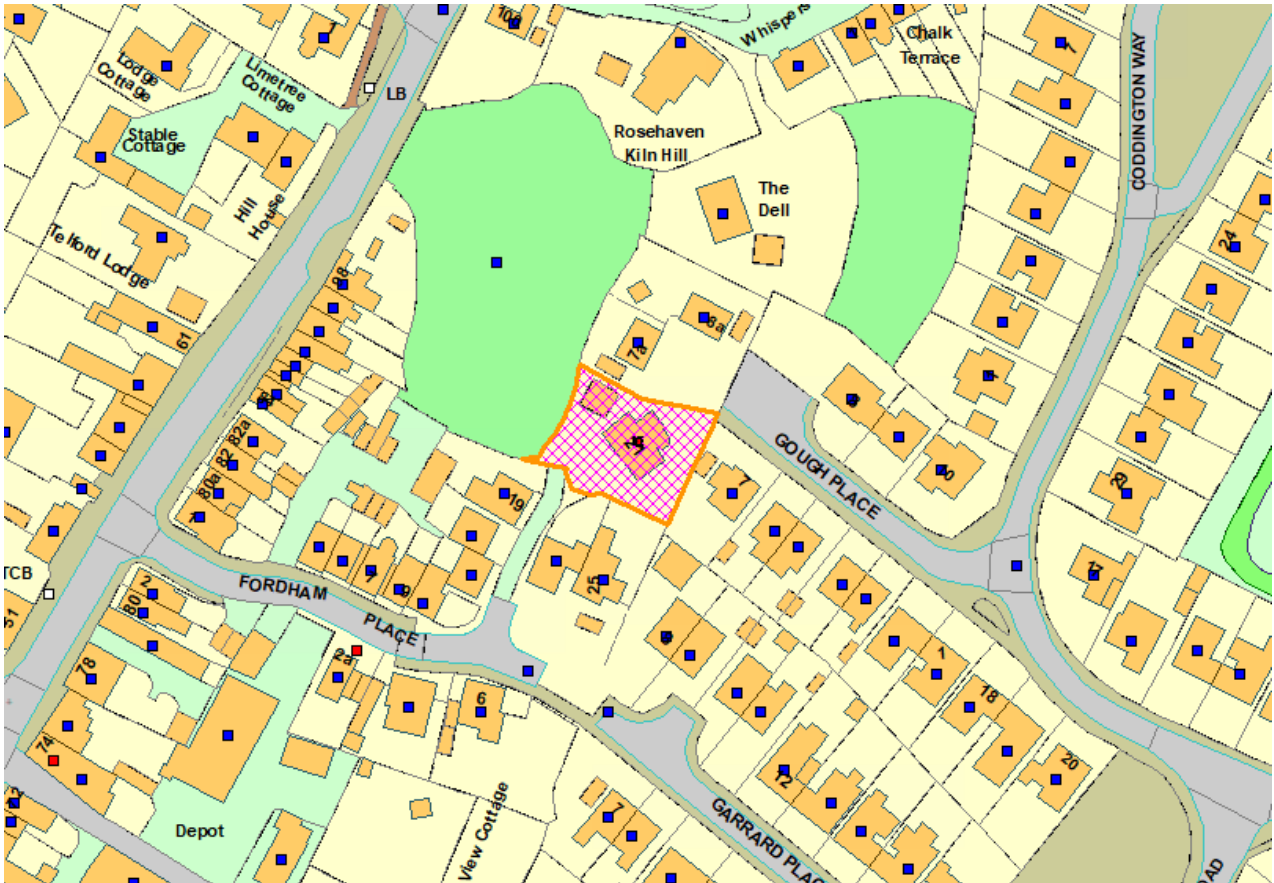
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/23/1938/VAR](#)

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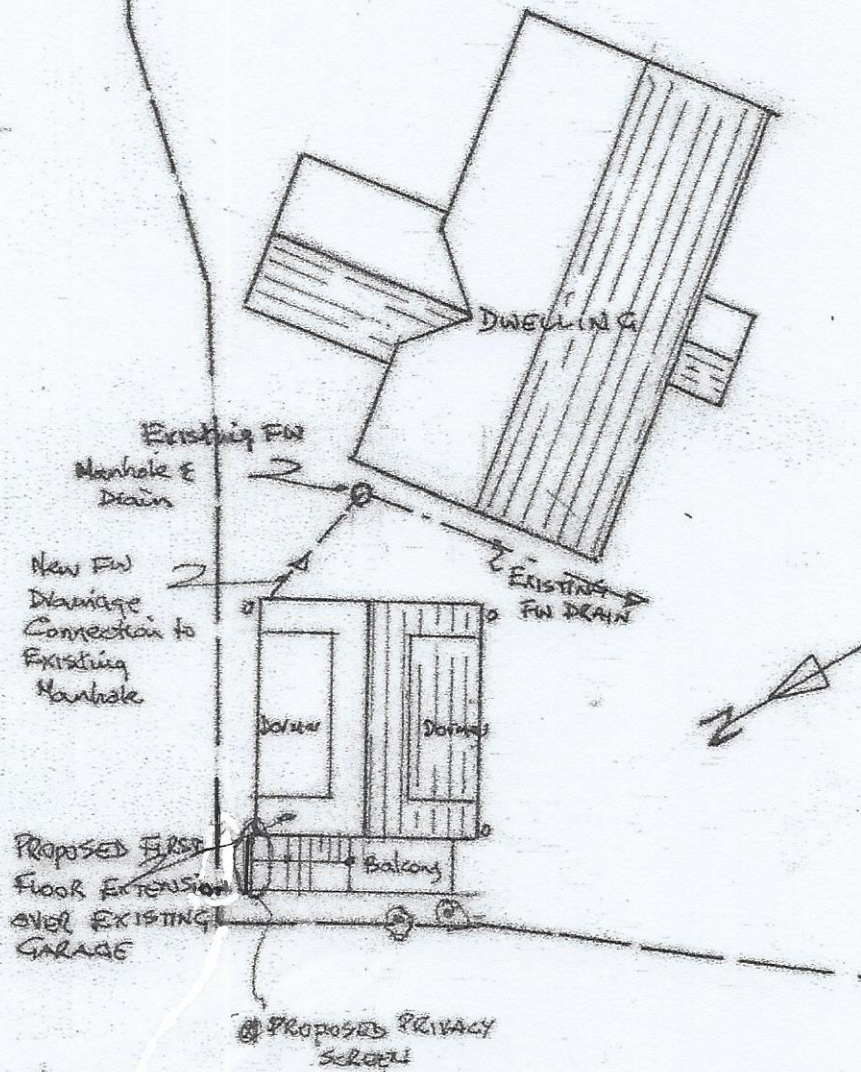


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Development Control Committee

6 March 2024

Planning Application DC/22/1193/RM – Land South of Rougham Hill, Rougham Hill, Bury St Edmunds

Date registered:	6 July 2022	Expiry date:	8 March 2024
Case officer:	Peter White	Recommendation:	Approve application
Parish:	Bury St Edmunds Town Council	Ward:	Southgate Ward
Proposal:	Reserved matters application - submission of details under DC/15/2483/OUT - means of appearance, landscaping, layout and scale for the construction of 363 dwellings in total (including 109 affordable homes) and associated car parking; access roads; playing pitch; landscaping; open space; play areas; sustainable urban drainage (SuDS) and infrastructure		
Site:	Land South of Rougham Hill, Rougham Hill, Bury St Edmunds		
Applicant:	Hopkins Homes Ltd		

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:

Peter White

Email: democratic.services@westsuffolk.gov.uk

Telephone: 01284 757357

Background:

The application was considered by the Delegation Panel on 16 January 2024 following an objection from Bury St Edmunds Town Council.

The Panel referred the application to Development Control Committee for further consideration.

Proposal:

1. The Reserved Matter application seeks permission for 363 dwellings (including 109 affordable homes) on a strategic residential allocation. This application includes the southern part of a relief road that is a requirement of the allocation. This application also includes associated car parking, access roads, play pitches, landscaping, open space, play areas, sustainable urban drainage and associated infrastructure. Outline planning permission for the site was granted under DC/15/2824/OUT. The details of that application are set out below.
2. The application site excludes two parcels of land that have been reserved for a new primary school and a community use.
3. The application has been amended since it was originally submitted. The layout has overall been designed to comply with the approved design parameter plans established under the outline permission. The changes received have included the following:
 - Providing 2ha of additional multifunctional green infrastructure throughout the southern neighbourhood, exceeding that required by the outline permission and delivering additional landscape and biodiversity benefits;
 - Increase in the use of swales, and other sustainable drainage measures throughout the scheme and increasing tree planting along main streets;
 - Creating a wider green corridor running east - west between the new school site and Nowton Park to facilitate active travel, with enhanced avenue tree planting along the corridor and around the play area as a focal point to the scheme;
 - Increasing the width of the green buffer and planting along the southern boundary with the open countryside, enabling the creation of a lower density softer rural edge and underground of existing overhead power lines, with higher density homes focussed more centrally along the spine road;
 - Adding 1,600m of walking and cycling routes around the edge of the site to complement segregated cycle provision already incorporated into the main spine road design;
 - Amending the location of affordable homes and amendments to the design of both market and affordable homes to enhance overall appearance of the scheme (supporting housing type drawings and street scenes have been provided);
 - Amending the layout to meet highway, parking and waste collection technical requirements, to ensure efficient operation;
 - Minimising the use of frontage parking along the spine road, Sicklesmere Road frontages and the southern rural boundary and extending hedge planting to screen and soften the overall appearance of parking in these locations.

Application supporting material:

4. The application is supported by a number of plans and assessments. They include the following:
 - Location plan
 - Planning Layout
 - Materials Plan
 - Boundary Treatment Plan Street Scenes
 - Parking Plan
 - Bin drag distance Plan
 - Elevations and floor plans of the proposed dwellings
 - Elevations and floor plans of the proposed garages
 - Landscape plans for on plot and off plot
 - Public Open Space plans
 - Technical highway and drainage plans
 - Planning Statement
 - Noise Statement
 - River Lark Enhancement Strategy
 - Landscaper Statement
 - Ecological Mitigation Strategy

Site details:

5. This application site relates to all of the land south of the River Lark within the outline planning permission/ the strategic allocation. The site has agricultural fields to the south, the A143 (Sicklesmere Road) to the west with Nowton Park beyond. To the north west are residential properties which either back onto the A143 or front onto it. The River Lark acts as a natural barrier on the north and eastern boundaries of this application site.
6. This part of the allocation is entirely within a wider local designation known as a Special Landscape Area which carries on to the south and east but wraps around the southern part of Bury Edmunds and extends much further west.

Planning history:

7. 2010 – The direction of growth is allocated in the St Edmundsbury Borough Council Core Strategy as one of the five strategic residential directions of growth around the town of Bury St Edmunds.
8. May 2013 – A Concept Statement was Adopted by the Council for the site.
9. September 2014 - Bury St Edmunds Vision 2031 document is adopted. This Local Plan document allocates and defines the allocation.
10. September 2015 – A Masterplan for the site is adopted by the Council.
11. March 2020 – Outline planning permission (DC/15/2483/OUT) approved for Outline Planning Application (Means of Access) to be considered) on to Rougham Hill and Sicklesmere Road) to include up to 1250 dwellings (Use Class C3); local centre comprising retail floor space (A1, A2, A3, A4 and

A5), a community hall (D2), land for a primary school (D1), and car parking: a relief road, vehicular access and associated works including bridge over the river Lark: sustainable transport links: open space (including childrens play areas): sustainable drainage (SuDS): sports playing fields: allotments and associated ancillary works

- 12.2022 - The site allocation which straddles land north and south of the River Lark is acquired by two separate house builders. Land north of the river (known as the northern neighbourhood) is being developed by Denbury Homes and land south of the river (known as the southern neighbourhood) is being brought forward by Hopkins Homes.
13. Northern neighbourhood – Two Reserved Matter (RM) applications have been brought forward by Denbury Homes to date. One RM application (DC/22/1804/RM) related to the northern part of the relief road and was approved in 2023. A second RM application seeks consent for the 1st phase of housing (174 dwellings) that Denbury are proposing. That application (DC/23/0738/RM) remains undetermined to date. Other minor applications have also been approved for temporary construction accesses and an electrical substation.
14. Application DC/23/0978/RM | Reserved matters application - submission of details under DC/15/2483/OUT - appearance, landscaping, layout and scale for bridge over the River Lark providing a two-way vehicular access together with shared cycle and pedestrian ways, sustainable urban drainage, landscaping, and associated works b. including details reserved by conditions 10 and 12 of DC/15/2483/OUT | Land South Rougham Hill Rougham Hill Bury St Edmunds Suffolk Currently undetermined.
15. A number of Discharge of Condition applications have been concurrently submitted alongside the Reserved Matter application.

Consultations:

16. The application has been subject to amendments and additional information has been submitted during the application to address concerns raised. The consultation responses set out below represent a summary of the latest responses received.
17. Full copies of consultation responses are available to view online through the Council's public access system

Environment Agency

18. No objection to the Reserved Matter application. Recommended the discharge of Condition 20 which demonstrates that the proposals can fully compensate for the losses of floodplain storage associated with the River Lark.

SCC Flood and Water Management / LLFA

19. Object to the original submission. No objection to the amended details.

Suffolk County Council (Highways – Development Management)

20. Objected to the original submission. Confirmed that the September 2023 amendments improved the submission significantly particularly the widening and addition of a number of foot/ cycleways around the site. Recommended a number of conditions. The November 2023 comments did request a number of further refinements and these related to refuse bin collection arrangements and parking provision.

Suffolk County Council (Rights of way Officer)

21. Object to the original scheme on the basis that some of the walking routes around the site were not tarmac and too narrow and did not accommodate other modes of active travel like the bicycle. Another concern related to the lack of a sustainable car free route on the north west boundary of the development. The requested amendments have been made and verbal confirmation has been received that the objection can now be removed.

Natural England:

22. Standing Advice issued.

West Suffolk Council Strategy and Enabling Officer, Housing

23. Objected to the original submission as there were concerns regarding clustering and mix of dwelling types. However, the officer confirmed that the amended layout overcame these concerns and that the amended layout and revised housing mix are acceptable.

Place Services – Ecology Officer

24. No objection to the amended details submitted. Recommend conditions to ensure that the ecological appraisal recommendations are secured and Wildlife sensitive lighting design scheme is secured.

Place Services – Arboricultural Officer

25. No objection. Recommend conditions that require written consent of any proposed trees to be felled and details of the proposed landscaping to be agreed.

Place Services – Landscape Officer

26. Objected to the original submission and the first set of amended plans. The concerns related to submitted details for the public open space, details on the play area and on-plot landscaping. However, the final comments received acknowledge the amendments have addressed the concerns raised. Final details for the play areas are requested to be conditioned.

West Suffolk Private Sector Housing and Environmental Health

27. No objection to the details submitted. Also confirmed the details are acceptable to discharge the concurrent discharge of condition application relating to protection of residential amenity.

West Suffolk Council – Waste Services

28. Concerns raised to the original scheme. Following a mini workshop with the Waste Service officers and the Highway Authority engineers amendments were worked up by the developers. The amendments were reviewed by the waste services officers who have confirmed that the amended layout allows the refuse vehicles to efficiently travel around the development and collect household waste.

West Suffolk Council – Environment Team

29. Comments relate to EV charging provision which is covered by condition 22 on the outline permission.

Suffolk County Council (Planning and obligations officer)

30. No objection as the outline planning permission secured the relevant necessary obligations.

National Highways

31. No objection

Suffolk County Council (Minerals and Waste Authority)

32. No objection

Anglian Water

33. Generic comments received relate to promotion of SuDs to manage surface water drainage and asking the LPA to consult the Lead Local Flood Authority (LLFA).

West Suffolk Council – Parks and Infrastructure Manager

34. Satisfied with the locations of the play areas as shown and acknowledges that they broadly accord with the location shown in the approved parameter plans. States that the locations will enable older children and young teenagers across the development to access a play area without the need to cross the relief road. Requests the details of the play areas are conditioned so the LPA can ensure the equipment is acceptable and passive surveillance is maximised.

Suffolk and North East Essex Integrated Care Board

35. Made a request for a contribution to primary care. Officers discussed with the Strategic Estates Planning Manager at the ICB that contributions for primary care had already been secured under the outline application and that an additional payment could not be secured. Officer accepted that they had not recognised that this was a reserved matter application and that they had already secured funding necessary to make this allocation acceptable.

Representations:

Bury St Edmunds Town Council;

36. The Bury Town Council have made three comments on the application during its lifetime:

11 Aug 2022

That based on information received, Bury St Edmunds Town Council recommends refusal on grounds of insufficient information on layout design, inadequate highways information and no reference WSC commitment to a Zero Carbon Footprint.

13 April 2023

Based on information received Bury St Edmunds Town Council recommends refusal due to concerns regarding design, layout, density and lack of green spaces; environmental concerns remain and we note the lack of zero carbon commitments

12 Oct 2023

Based on information received Bury St Edmunds Town Council upholds its previous objection.

37. Two letters of objection have been received from residents in the villages of Cockfield and Clare to the application as originally submitted. No comments were received to either of the amendments submitted.

One letter objects to the development as it will generate unacceptable traffic generation particularly on Southgate roundabout. The development doesn't include a new GP surgery and it will harm archaeology and is proposed on land vulnerable to flooding.

One objection was also received concerning the layout of the development, how it should include more trees, stronger street scenes and reflect the existing Sicklesmere Road.

Policy:

38. 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.

39. The following policies of the Joint Development Management Policies Document (adopted Feb 2015), the St Edmundsbury Core Strategy (adopted Dec 2010), the St Edmundsbury Borough Council Local Policies Map Book (adopted Feb 2015) and the Bury St Edmunds Vision

2031 Document (adopted Sept 2014) have been taken into account in the consideration of this application:

Joint Development Management Policies Document (2015):

Policy DM2 – Creating Places – Development Principles and Local Distinctiveness.

Policy DM3 – Masterplans

Policy DM6 – Flooding and Sustainable Drainage.

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

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 DM22 – Residential Design.

Policy DM42 – Open Space, Sport and Recreation Facilities.

Policy DM44 – Rights of Way.

Policy DM46 – Parking Standards.

Bury St Edmunds Vision 2031 (2014)

Policy BV2 – Housing Development within Bury St Edmunds.

Policy BV7 – Strategic Site – South East Bury St Edmunds.

Policy BV26 – Green Infrastructure in Bury St Edmunds

St Edmundsbury Core Strategy December (2010).

Policy CS1 (Spatial Strategy)

Policy CS2 (Sustainable Development)

Policy CS3 (Design and Local Distinctiveness)

Policy CS7 (Sustainable Transport)

Policy CS8 (Strategic Transport Improvements)

Policy CS11 (Bury St Edmunds Strategic Growth)

Other planning policy:

40. The National Planning Policy Framework (NPPF) was revised in September 2023 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 2023 NPPF that full weight can be attached to them in the decision-making process.

41. Cycle Infrastructure Design Local Transport Note 01/2020 Published July 2020 Department for Transport Gear Change: A bold vision for cycling and walking Rights of Way improvement Plan "Suffolk Green Access Strategy" published 2020.

42.The following adopted Supplementary Planning Documents are relevant to this planning application:

South-East Bury St Edmunds Masterplan Document (adopted September 2015)

Officer comment:

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

- Principle of Development
- Landscape matters
- Highway matters
- Design and impact
- Surface Water Drainage matters
- Energy and sustainability
- Other considerations

Principle of Development

44.The principle of residential development on this strategic residential allocation was confirmed by the grant of the outline planning permission DC/15/2843/OUT in accordance with Policies CS1, BV2, BV7 and CS11. That application, as detailed above was for up to 1250 dwellings across the entire allocation. The approved parameter plans under the outline demonstrated that the southern neighbourhood, which this application relates to, would also accommodate a community building and a primary school. Whilst this application does not include those elements the land has been set aside for them and they are shown indicatively. The principle of development has been previously established the remaining report covers the other material considerations for this reserved matter application.

Landscape matters

45.Core Strategy Policy CS2 seeks to achieve, amongst other things , conservation or, where possible, enhancement of the character and quality of local landscapes and the wider countryside and public access to them. Policy CS3 requires development proposals to consider protection of the landscape and historic views. Policy CS11, which identifies south east Bury St Edmunds as one of the locations to accommodate new growth, requires new development to positively use the framework created by the natural environment and character of the area.

46.Policy DM13 of the Joint Development Management Policies Document seeks to protect the landscape character (including Special Landscape Areas (SLA)) from the potentially adverse impacts of development. The policy seeks proportionate consideration of landscape impacts and calls for the submission of new landscaping where appropriate. It also calls for landscape mitigation and compensation measures so there is no net loss of characteristic features.

47.The application site sits within the locally designated Special Landscape Area (SLA). The local landscape is thus considered to be a `valued

landscape' for the purposes of the NPPF. The SLA designation incorporates the River Lark, where it crosses the application site and the agricultural fields in the southern neighbourhood.

48. The approved Landscape and Parameter Plan at outline stage sets out where greenspace and green corridors would go on the southern neighbourhood. The development would provide 2ha of additional multifunctional green infrastructure throughout the southern neighbourhood, exceeding that required by the outline permission and delivering additional landscape and biodiversity benefits.
49. The parameter plan showed a meaningful green corridor on the southwestern boundary. This has been increased during the planning process with additional planting to further mitigate any potential landscape harm from the development, particularly when viewed from the south.
50. The landscape parameter plan also indicated an important green corridor that would link the primary school site with Nowton Park. The application delivers this anticipated corridor, and whilst it is in a slightly different location it is wider than originally envisaged which is seen as a significant enhancement to the development.
51. The relief road has landscaping alongside it in a form that echoes what was envisaged in both the masterplan and the outline application. Objection was raised by a third party on the lack of trees along the spine road. Amended details were submitted which proposed more trees along the relief road and other main roads. It is considered that an acceptable balance between trees, sustainable urban drainage features and walking and cycling infrastructure has been found within the application and that the development will be viewed, in the fullness of time as a well landscaped development.
52. Overall, the application is considered to deliver the amount of landscaping both within the development and on the edges (particularly along the river corridor) as the adopted Masterplan and the outline permission envisaged. This accords with Policies DM2, DM3, DM22, DM10, DM12, DM13 and BV26.

Highway matters

53. Numerous highway matters were dealt with at the outline stage and are not being reconsidered with this application. Of particular note, the outline dealt with the principle of 1250 dwellings, a primary school and a local centre and assessed the impact the development would have on the surrounding highway network. It also secured the necessary mitigation which related to the alteration of a number of key junctions like the Southgate Green roundabout and the Rougham Hill corridor. Lastly it agreed the details of the two main vehicular entrances to the site that would link the proposed relief road to the existing highway network. For this application it related to the new roundabout proposed on Sicklesmere Road opposite Nowton Park.
54. Whilst the outline application assessed a number of important highway matters this reserved matters application still needs assessing to evaluate other important motorised and non motorised transport aspects. Of

particular note are car parking provision, highway safety of the road network and aspects of the proposed layout that relate to walking and cycling infrastructure.

55. Statutory planning policies set out that walking and cycling shall be prioritised over other modes of transport. Additionally, officers are aware that the government has relatively recently set up Active Travel England (within the Department for Transport) to help promote all modes of active travel within new development. Guidance on the promotion of walking and cycling is also published in *"Gear Change: A bold vision for cycling and walking"* and *"LTN01/2020"*.
56. A number of changes have occurred with the application during the planning process in order to ensure that walking and cycling are adequately provided for. These include amongst other things;
- the widening of the cycling and walking provision either side of the relief road from a 3 metre shared path to 4 metre shared paths;
 - The amendment of the main walking and cycling corridor that will link the primary school site to the new entrance into Nowton Park to give more priority and directness to that sustainable route;
 - The widening of the ped/ cycle provision alongside the A134, and on the south east and north east boundaries from a 2 metre wide gravel path to a 3 metre wide tarmac surface;
 - The introduction of a 3 metre wide tarmac cycle/ footway that would link the proposed relief road with the existing cycle/ footway provision on Sicklemere Road in the north west corner. This would form part of a longer car free route linking the new hospital with the Moreton Hall area and beyond.
57. The Highway Authority and officers are now satisfied that the proposal will create a development that delivers a significant number of attractive, direct car free routes, that allow people to travel through the development and around it safely and comfortably. Officers are entirely satisfied that the proposal meets both the extensive policy requirement to prioritise walking and cycling and echo's the design principles in the relevant guidance and in accordance with policy DM44, BV26, CS7, CS8 and CS11
58. The Highway Authority have assessed the scheme for visitor and resident parking against the provisions of the Suffolk County Council Parking Standards. Triple parking is not supported in the parking standards and the developer has worked hard to remove this where possible from their original submission. However, 12 plots do still have triple parking in order to meet the minimum parking standards (there are other incidences, but this is where there is an over provision) and this equates to 3% of the properties proposed. Other incidences of triple parking (where it isn't to meet a minimum requirement) occur on private drives and with garages. It is recognised that often garages are not used for parking and often private drives are used by the residents who live there for informal parking so the issues with triple parking are much less acute. On balance it is considered that whilst there are some minor deviations from the standards overall the scheme accords with policies DM46, DM2 and DM22.
59. The WSC Waste Team originally objected to the scheme in terms of the layout and how refuse vehicles would not be able to move around the site

efficiently to collect bins on a weekly basis. The applicant worked with the Highway Authority and the WSC Waste Team to amend the scheme to ensure it was acceptable. This included making some private access drives adopted highway and relocating bin collection points so waste operatives have a minimal distance to walk to collect the household waste. The scheme is now considered acceptable and accords with Policy DM2.

60. The development is considered acceptable in terms of parking, waste collection, highway safety and prioritising walking and cycling.

Design and impact

61. The design and Access Statement that was submitted with the outline planning application discussed strategic approaches to key design matters. Furthermore, a range of illustrative concept plans were submitted with the outline planning applications to demonstrate how site is likely to be progressed at reserved matters stage (with particular regard to strategic landscaping, open spaces, location of the key buildings, the route of the relief road etc). Furthermore, the adopted Masterplan provided a framework and aspirations for high quality buildings against which later detailed proposals will be benchmarked.

62. The objection from the Town council sets out that they have concerns regarding design, layout, density. They do not specify what specific concerns they have. Objection was also received from a third party concerning the layout of the development, how it should include more trees, stronger street scenes and reflect the existing Sicklesmere Road. Development to the north along Sicklesmere Road is made up of frontage development that has individual vehicular plot access directly onto Sicklesmere Road/ A143. Neither the Masterplan nor the approved parameter plans envisaged this part of the allocation having frontage development onto Sicklesmere Road with each plots having their own access onto this main arterial road. Officers disagree that the development should reflect the existing Sicklesmere Road as this would not accord with the Masterplan for the site and would potentially cause highway safety issues.

63. As discussed above under the landscape section the proposed landscape is considered sufficient and in keeping with how this part of the allocation was going to be brought forward. It is considered by officers that the scheme has good landscaping on the boundaries of the development parcel and throughout.

64. The design of some of the dwellings has been altered during the planning process. The changes that have been submitted are regarded as positive. There were a small number of dwellings, as originally submitted that had minor elements that needed amending as they were considered weak in design terms and not of high architectural quality in accordance with policy DM22. Some of the buildings did not incorporate characteristics of local building design like having regard to the "window hierarchy" that are a requirement of local plan policy. The amended details ensured that the dwellings as amended are appropriate with solid design principles being followed.

65. The overall design density of the proposal is considered to be in keeping with the approved density parameter plan that was submitted and approved at the outlines stage. This includes a lower density on the periphery of the site, which is the interface with the countryside and higher density development is located more centrally. Additionally, the proposal includes landmark buildings, of particular note are those around the southern new roundabout which proposes a strong building form curved around the northern boundary of the roundabout which is considered by officers to create a welcoming gateway feature.
66. Overall officers consider that the proposal is in keeping with the parameters that were set out the outline stage and that the development is well landscaped, of high architectural quality with good buildings lines and will create a strong sense of place. This accords with DM2, DM22, CS3 and the adopted masterplan.

Surface Water Drainage matters

67. Policy DM6 of the Joint Development Management Policies Document sets out surface water information requirements for planning applications. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding. The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere.
68. Some of the application site is within flood zone 2 and 3. These zones are narrow corridors of Flood Zone 2 and 3 are present along localised areas along the River Lark. These highest risk areas within the application are proposed as open green space and ecological buffer zones which are classified as Water Compatible under the NPPF Planning Practice Guidance. Accordingly, none of the built development proposed (including the land left for the community facility and primary school) is within flood zones 2 and 3 (the areas most at risk).
69. Objection was received from a third party concerning the site's location within flood zones 2 and 3 it should be noted that the applicant has worked with the LLFA and the Environment Agency extensively to ensure they have no concerns or objection. The application will also deliver benefits relating to quantity and quality water. Of particular note is the improvements that will be delivered to the River Lark which often suffers from prolonged periods of scarcity of water. The proposal would manage surface water across the site more sustainably by slowing the flow of surface water across the site to the river. This will, along with other measures that the development will deliver, increase water quantity in the Lark within periods of drought which will also help overall water quality.
70. The proposal is therefore considered acceptable with regard to flood risk, and the management of surface water drainage in accordance with policy DM6.

Energy and sustainability

71. Objection was received by the Town Council that the development lacks a zero-carbon commitment. There are no national or local planning policies which require development to be zero carbon. Additionally, the outline

permission did not secure the development as a zero carbon development. This application seeks consent for the Reserved Matters only, and energy performance, or sustainability is not a reserved matter.

72. Nevertheless the applicant has set out a number of aspects about the development that are considered worth noting. To meet current building regulations the properties will include;

- Improved fabric, airtightness and thermal bridging performance.
- Design to prevent overheating.
- Improved ventilation.
- Air Source Heat Pumps to all properties (site is all electric with no gas) with underfloor heating to ground floors.
- Electric Vehicle Chargers to all plots with adjacent on plot /garage parking. Detail are required to be agreed under Condition 22.
- Standard Assessment Procedure (SAPs) & Building Regulations England Assessments Part L(BREs) assessments undertaken to demonstrate compliance in meeting Part L.
- All Plots to be photographed, recorded throughout build stages and signed off by SAP assessors and Building Control, as part of the BREL process.

73. Whilst the above does not carry any significant positive benefit in weighing up the acceptability of the overall scheme. It is still viewed as a positive that the developer is moving away from fossil fuel-based heating and seeking to comply with 2025 building regulations across the entire development.

Other considerations

74. There are a number of other elements that have been considered during the processing of this reserved matter application which are not part of a reserved matter application but relate to conditions that are attached to the outline permission and their details could impact reserved matters like layout or landscaping. This section comments on those matters.

75. The Environmental Health Officer has raised no objection to the details that have been submitted concurrently under a discharge of condition application and for information purposes with this application. The submitted details accord with the proposed layout and the mitigation required is secured under the outline permission. Accordingly, the LPA is satisfied that the future occupiers of the proposed development will have a satisfactory level of amenity. This accords with Policy DM14.

76. The Ecologist at Place Services has raised no objection to the submitted details. A concurrent discharge of condition (DCON) application (for condition 9 of the outline permission) has also been submitted and the details submitted for that are also considered acceptable. The ecologist welcomes the River Lark Enhancement Scheme as its delivery will provide an unlit 30m buffer for protected species using the river corridor and notes that the application will deliver over 7ha of semi natural habitats created for the southern neighbourhood phase of this development. Accordingly, the proposal is considered acceptable in this regard and accords with Policies DM10 and DM12

77. The submitted layout shows three separate formal play areas. This accords with the amount of play areas that the approved parameter plans showed would be delivered on this part of the allocation. It is important for children to have access to play areas without the need to cross busy roads as it is known that this would deter parents from allowing older children and younger teenagers to travel to these places unaccompanied. The proposed layout shows two play areas on the eastern side of the relief road and one on the western side, which will allow the whole development to access play areas. The southern area of play was previously shown on the masterplan as being more centrally located than it is proposed now. However, its location on the southern boundary next to the circular walking and cycling route around the site is seen as a benefit and does not draw any concerns. Accordingly, this aspect of the scheme is considered acceptable. Both the Landscape Officer and the Parks and Infrastructure Manager request a condition that requires the final details of the Play Areas to be submitted to and agreed in writing with the LPA. This accords with Policy DM42.

Conclusion:

78. In conclusion, the planning application on balance is considered acceptable. The above report sets out that there is a minor element of the scheme has triple parking which is contrary to the adopted parking standards but this is not considered to be significant matter in terms of the overall acceptability of the proposed development. All other elements relating to the reserved matters are considered acceptable and accord with national and local planning policies and other relevant guidance.

Recommendation:

79. It is recommended that planning permission be **APPROVED** subject to following (summarised) conditions:

1. List of approved conditions
2. Restrict the use of the temporary access onto Sicklesmere Road and control its blocking up.
3. The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown shall be provided in their entirety.
4. There shall be no occupation of any dwelling until the area(s) within the site shown for the purposes of loading, unloading, manoeuvring and parking of vehicles and bicycle storage serving that dwelling has/have been provided.
5. A timetable/ phasing plan of the of all the hereby pedestrian and cycle routes shall be submitted to and agreed with the LPA. the routes shall be implemented in accordance with the agreed timetable and thereafter retained, maintained and used for no other purposes.
6. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details.

7. The visibility splays serving the hereby approved road junction(s) must be formed prior to the junctions being used by or being available for use by the general public.
8. Remove PD rights to block any of the visibility splays for the hereby approved junction for the future adopted highway.
9. Details of the Play areas to be agreed along with the timetable for their implementation. The areas must thereafter be maintained and retained as play areas.
10. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Mitigation Strategy (Wood, June 2022)
11. A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority.
12. Protective fencing as shown in the Arb Method Statement on drawing TR01 sheet 4 Rev V1 shall be installed before development commences on site and must be retained on site throughout the construction period.

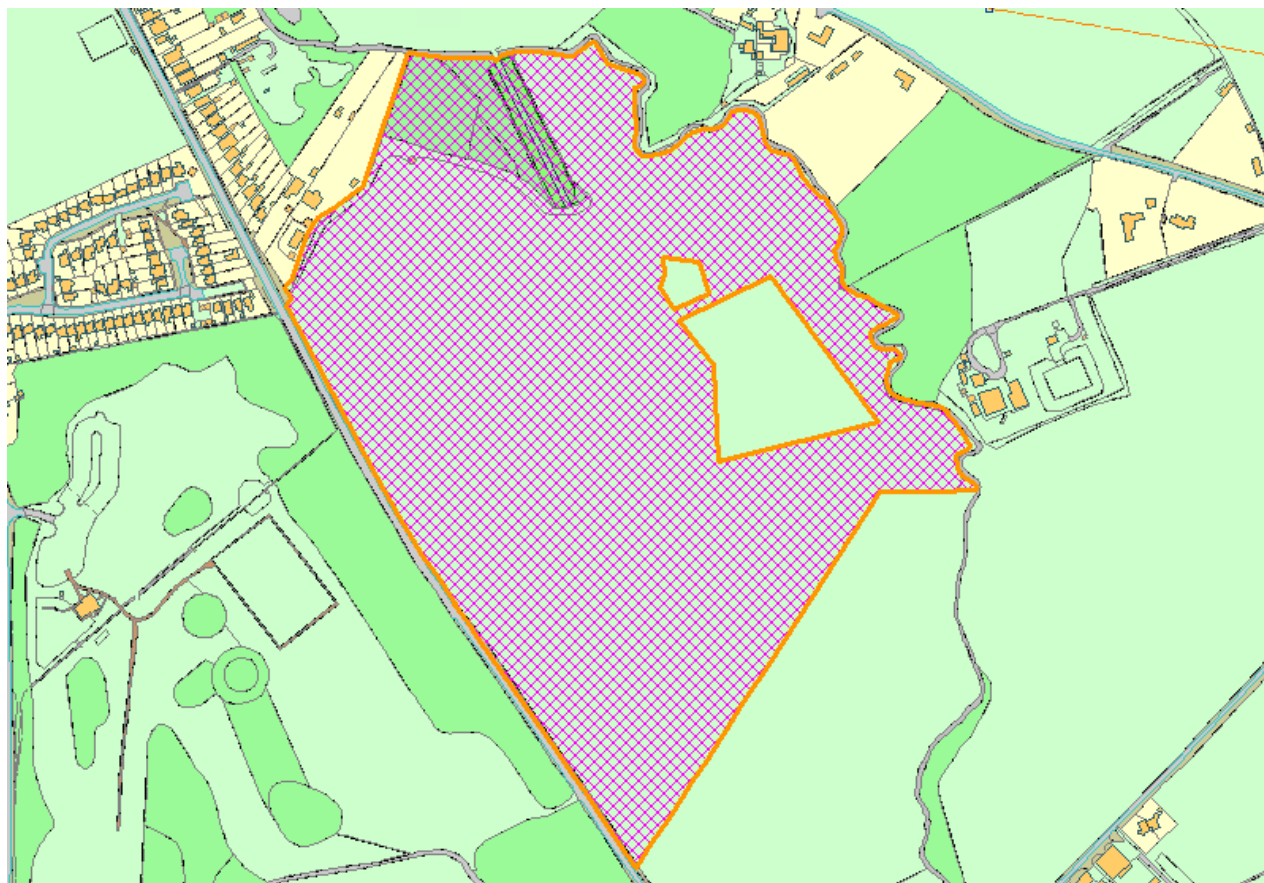
NB – a list of fully worded conditions will be provided as a late paper

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/22/1193/RM](https://www.dorsetcouncil.gov.uk/DC/22/1193/RM)



DC/22/1193/RM - Land South Rougham Hill, Rougham Hill, Bury
St Edmunds



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Notes:

Do not scale from this drawing to ascertain dimensions.

Copyright for all designs and drawings shall remain with Hopkins Homes Ltd. in accordance with the Copyright act.

Rev.	Date	Details
A	29.06.22	Amendments to reflect latest landscape scheme.
B	17.02.23	Planner's comments incorporated.
C	06.04.23	Plot 35 revised to Show House along with Sales Area added.
D	06.04.23	Area added.
E	09.06.23	Affordable Housing Officer comments incorporated.
F	22.06.23	Planner's comments incorporated.
G	12.07.23	Comments incorporated.
H	03.08.23	Pump/Sub Station and surrounding area amended ASHP, Bins, Cycle Storage & Hedgehog holes added.
J	07.08.23	Hedgehog holes Amended, & Hedgehog Highway Routes Added. (ET)
K	23.08.23	Planner's comments incorporated.
L	24.08.23	Footpath connection added at roundabout.
M	24.10.23	Central LEAP trees moved to avoid visibility splay
N	31.10.23	Amendments made following comments.
O	29.11.23	Corner units adjusted to give 1m buffer to corner.
P	12.12.23	Amendments made following Highways and Waste Management Comments issued 28/11/23

KEY

PERMEABLE PAVING

Brett Omega Flow Permeable Paving
Size: single size
Colour: Charcoal
Laying Pattern: 90 deg Herringbone

Brett Omega Flow Permeable Paving
Size: single size
Colour: Burnt Oak
Laying Pattern: 90 deg Herringbone

NON PERMEABLE PAVING

Brett Omega Classic Paving
Size: single size
Colour: Charcoal
Laying Pattern: 90 deg Herringbone

Brett Omega Classic Paving
Size: single size
Colour: Burnt Oak
Laying Pattern: 90 deg Herringbone

Brett Alpha Tumbled Paving
Size: 3no sizes 105 x 140mm, 140 x 140mm & 210 x 140mm
Colour: Charcoal
Laying Pattern: Stretcher Course Random

Brett Omega Classic Paving
Size: single size
Colour: Charcoal
Laying Pattern: Stretcher Course

TARMAC

2m wide footway - self binding gravel

Drainage Easement

Parking Spaces within parking courts - To be delineated with 80 x 80mm granite sets (L shaped to corners)

Rows of granite sets

BUFF RIVEN PAVING SLABS
600x300x30mm or 450x450x38
Level threshold entrance paths & bin access paths to be 900mm wide. All other paths to be 600mm wide.
Square patio to private dwellings, size as shown on site layout.
Min 6sqm patio to affordable dwellings.

Proposed trees shown INDICATIVE. Refer to Landscape Drawing for exact locations and type.

INDICATIVE new planting.

Existing trees & hedges to be removed

Existing trees & hedges to be retained.

1800mm high timber panel fencing.

1800mm high close boarded fencing.

1500mm high close boarded fencing with 300mm trellis top section.

1800mm high Jackson woven panel fencing.

Proposed Retaining Wall, refer to Engineer's drawings.

1200 or 1800mm high, 215mm thick feature brick wall with 440mm sq pier with pier cap Ref: PC 2B.

Timber post & 3no. rail fencing (1200mm high), Type R20 as HH, DET 09.08.

Timber post & galvanised chain-link (600mm high), Type R13 as HH, DET 09.27.

100x100mm timber posts / bollards, Type R8 as HH, DET 09.25.

150 x 150 timber posts / bollards, Type R8 as HH, DET 09.25.

2.4 x 25m Visibility Splay.

HOUSING SCHEDULE

OPEN MARKET

House Type	Description	Sq Ft	No.
743	2 Bed FOG (1.5 storey)	770	5
754	2 Bed House (2 storey)	769	28
862	2 Bed House (2 storey)	896	21
940	2 Bed House (2 storey)	926	21
959	3 Bed House (2 storey)	1013	31
1032	3 Bed House (2 storey)	1048	11
1033	3 Bed House (2 storey)	1048	1
1076	3 Bed House (2.5 storey)	1201	20
1183	3 Bed House (2.5 storey)	1345	8
1122ap	3 Bed House (2.5 storey)	1431	1
1174	3 Bed House (2 storey)	1168	4
1194	3 Bed House (2 storey)	1208	4
1289	3 Bed House (2 storey)	1310	7
1317	4 Bed House (2 storey)	1334	8
1550	4 Bed House (2 storey)	1568	15
1663	3 Bed House (2 storey)	1168	7
1687	4 Bed House (2 storey)	1707	11
1764	4 Bed House (2 storey)	1784	5
2055	5 Bed House (2 storey)	2079	18
2101	5 Bed House (2 storey)	2105	6
2774	5 Bed House (2 storey)	2805	2

254 PLOTS

AFFORDABLE HOMES TO RENT

House Type	Description	Sq Ft	No.
539	1 Bed Apartment 1b 2p (3 & 2 storey)	547	26
853 M4(3)	2 Bed Bungalow 2b 4p (1 storey)	928	2
859	2 Bed House 2b 4p (2 storey)	873	19
878	2 Bed House 2b 4p (2 storey)	892	3
896	3 Bed FOG 2b 4p (1.5 storey)	917	6
971 M4(2)	3 Bed Bungalow 3b 5p (1 storey)	962	2
1059	3 Bed House 3b 5p (2 storey)	1024	22
1157	4 Bed House 4b 6p (2 storey)	1174	5
1394	5 Bed House 5b 6p (2 storey)	1412	2

AFFORDABLE HOMES TO BUY

House Type	Description	Sq Ft	No.
631	1 Bed House 1b 2p (2 storey)	642	4
859	2 Bed House 2b 4p (2 storey)	873	10
1009	3 Bed House 3b 5p (2 storey)	1024	7
1157	4 Bed House 4b 6p (2 storey)	1174	1

22 PLOTS

363 no. RESIDENTIAL UNITS

OPEN MARKET - 254 units

0 no.	1 Beds	2 Beds	3 Beds	4 & 5 Beds
0%	0%	30%	45%	25%

199no. (30%) AFFORDABLE UNITS

AFFORDABLE HOMES TO RENT - 87no. (80%)

26 no.	1 Beds	33.5%
30 no. <td>2 Beds</td> <td>33.5%</td>	2 Beds	33.5%
24 no. <td>3 Beds</td> <td>30%</td>	3 Beds	30%
7 no. <td>4 & 5 Beds</td> <td>3%</td>	4 & 5 Beds	3%

AFFORDABLE HOMES TO BUY - 22no. (20%)

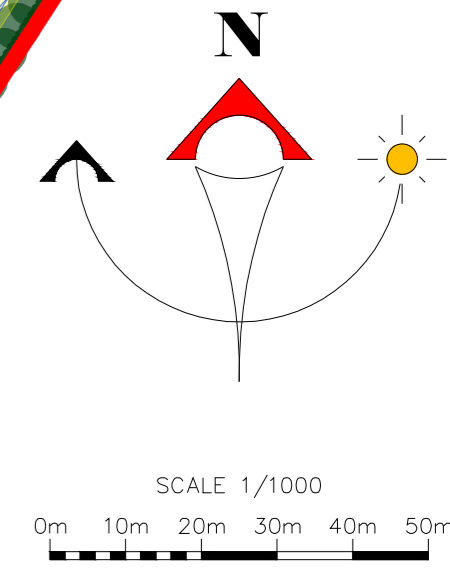
4 no.	1 Beds	18%
10 no. <td>2 Beds</td> <td>45%</td>	2 Beds	45%
7 no. <td>3 Beds</td> <td>32%</td>	3 Beds	32%
1 no. <td>4 Beds</td> <td>5%</td>	4 Beds	5%

PARKING STRATEGY

The proposed site layout has been carefully planned to provide essential highway safety, to avoid on-street parking and footways and roads being blocked. This has been achieved by providing adequate levels of useable parking spaces.

1 bedroom dwellings to have min 1 parking space.
2 and 3 bedroom dwellings to have min 2 parking spaces.
4 and 5 bedroom dwellings to have min 3 parking spaces.

Total of 60no. visitor parking spaces. Visitor spaces are shown at locations that are most likely to be subject to on-street parking, so essential highway safety is maintained.



PLANNING

Project: ABBOTS VALE, RUSHBROOKE SOUTHERN NEIGHBOURHOOD	Project no: ROU1 Dwg no: 004
Drawing: PLANNING LAYOUT	Scale: 1/1000 @ A1 Rev: P
Plot Numbers: 363	Drawn by: ST Date: 07.04.2020

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Development Control Committee

6 March 2024

Planning Application DC/23/2040/FUL – 30-38 High Street, Haverhill

Date registered: 13 December 2023 **Expiry date:** 10 February 2024 – EOT 15 March 2024

Case officer: Clare Oliver **Recommendation:** Approve application

Parish: Haverhill Town Council **Ward:** Haverhill Central

Proposal: Planning application - change of use from Class E (c)(i) (professional services) to Class F.1(a) for the provision of education to part of the ground floor and part of the second floor

Site: 30-38 High Street, Haverhill

Applicant: Louise Carroll (University and Professional Development Centre)

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:

Clare Oliver

Email: democratic.services@westsuffolk.gov.uk

Telephone: 01284 757352

Background:

The application is presented to the Development Control Committee for determination due to the proposal being on land which is owned by West Suffolk Council.

The Town Council offer support to this application, and the application is recommended for approval.

Proposal:

1. This application seeks permission for change of use from Class E (currently in use as (c)(i) professional services) to Class F.1(a), for the provision of education. The proposal includes a modest part of the ground floor and a larger part of the second floor. No external changes are proposed.

Application supporting material:

2.
 - Application Form
 - Planning Statement
 - Location Plan (Drawing No. 40-001A)
 - Block Plan (Drawing No. 40-002)
 - Existing Floor Plans (Drawing No. 40-003)
 - Existing Elevations (Drawing No. 40-004)
 - Proposed Floor Plans (Drawing No. 40-006)
 - Proposed Elevations (Drawing No. 40-007)

Site details:

3. The application site comprises a four-storey building located centrally on High Street in Haverhill. The building occupies units 30-38 with this proposal relating to the partial change of use to a section of the ground floor (approximately 85sqm) and part of the second floor (approximately 427sqm) for educational purposes. The site is located within the Haverhill settlement boundary, town centre boundary and the primary shopping area. The adjacent car park is located towards the south-west. Haverhill Town Hall and Arts Centre is Grade II Listed and is located approx. 25m towards the south-east. There are no protected trees within close proximity to the application site.

Planning history: No recent relevant planning history.

Consultations:

4. Private Sector Housing and Environmental Health – in support subject to inclusion of conditions surrounding the protection of the amenity of occupiers of adjacent properties from noise and disturbance. Conditions relate to hours of opening and restriction to hours of works for construction/conversion/strip-out works and any ancillary activities in connection with the change of use.

5. Suffolk County Council Highway Authority – do not consider that the proposed change of use will significantly impact the public highway compared to the pre-existing permission. The site is centrally located with good accessibility to local services and public car parks. There are some Sheffield stands in the area,

though there is a lack of conveniently located spaces near the entrance to the building. It is suggested that provision in this area is improved. Therefore, a condition requiring details for secure, covered and lit cycle storage including electric assisted cycles is required for inclusion, requesting details to be submitted and approved in writing by the LA before occupation.

6. Economic Development – Generally seek to protect existing employment land within the district and would not ordinarily be supportive of a loss of employment land. However, recognition was given to the development of a skills centre within Haverhill town centre and the benefits this would bring to the local community and ultimately contribute positively to a local, skilled workforce.

Representations:

7. **The Town Council** SUPPORT this application, which is an excellent addition to the Town Centre.

8. **Ward Member** – no comments received.

9. **Neighbour representations** - No representations have been received.

Policy:

10. 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.

11. 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 DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

Policy DM35 Proposals for main town centre uses

Policy DM41 Community Facilities and Services

Policy DM46 Parking Standards

Core Strategy Policy CS3 - Design and Local Distinctiveness

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

Other planning policy:

12. National Planning Policy Framework (NPPF)

13. The NPPF was revised in December 2023 and is a material consideration in decision making from the day of its publication. Paragraph 225 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 2023 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

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

- Principle of Development
- Character and Design of Proposal
- Impact on Amenity
- Impact on Highway

Principle of Development

15. Policy DM41 supports the provision and enhancement of community facilities. Education facilities are noted within the supporting text to the policy as being a community facility but which are only 'protected' from loss by this policy in villages, small settlements and suburban areas. The support otherwise offered by DM41 for their provision is universal and supports the principle of the development.

16. In addition, policy CS10 specifies that the town centre of Haverhill will continue to be the focus for new retail, leisure, cultural and office development taking into account the need to maintain a building's vitality and viability, supporting the aims of Policies DM1 and HV19.

17. In this case, the application to change the use of part of the ground floor and part of the second floor for use as an educational provision is considered to lead to local community benefit in addition to wider economic benefit by way of increasing visitor footfall, in turn creating opportunities for retail spending. The change of use will also present employment opportunities.

18. The education provision, centrally located along High Street in Haverhill has robust pedestrian access and readily accessible public car parking provision.

19. Externally there will be no changes to the building. There are considered no unacceptable impacts on future occupiers, nor would the proposal compromise the use of the surrounding land.

20. Policy DM35 relates to proposals for main town centre uses. The site is within the town centre and also within a Primary Shopping Area and a Primary

Shopping Frontage. This policy seeks to strike a balance between shops (noted as being A1 in the policy, but which has been superseded by the introduction of the new Class E in 2020) and non-retail uses. The policy only permits the change of use of ground floor premises away from retail use in certain circumstances. The policy is out of date noting the changes to the Use Classes order but, in any event, this is largely moot since the current use of the premises is not within retail use, and therefore even in the event that Policy DM35 remained relevant, there would be no conflict.

21. Policy DM30 seeks to protect sites and premises last used for employment purposes, as is the case in relation to this proposal. However, the change of use is modest, relating to only part of the building, and which is presently vacant. The application relates to the change of use of approximately 85sqm of the ground floor and approximately 427sqm of the second floor for educational purposes. No marketing evidence has been provided to demonstrate what steps have been taken to retain the premises in employment use, and this is therefore a matter that weighs against the scheme. However, the proposed use will undoubtedly offer significant benefit to the community in accordance with criterion D of Policy DM30, while still of course providing some employment opportunities. Any very modest conflict with DM30 is not therefore considered sufficient to justify the refusal of permission. Comments from the Council's Economic Development team echoed officer concerns regarding loss of employment land but offered support of the proposal due to the overarching local community benefit and opportunity to positively contribute to the local and skilled workforce.

22. The principle of the development can therefore be supported.

Character and Design of Proposal

23. Policies DM2, DM35 and CS3 all seek to ensure that proposed development respects the character, scale and design of the existing and the surrounding area. In this respect, no external works are proposed as a result of this change of use and the effects upon the wider character and appearance of the area will remain unchanged, therefore.

Impact on Amenity

24. Policy DM2 seeks to ensure that new development does not have a detrimental impact on residential amenity, nor the amenities of the wider area. The policy states that the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light or other pollution (including light pollution, or volume or type or vehicular activity generated), must be considered.

25. To protect the nearby occupiers of adjacent properties from noise and disturbance it would be necessary to condition hours of work for any construction/conversion/strip-out works and ancillary activities in connection with the change of use along with stipulating the opening hours for the education facility. A condition is therefore recommended to secure compliance with any construction/conversion/strip-out works and ancillary activities in connection with the change of use being carried out between 08:00 – 18:00 (Monday – Friday) and 08:00 – 13:00 (Saturday) and the opening hours of the facility to be restricted to 07:30 – 21:30 (Monday – Friday), 07:30 – 17:00 (Saturday) and 09:00 – 14:00 (Sunday or Bank/Public Holidays). Subject to these conditions the

proposal is deemed acceptable in accordance with policy DM2 and impacts to amenity.

Impact on Highway

26. Policy DM46 states that all proposals must comply with Suffolk Parking Guidance and Local Planning Authorities will seek to reduce over-reliance on the car and to promote more sustainable forms of transport. Furthermore, policy DM2 seeks to ensure that proposals maintain or enhance the safety of the highway network.

27. Paragraph 115 of the NPPF states that, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

28. There is a public car parking provision to the rear of the building which includes disabled parking and EV charge points, and six Sheffield hoop bike stands located by the Helions reception. Whilst Suffolk County Council Highway Authority recommended the inclusion of cycle hoop stands at the front of the building, officers do not consider this practical, given the building has direct access onto High Street. Ample cycle storage is provided to the rear of the building, and it would be recommended and expected that the education facility ensures that details of the location of cycle storage is shared with prospective users to promote their use. A condition will be required to ensure the six cycle hoops are retained in perpetuity to encourage sustainable travel option to be viable. The proposal will utilise the existing access arrangements. The site is located close to public transport links (bus service). Furthermore, the central town centre location which is well served with pedestrian walkways and connectivity to local residential development will promote the option of sustainable forms of transport to be selected. The refuse collection point is located in the main car park with the bin stores accessed off the service corridor. The proposal is therefore considered to comply with Policy DM46, DM2 and the NPPF.

Conclusion:

29. The change of use is not considered to be detrimental to the character and appearance of the existing building or wider area. No external changes are proposed, and the internal changes are relatively modest and will lead to community benefit, potential wider economic revenue and employment opportunity. It is noted that there is a modest conflict with Policy DM30 in this regard due to the policy seeking to protect sites and premises last used for employment. However, this change of use only relates to part of the existing building for a unit that is otherwise vacant. This does weigh against the scheme, but the merits of the application and the significant community benefit it will bring results in officers considering the loss of employment opportunities not being sufficient to justify the refusal of permission.

30. In conclusion, the principle and detail of the development is considered on balance to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

31. 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:

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

Reference number	Plan type	Date received
40-001A	Location plan	13 December 2023
40-002	Block plan	13 December 2023
40-003	Existing floor plans	13 December 2023
40-004	Existing elevations	13 December 2023
40-006	Proposed floor plans	13 December 2023
40-007	Proposed elevations	13 December 2023

- 3 Any construction / conversion / strip-out works and ancillary activities in connection with the change of use shall only be carried out between the hours of:

08:00 to 18:00 Mondays to Fridays
08:00 to 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 of the West Suffolk Joint Development Management Policies Document 2015, the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 The hours of opening of the education facility hereby approved shall be restricted to only between the following hours:

Monday to Friday from 07:30 to 21:30
Saturday from 07:30 to 17:00
Sundays or Bank / Public Holidays from 09:00 to 14:00

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, the National Planning Policy Framework and all relevant Core Strategy Policies.

- 5 No external mechanical plant / equipment and electrical extract fans, ventilation grilles, security lights, alarms, cameras, and external plumbing, including soil and vent pipe shall be provided on the exterior of the building until details of their location, size, colour and finish have been

submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, 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

6. The six Sheffield hoop bike stands located at the Helions reception shall be retained in accordance with the approved details and continue to be available for use unless the prior written consent of the Local Planning Authority is obtained for any variation to the approved details.

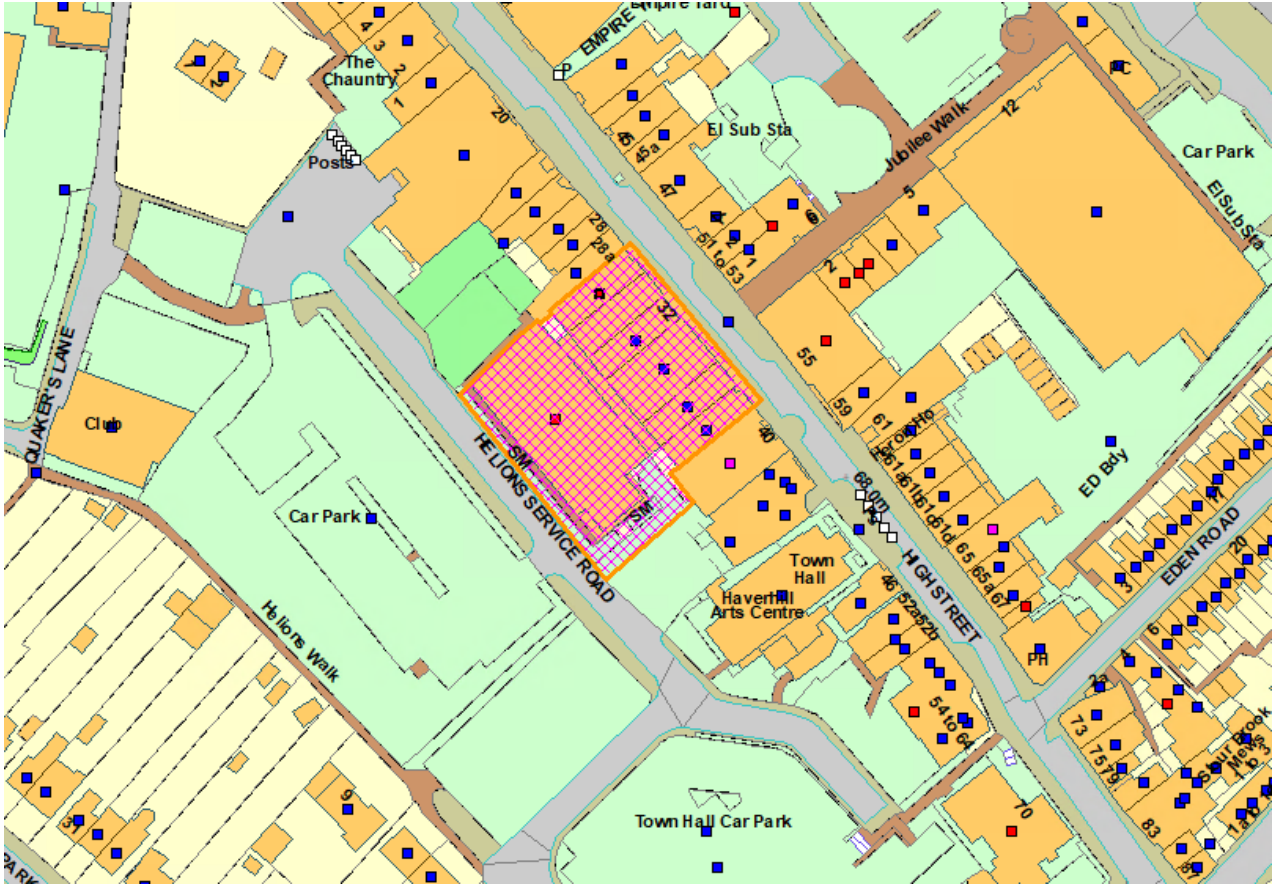
Reason: To encourage the use of sustainable forms of transport and reduce dependence on the private motor vehicle, in accordance with policy DM2 and DM45 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/23/2040/FUL](https://www.westsuffolk.gov.uk/DC/23/2040/FUL)

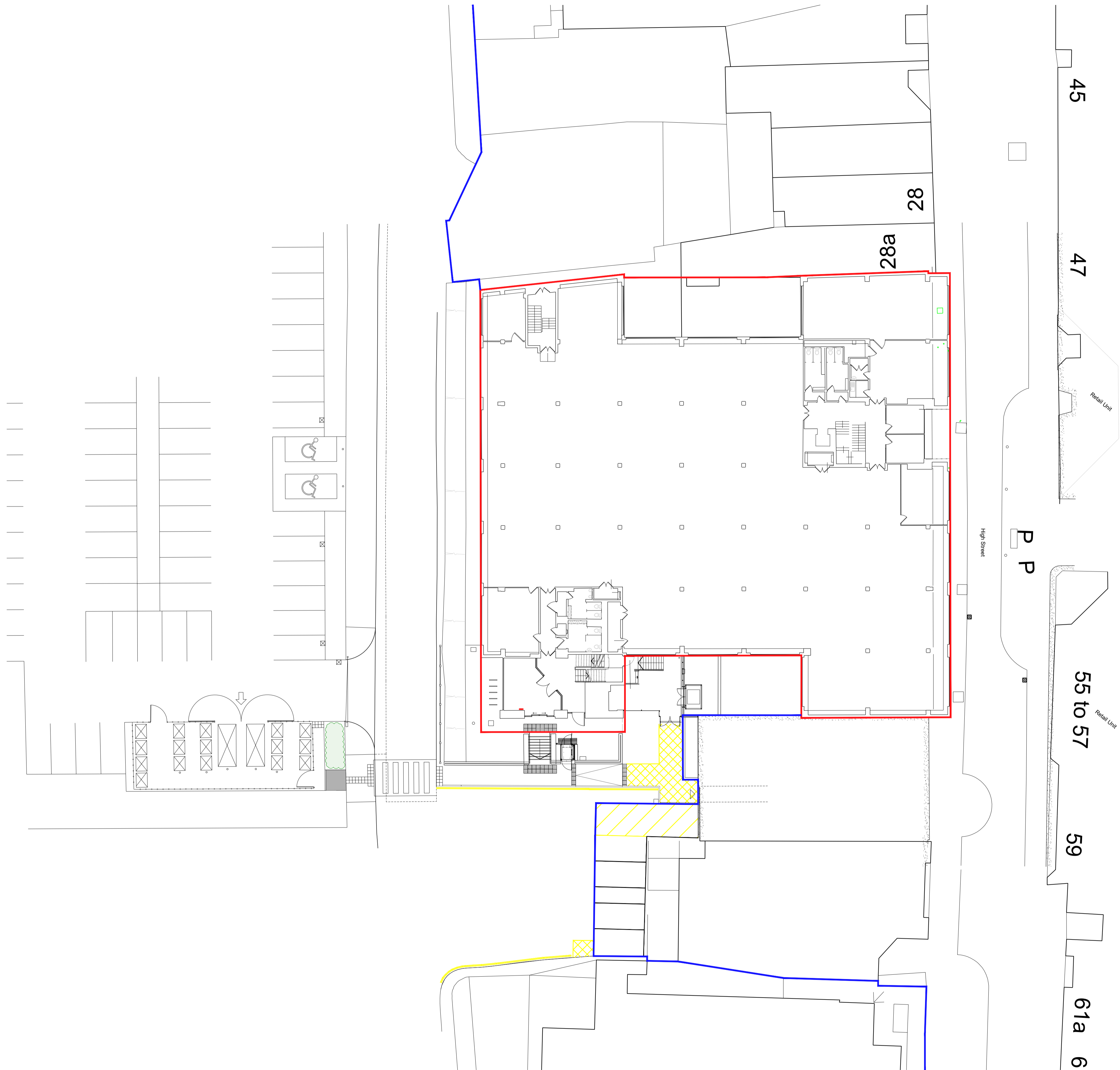


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EXISTING SITE PLAN
Scale 1:200

15.11.23	FIRST ISSUE	PD	RL
Rev.	Date	Drawn	Checked

Issued for: **PRELIMINARY**



West Suffolk Property Services
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Project:
PHASE 3 COLLEGE FIT OUT

Title:
PROPOSED SITE PLAN

Scale: 1:100	Drawing Size: A1
Date: 08/11/2023	Approved By: KS
Building Code: PRJ000022	Revision: 40-002

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