



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/19/004

Development Control Committee 3 January 2019

Planning Application DC/18/0034/FUL – Suffolk Business Park, Rougham Tower Avenue

Date Registered: 22.06.2018

Expiry Date: 21.09.2018 - EOT

Case Officer: Peter White

Recommendation: Approve Application

Parish: Rushbrooke With
Rougham

Ward: Rougham

Proposal: DC/18/0034/FUL | Planning Application – i) Construction of Agricultural dealership building with associated offices, servicing and repairs of agricultural machinery, parking, access, cleaning facility and outside storage and display areas of agricultural machinery for sale (sui generis use) ii) Construction of new access road with cycle ways and footpaths, pumping station, substation and associated landscaping
Land North Of Rougham Ind Estate Rougham Tower Avenue
Rougham Suffolk

Site: Land to the south of Rougham Tower Avenue, and west of Woodlands Road, Suffolk Business Park

Applicant: Thurlow Nunn Standen Ltd and Churchmanor Estates Company PLC

Synopsis:

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

Recommendation:

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

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Background:

The application site sits between Rougham Tower Avenue (Formerly known as the Eastern Relief Road (ERR) (to the north) and the Rougham Industrial Estate (to the south). The site was previously part of much larger arable field/airfield which is allocated principally in the Local Plan as the Rougham Airfield. The realignment of the ERR in a more northerly route has resulted in this plot being available, as it is now cut off from the wider airfield site.

The application is before the Development Control Committee, as the Officers' recommendation is one of APPROVAL, which is not wholly consistent with the Development Plan, noting the designation of part of this site as being within the airfield.

Proposal:

The planning application can be split into two parts. The first part seeks consent for part of an internal access road, with associated footpaths and cyclepaths and landscaping. Additionally a pumping station and an electrical substation are proposed at the eastern end of the new access road. The access road would be served by an existing access. The second part seeks consent for a new tractor dealership which includes a building (with offices, sales area, workshop and associated spare parts store), parking, landscaping and a large area where agricultural machinery will be stored for sales.

The application has been amended or additional/ new information has been submitted. These are as follows;

- Amended planning application form with correct description
- Amended design of the building
- Amended landscaping
- Additional details of the pumping station and substation
- Amended Energy Statement
- Amended Planning Statement
- Amended Flood Risk Assessment
- Amended cross section plan for the road
- Amended Access Road Drainage Strategy

Application Supporting Material:

Information submitted with the application as follows:

- Application Form
- Design and Access Statement
- Planning Statement
- Surface water drainage strategy
- Ecological Plan
- Landscape Details
- Parking, Cycle and Footpath Details
- Site Location and Layout
- Elevations, Floor Plans and Sections

The full list of plans and documents, which are relevant to the proposed development are detailed in full within Condition 2 in the recommendations section of the report.

Site Details:

The site is situated north of the A14, north of the Rougham Industrial Estate and south of the ERR.

The site is currently undeveloped and was previously agricultural fields. Prior to the sites agricultural use the site formed part of the Rougham Airfield which was a Second World War airfield.

There are some residential properties to the east / north east of the site along either side of Sow Lane. A Grade II listed building known as Battlies House is located circa 450 metres to the east. To the west of the site is Forefarmers new regional headquarters building and beyond that is the Rougham Control Tower and Radar rooms which are Grade II listed buildings and currently a museum.

The access road is on land that is allocated as the Rougham Industrial Estate under policy BV14(n) in the Bury St Edmunds Vision 2031 document. The plot is proposed on land that is predominately allocated as the Rougham Airfield (Policy BV20 of the Bury St Edmunds Vision 2031 document), some of the plot is allocated as the original route of the ERR and some is allocated as the Suffolk Business Park Extension (Policy BV13 of the Bury St Edmunds Vision 2031 document).

- The Rougham Industrial Estate (BV14n) is allocated for B1, B2 and B8 uses
- The Rougham Airfield (BV20) is allocated for Airfield, sporting and recreational, leisure, entertainment and creative arts, showground and other outdoor uses.
- The Suffolk Business Park (BV13) is allocated for B1 and B8 uses and some other motor service facilities near J45 of the A14
- The Eastern Relief Road (ERR) Which is allocated under Policy BV13 of the BSE Vision 2031 document

Planning History:

There is no relevant planning applications on the proposed site.

Consultations:

Highway Authority: No objection, recommend conditions

Environment Agency: No objection, recommend conditions

Public Health and Housing: No objection, recommend conditions

Suffolk Fire and Rescue: No objection, recommend conditions

Natural England: No objection

Environment Team: No objection concerning Contaminated Land, Local Air Quality and Environmental Permitting Issues, recommend conditions

Landscape and Ecology Officer: No objection, recommend conditions

Suffolk County Council Archaeological Service: No objection, recommend condition to restrict the contractors building the development from straying onto other parts

of the wider site which have not been assessed. Condition recommended to secure fencing.

Suffolk County Council Flood and Water Engineer: No objection, recommend conditions

Anglian Water: No objection.

Representations:

Ward Member

- No comments received.

Rushbrooke with Rougham Parish Council: Support the application.

Neighbour representation: Objection has been received from the occupiers of Battlies House. The comments are summarised as;

1. The site will result in the destruction of a greenfield parcel of land
2. The application does not demonstrate that no other suitable sites are available (Lack of sequential test).
3. The site is outside the West Suffolk Business Park and the Suffolk Business Park.
4. The Planning Statement is wrong and the majority of the site is not in land allocated as the strategic allocation for the Suffolk Business Park as claimed.
5. Fumes from the extraction system
6. Noise and therefore loss of residential amenity
7. Request specific operations hours
8. Dust and Dirt from the operation
9. The design of the building is unacceptable.
10. The Technical Highway Note (May 2018) is wrong for the following reasons
 - Staff numbers are 21 not 20
 - Delivery times are inconsistent with other parts of the submission
 - Turning circle details contradict other statements
 - Steel cage details not shown
 - John Deere 5303 4WD Tractor used to demonstrate unloading is acceptable and the applicant should clarify if other vehicles will be unloaded.
11. Lack of parking
12. The Highway Network and specifically the ERR is inadequate to accommodate the size of vehicles that the site will generate
13. How will contamination risks be managed from oils and fuels from the machinery

Policy: The following policies of the Joint Development Management Policies Document, the Bury St Edmunds Vision 2031 Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

Joint Development Management Policies Document:

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM2: Creating Places – Development Principles and Local Distinctiveness
- Policy DM3: Masterplans
- Policy DM6: Flooding and Sustainable Drainage
- Policy DM7: Sustainable Design and Construction

- Policy DM10: Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11: Protected Species
- Policy DM12: Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13: Landscape Features
- Policy DM14: Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM15: Listed Buildings
- Policy DM20: Archaeology
- Policy DM35: Proposals for Main Town Centres Uses#
- Policy DM44: Rights of Way
- Policy DM45: Transport Assessment and Travel Plans
- Policy DM46: Parking Standards

Bury St Edmunds Vision 2031 (adopted

- Policy BV1: Presumption in Favour of Sustainable Development
- Policy BV13: Strategic Site – Extension to Suffolk Business Park, Moreton Hall, Bury St Edmunds
- Policy BV14: General Employment Areas – Bury St Edmunds
- Policy BV20: Rougham Airfield

St Edmundsbury Core Strategy (adopted December 2010)

- Policy CS1 – St Edmundsbury Spatial Strategy
- Policy CS2 – Sustainable Development
- Policy CS3 – Design and Local Distinctiveness
- Policy CS7 – Sustainable Transport
- Policy CS8 – Strategic Transport Improvements
- Policy CS9 – Employment and the Local Economy
- Policy CS10: Retail, Leisure, Cultural and Office Provision
- Policy CS14 – Community Infrastructure Capacity and Tariffs

St Edmundsbury Borough Council Local Plan Policies Map (adopted February 2015) – Bury St Edmunds Inset Map 1

Other Planning Policy:

- National Planning Policy Framework (2018)
- National Planning Practice Guidance
- Concept Statement Suffolk Business Park Extension Adopted October 2007
- Suffolk Business Park Extension Masterplan Adopted June 2010
- St Edmundsbury Green Infrastructure Strategy Dated September 2009

Officer Comment:

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

- Principle of Development
- Heritage Matters
- Design and appearance
- Landscape and Ecology matters
- Sustainable Transport and Highway matters
- Residential amenity

- BREEAM Matters
- Other matters

Principle of Development

1. Objection has been received that states that the application should demonstrate that other suitable land is not available before this greenfield site is brought forward. A sequential test to demonstrate that other more sequentially preferable sites are not available only needs to be carried out for some (not all) applications for town centre uses when proposed in out of town centre locations. Neither national nor local planning policies require a sequential test for this type of proposal. Whilst it is acknowledged that the proposal does include the sale of machinery and other smaller items the overall use is a sui generis use and not a traditional town centre use like.
2. Additionally it states that the majority of the site is not allocated land for B1, B2 and B8 uses and as such the application should be refused. The objection also states that the site is not allocated as the Suffolk Business Park. The whole site does benefit from a number of allocations (which is a mixture of Suffolk Business Park, Rougham Airfield, Rougham Industrial Estate and the ERR) as detailed above in the "Site Details" section. Whilst the site is currently greenfield land it is not defined as open countryside in planning terms. The amended Planning Statement describes the majority of the proposal as being within "*Strategic site allocation for the Suffolk Business Park Extension*". Whilst this is not technically correct this minor point is considered immaterial because the use that has been applied for does not conform to the uses allocated for the Suffolk Business Park. Eg the Suffolk Business Park is allocated for B1 and B8 (not B2) uses and the overall use of the proposed agricultural dealership is not B1 or B8 but a sui generis use (use class of its own). So even if the whole site was allocated in the Local Plan as the Suffolk Business Park it would still be contrary to that allocation. As a consequence when assessing this application the scales start off unevenly balanced against the scheme. Accordingly planning law states that planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. Put plainly this application should be refused unless material considerations indicate otherwise.
3. Whilst the objector has not identified the land allocated in the local plan or the use of the proposal correctly which is in part a consequence of the minor inaccuracy within the submission the thrust of the argument is that the ERR was planned to have another route and as such much of this land is not allocated for commercial development and should not be developed. The ERR was always envisaged to come forward along the alignment shown in the current adopted Policies Map Book. This route was shown in the previous Local Plan (Replacement St Edmundsbury Local Plan adopted 2006) and was the basis on which the Masterplan for the Suffolk Business Park was adopted in 2010. It is factually correct to state that the extent of the business park was dictated by the ERR and its anticipated route. In effect the business park "filled the space" created between the ERR and the A14. For land ownership reasons the ERR did not come forward as shown in the Policies Map Book and the adopted Masterplan. The pros and cons of the ERR route, as built, are not to be debated again now, but the LPA approved the ERR under application DC/14/0328/FUL and that has now been implemented. The alignment of the ERR that has been constructed has created a situation

whereby some land allocated for the Rougham Airfield is now separated from the rest of the designation by the ERR. The parcel of land that has been formed by the ERR development and which the application site forms part of has no physical features that would indicate where the land allocated for the Rougham Airfield, ERR and Suffolk Business Park or Rougham Industrial Estate begin or end. As previously discussed in the officer report for the Servest application (DC/17/1469/FUL) if the applicant decided not to apply to develop the land outside the SBP allocation this would leave strips of land that are not separated from the defined allocation by any natural or physical barriers and as such development would be following an arbitrary line on a plan that shows the route of a road that will now never be built. Physical barriers include hedges, tree belts, ditches, roads, railway lines or rivers. Such features create a full stop for development but are not present in the location where the road was historically planned to go. If the LPA insisted that development strictly followed the current allocation this would have no relation to any physical features on the ground and would, in the opinions of officers, be viewed as arbitrary and lacking in common sense. Other considerations that weigh in favour of allowing development of land south of the ERR that is not allocated for commercial development is that the extra parcels of land are equally accessible to pedestrians and cyclists and would still allow for an appropriate levels of landscaping as required by the adopted Masterplan.

4. The loss of the land that is set aside for the ERR would be extremely harmful if the ERR had not already been delivered on nearby land. As the development of this land will not prejudice the delivery of the ERR it is not harmful. Clearly the SBP and the Rougham Industrial Estate are allocated for commercial development albeit for different types of commercial development (High Quality Business park vs Industrial Estate). The Rougham Airfield allocation is not solely for airfield uses as previously described above. However the ERR as built has separated this parcel of land from the rest of the Airfield allocation and as such there would be little point in retaining the parcel of land for such uses. Under the Airfield allocation if a building for an airfield use had been submitted that would have been in principle acceptable. Such buildings can be large and so it is reasonable to conclude that the allocation does not seek to prevent buildings on it and there would be no planning reason to do so.
5. It is the view of officers that once the history of the site is appreciated no harm to the development plan can be identified. Further consideration needs given to loss of residential amenity, harm to designated or non-designated heritage assets, impact on ecology or landscape and these are discussed in greater detail below.

Heritage Matters

6. The site is not in or near to a conservation area and there are no listed buildings within the site. To the east of the site is (circa 350metres to the western boundary of the curtilage) is Battlies House which is a grade II listed building. To the west of the site is the Rougham Control Tower Museum (Circa 360 metres to the east). The councils Conservation Officer states that the scheme will have no impact on the setting of either listed building and accordingly the scheme is considered to have no impact in heritage terms.

Design and appearance

7. The Suffolk Business Park Extension is intended to be a high quality business park, which is a clear instruction of the adopted Masterplan. To achieve a high quality business park both the design of buildings and landscaping are equally important.
8. The application includes one building with the frontage of the site, adjacent to the Rougham Tower Avenue, proposed to be used for the storage and display of new and second hand agricultural machinery. This area for new and second hand machinery has the potential to look untidy and at odds with a high quality business park. Operators of such sites may consider that such machinery has a certain beauty and appeal and whilst officers may agree with such viewpoints, it is hard to argue successfully the area does not have the potential to be viewed negatively. For example if the site had a particularly high amount of machinery stock it could look crammed and overrun with machinery and likewise if machinery stock on site is particularly low the space could look left over, underused and unkempt. This would be at odds with the aspiration for a high quality business park with strong building lines, high quality design and discrete parking areas and good landscaping. To overcome this element much time and constructive dialogue has taken place between the LPA and the applicants to agree a landscaping screen which is discussed further below.
9. The design of the building has been amended during the planning process. This has solely focused on the finishes on the north, west and south elevations. The south elevation is important for when people arrive at the site and the north and the west elevation are important as they will be prominent when viewed from the Rougham Tower Avenue. The design changes have sort to create strong horizontal focus which appropriately wrap round the building and a portico entrance is now proposed to create a strong entrance for staff and customers. Overall the design is considered good by officers and as such is appropriate in this highly visible location on the business park.

Landscape and Ecology

10. Policy DM13 of the Joint Development Management Policies document requires 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 policy goes on to note the sensitivity of the Special Landscape Areas and requires that individual proposals within or adjacent to these areas will be assessed based on their specific landscape and visual impact. Policy DM13 also requires that all development proposals should demonstrate that their location, scale, design and materials will protect, and where possible enhance the character of the landscape, including the setting of settlements, the significance of gaps between them and the nocturnal character of the landscape. Finally the policy advises that where any harm will not significantly and demonstrably outweigh the benefit of the proposal, development will be permitted subject to other planning considerations. However the policy also requires that it is essential that commensurate provision must be made for landscape mitigation and compensation measures, so that harm to the locally distinctive character is minimised and there is no net loss of characteristic features.
11. Policy BV13 states in part that amongst other things, *the design and*

landscaping have been informed by a masterplan for the site. The Suffolk Business Park Extension Masterplan was adopted in June 2010. Landscaping and ecology is dealt with in section 5. This states that the landscape objectives for the site are to retain where possible the existing landscape features which make a positive contribution to the appearance of the area, and to enhance the site with extensive new planting. Therefore, the principal trees and hedgerows will be substantially retained and will be incorporated into the structure of Suffolk Park Extension. The masterplan goes on to state that, within plots, planting will be used to soften frontages and provide some enclosure of vehicle parking and manoeuvring areas appropriate to the use. A landscaping strategy will be formulated to ensure consistency in the nature of the planting and in the species used. Native species will be used where possible. This will ensure that landscape is an integral part of plot design and result in a consistent appearance throughout the development.

12. The northern boundary and the northern parts of the western and eastern boundaries also require particular assessment as these will be the most prominent views into the site from the Rougham Tower Avenue. Additionally this will be the boundaries around the large storage area for the agricultural machinery. The landscaping on these areas have all been amended to increase the amount of landscaping and the type of landscaping proposed. Of note the northern boundary now proposed consists of thicker clumps of landscaping and a consistent landscape band with landscaping now set back into the site by circa 22metres in parts. The landscaping proposed is a mixture of deciduous and non-deciduous. This is considered an acceptable for a number of reasons. It gives a good mix which will be more resistant to single species disease. Additionally with such a mix it allows for some screening to remain in the winter months which the highway Authority were keen to see to minimise the risk of lights from within the site not dazzling vehicles on the Rougham Tower Avenue. The amount of landscaping is also considered acceptable in terms of softening, and to an extent screening the area proposed to store vehicles which has the potential to cause harm as described in paragraph 8 above.

13. Sustainable transport and Highway safety.

14. Policy BV13 requires a Travel Plan to be implemented to reduce dependency on the motor vehicle. Having discussed this with officers at Suffolk County Council who oversee Public Transport Operations and Travel Plans it was agreed that the requirement for a Travel Plan and contributions towards a bus service would not be sought unless in exceptional circumstances. Having considered various factors it was not considered appropriate to seek such an approach or contributions to amend/provide a bus service. The factors that influenced this decision included i) the length of time that it will realistically take to deliver the entire Business Park and assessing at what point a service would become viable ii) the limitation on how many contributions the council can pool together for one project, iii) the experience elsewhere in the County of bus routes serving business parks and how sustainable they are in the long term after developer subsidy drops away. This was previously stated in the committee report for the outline application on the western part of the Suffolk Business Park under application DC/16/2825/OUT.

15. To replace this approach the council will be requiring that facilities are installed in all new premises on the Suffolk Business Park Extension that

allow for staff to walk and cycle to work. These practical facilities would exceed what would normally be delivered and has already been delivered on the Festool, Treatts, Servest developments. Such facilities will include male and female changing rooms, with lockers that can accommodate wash kit, a suit or other work wear, drying rooms to dry wet clothes, and multiple shower cubicles. In this instance the application includes 2 changing rooms (one male and one female) each with a drying room, shower cubicles and sufficient space for lockers. This is considered acceptable and in keeping with the level of facilities that the LPA is wanting to see delivered in the absence of a Travel Plan or public transport contribution.

16. Objection has been raised by nearby residents concerning the type of traffic generated and other highway matters. The highway Authority raised a number of points to the original submission which the applicants has clarified. Objection was raised concerning the size of vehicles that will be delivered to the site and a narrow point on Sow Lane. The Highway Authority recognise that the site, owing to the size of agricultural vehicles will receive abnormal sized loads (as defined by Government legislation) and are entirely satisfied that the surrounding highway network, and in particular Sow Lane, are adequate to receive such traffic.
17. A number of queries were raised concerning parking numbers, turning circles and these have been clarified by the agent. The Highway Authority are satisfied that the site would have sufficient parking spaces for staff and customers and that turning, manoeuvring loading and unloading area areas are sufficient as shown.

Residential Amenity

18. Loss of residential amenity can be caused by loss of light, overbearing or overlooking. Additionally harm to residential amenity can be caused by noise or odour. Given the distance to the nearest residential property, and the height of the proposal officers are entirely satisfied that the scheme would not cause any overlooking, loss of light or overbearing and is acceptable in those regards.
19. Objection has also been received which relates to noise from the servicing and repairs of vehicles. The application is supported by a full noise assessment which is based on existing sites that the operator has run for a number of years in the wider region. The acceptability of the scheme as far as impact on neighbours from noise is concerned is based on the fact that repairs and servicing will take place within the building with the doors closed. Concern was raised around staff becoming too hot in summer months and carrying out repairs and servicing with the doors open in order for the workshop to stay cooler. The submitted Energy Statement has been updated and the Environment Team are satisfied that the insulation and mechanical ventilation of the building will function sufficiently so that staff do not become too hot and seek the doors. Public Health and Housing Officers accept that some repairs may be need to take place outside the workshop in order to get vehicles into the workshop and this is considered acceptable given the infrequency this would happen and the distance to the nearest residential dwelling. It is acknowledged that doors will be opened in order for vehicles to exist and enter the building. Whilst all servicing and normal repairs will take place within the building it may be necessary for a partial repair to undertaken outside (as the vehicle is unable to be driven in

the building). In this instance the distance (excess of 350metres) and the infrequency that such repairs would take place is considered acceptable. In order to secure neighbour amenity a Noise Management Plan will also be a requirement by condition.

20. Additionally noise from the mechanical equipment to extract heat and fumes from the workshop has been considered by the Public Health and Housing Officers and is considered acceptable in noise amenity terms. Objection has been raised in terms of pollution from the fumes from the workshop. Officers are aware of numerous facilities in town centre locations where the vehicles are repaired and serviced much closer to residential dwellings. Whilst it is noted that the proposal would be servicing and repairing much larger vehicles the argument that harm is considered to carry little weight. Lastly objection has been raised from dust and dirt arising from the operation. Officers have been unable to identify what practices would cause harm to dwellings over 350 metres away from Dust and Dirt.
21. Neighbour objection states that operating hours are inconsistent within the application. Officers have considered the operating hours and the need to restrict them via condition in order to ensure residential amenity is protected. It is acknowledged that delivery drop off of parts and some operations will occur at unsociable times, especially during summer peak times when demand for repairs may rise. However given the noise assessment, the distance to residential properties and the infrequency with which such unsociable activities would occur it is considered that no harm would occur and that no such condition restricting hours of operation is necessary.

BREEAM matters

22. Policy DM7 of the JDMPD requires all new non-residential developments over 1,000 square metres to achieve the BREEAM Excellent standard or equivalent unless it can be demonstrated why this is not feasible, technically achievable or unviable. The application is supported by an Energy Statement. The application seeks flexibility on the BREEAM Excellent standard because the proposal includes biodiversity features along with enhanced walking and cycling facilities. It also makes a commitment to provide at least 20% of onsite energy provision from renewable/ low carbon sources.
23. It is the view of officers that the enhanced cycle and walking facilities principally mitigate the lack of travel plans and public transport contribution which is a policy requirement. However such facilities will help make the site more sustainable and as such are afforded positive weight, as are biodiversity features. In this instance officers are willing to accept the lower BREEAM level as the scheme includes on site energy generation along with the improved sustainable transport facilities and biodiversity features. The lower level BREAM level does weight against the scheme but given the other features/ facilities discussed, such harm is very limited in the view of officers.

Other matters

24. Other consultation responses around archaeology, land contamination, surface water drainage, fire hydrants, foul and surface water, ground water

protection, were all supportive of the scheme subject to standard conditions.

25. The Environment Team welcomes the proposed 3 electrical charging points (2 for non-accessible car parking spaces and 1 for accessible car parking spaces). This level of provision is considered acceptable and is conditioned to ensure they are delivered.

26. Objection has been raised concerning how risk of contamination from oils and other fuels will be managed. The Environment Agency has requested conditions which require details to be submitted to ensure pollution does not leach into the ground. As such this is considered acceptable to officers. Lastly objection was raised stating the application states that 21 staff will work from the site and not 20 as quoted elsewhere. Additionally external cage details are not provided. A minor error in quoting staff numbers is not considered material in the acceptability of the scheme and officers are satisfied that all details of external structures are included in the scheme.

Conclusion:

27. The scheme is overall considered acceptable. The scheme is contrary to the Development Plan as discussed above, but it is considered that exceptional circumstances are present that allow the scheme to be approved. The principle reason for this centres on the realigned Eastern Relief Road which meant that this parcel of land has become available. The multiple uses that the plot is allocated for reflected a different road alignment and the allocations are considered to carry very limited weight now. However the principles of design that are established in the Masterplan to ensure a high quality business park is delivered have been followed which means it will sit comfortably alongside future development on the park. Officers are satisfied that all other matters are acceptable in particular loss of amenity, landscape, ecology and sustainable travel are satisfactory and that the scheme should be approved.

Recommendation:

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

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.

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

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

- Drawing No. 3635-10-P2 - Location Plan
- Drawing No. 18 1573 01 Rev C - Proposed Site Plan
- Drawing No. 3635-20-P2 - Proposed Ground Floor Plan
- Drawing No. 3635-21-P3 - Proposed First Floor Plan
- Drawing No. 3635-22-P2 - Proposed Roof Plan
- Drawing No. 3635-30-P2 - Proposed Street Elevation
- Drawing No. 18 1573 03 Rev B - Proposed Elevations
- Drawing No. 3635-32-P2 - Proposed Sections

- Drawing No. 3635-23-P2 - Proposed Site Structures
- Drawing No. 3635-25-P1 - Proposed Pump Station and Gas Bottle Cage
- Drawing No. 3635-24-P1 - Areas for Planning
- Drawing no. MMD-372751-C-DR-09-XX-9021 Rev P2 - Typical Cross Section
- Drawing No. 17.3038.01.L - Structural Landscape Proposal
- Drawing No. 18 1573 05 Rev A - Proposed Lighting Layout
- Drawing No. 20180824-SK-001 - Landscaping and drainage overlay for Access Road
- Drawing No. 500 REV T2 - Drainage and External Works Layout
- Drawing No. 510 REV T1 - Drainage and External Works Typical Details

Access Road Drainage Strategy July 2018 Rev 2
 Planning Statement R3
 Preliminary Risk Assessment (dated March 2018)
 Energy Statement (Rev 5)
 Highways Technical Note 01 Rev A Oct 2018
 Ecology Report Rev CO4
 Addendum Noise Impact Assessment

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

3. The existing access off Fred Castle Way shall be used for the construction of the development hereby approved and no other access shall be used.

Reason: In the interest of highway safety.

4. The area to be provided for storage of Refuse/Recycling bins within the service area, as shown on 18 1573 01 REV C shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

5. The building hereby approved shall not be first brought into use until the new road and vehicular accesses serving the plot have been laid out and completed in all respects in accordance with drawing Drawing no. MMD-372751-C-DR-09-XX-9021 Rev P2, Drawing no. 18 1573 01 Rev C and Technical Highway Note 1; and been made available for use. Thereafter the road and access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and is brought into use before any other part of the development is commenced in the interests of highway safety.

6. Prior to the building hereby approved being first brought into use the area(s) within the site shown on 18 1573 01 Rev C, for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

7. Before the access is first used that would serve the proposed plot visibility splays shall be provided as shown on Drawing No. C281_SK_FES_001A-with an X dimension of 2.5m and a Y dimension of 43m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

8. The building hereby approved shall not be brought into operation until the area(s) within the site shown on drawing No. 3635-23-P2 for the purpose of storage of cycles has been provided and thereafter those area(s) and facilities shall be retained and used for no other purposes.

Reason: To ensure that the facilities to allow staff to cycle and walk to work are installed and available as mitigation for the scheme not having a Travel Plan or making a public transport contribution.

9. The area for unloading, loading, turning and manoeuvring of delivery vehicles outside of the warehouse building hereby approved shall be retained and used solely for that purpose and no other. The area shown for unloading, loading, turning and manoeuvring of delivery vehicles shall be used for that purpose and at no time shall delivery of vehicles or machinery take place outside the business plot hereby approved.

Reason: To ensure that space is available unloading, loading turning and manoeuvring of delivery vehicles in the interest of highway safety.

10. The building hereby approved shall not be first brought into operation until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act.

11. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year +CC storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Details of which will include:

1) Details of further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole). Borehole records should also be submitted in support of soakage testing.

- 2) Infiltration devices should be no more than 2m deep and will have at least 1.2m of unsaturated ground between base of the device and the groundwater table, unless otherwise agreed with the Environment Agency.
- 3) Dimensioned plans illustrating all aspects of the surface water drainage scheme including location and size of infiltration devices and the conveyance network. A statement on the amount of impermeable area served by each infiltration device should also be illustrated on the plans and should be cross referenceable with associated design calculations.
- 4) Full modelling results (or similar method) to demonstrate that the infiltration device has been adequately sized to contain the critical 100yr+CC event for the catchment area they serve. Each device should be designed using the nearest tested infiltration rate to which they are located. A suitable factor of safety should be applied to the infiltration rate during design.
- 5) Infiltration devices will have a half drain time of less than 24hours.
- 6) Modelling of conveyance networks showing no above ground flooding in 1 in 30 year event, plus any potential volumes of above ground flooding during the 1 in 100 year rainfall + CC.
- 7) Infiltration devices shall only be used where they do not pose a threat to groundwater. Only clean water will be disposed of by infiltration devices due to the site being inside an Source Protection Zone. Demonstration of adequate treatment stages for water quality control shall be submitted - SuDS features should demonstrate betterment to water quality, especially if discharging towards a watercourse or aquifer.
- 8) Topographic plans shall be submitted depicting safe exceedance flow paths in case of a blockage within the main SW system and/or flows in excess of a 1 in 100 year rainfall event. These flow paths will demonstrate that the risks to people and property are kept to a minimum.
- 9) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.
- 10) Arrangements to enable any Surface water drainage within any private properties to be accessible and maintained including information and advice on responsibilities to be supplied to future owners.

Reason: To prevent the development from causing increased flood risk off site over the lifetime of the development (by ensuring the inclusion of volume control).

To ensure the development is adequately protected from flooding.

To ensure the development does not cause increased pollution to water environment.

To ensure clear arrangements are in place for ongoing operation and maintenance. This condition is required to be pre commencement as it could cause harm if development started without the above details being agreed prior to development commencing.

12. 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 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:

- i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
- ii. Temporary drainage systems

- iii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iv. 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 in line with the River Basin Management Plan. This condition requires matters to be agreed prior to commencement since it relates to increased risk of flooding during construction.

13. 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 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:

- i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
- ii. Temporary drainage systems
- iii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iv. 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 in line with the River Basin Management Plan. This condition requires matters to be agreed prior to commencement since it relates to increased risk of flooding during construction.

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

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and the Environment Agency's approach to groundwater protection (available at: <https://www.gov.uk/government/collections/groundwater-protection>).

15. Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details. No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential

pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

16. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and the Environment Agency's approach to groundwater protection (available at: <https://www.gov.uk/government/collections/groundwater-protection>).

17. Prior to the commencement of development details of temporary fencing to secure the site during construction shall be submitted to the Local Planning Authority and approved in writing. The fencing as approved shall be erected prior to construction works commencing and shall be retained in situ during construction works. The details provided shall include the location and type of fencing and how it will be secured in place. No materials shall be stored or machines operated outside of the secure fenced area.

Reason: To prevent any potential impact on archaeological interest outside of the site during the construction phase. These details need to be agreed prior to development commencing to ensure the fencing is in situ before development commences to protect archaeological interest around the site.

18. Before any development hereby permitted is commenced, a comprehensive construction and site management programme shall be submitted to and approved in writing by the Local Planning Authority. The programme shall include the following details:-

- a. site set-up and general arrangements for storing plant (including cranes), materials, machinery and equipment, offices and other facilities and contractors vehicle parking, loading, unloading and vehicle turning areas;
- b. noise method statements and noise levels for each construction activity including any piling and excavation operations;
- c. dust, dirt and vibration method statements and arrangements;
- d. site lighting.
- e. wheel washing
- f. complaints response procedure
- g. community liaison procedures

The measures and procedures within the statement shall be agreed in writing with the Local Planning Authority and only those construction measures and procedures agreed shall be implemented by the developer.

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.

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

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

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

Reason: To reduce and or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.

20. Prior to the building hereby approved being first brought into operation details shall be submitted to the Local Planning Authority which demonstrate that the installed heating/cooling systems have achieved at least the COP/EER figures stated in the Energy Statement. Furthermore the submitted details shall demonstrate that the installed lighting efficiency meets or exceeds the details set out in the approved Energy Statement.

Reason: In the interests of sustainability to ensure the development minimises its environmental impact in accordance with policy DM7 of the Joint Development Management Policy Document 2015 in lieu of BREEAM Excellent being achieved.

21. The site preparation and construction works, including road works, shall be carried out only between the hours set out below without the prior written consent of the Local Planning Authority:

07:00 to 18:00 Mondays to Fridays; (8am start for the road)

08:00 - 13.30 Saturdays;

No times during Sundays or Bank Holidays;

Reason: To protect the amenity of residential properties.

22. No generators shall be used in external areas on the site outside the hours set out below:

07:00 to 18:00 Mondays to Fridays (8am start for the road)

08:00 - 13.30 Saturdays

No times during Sundays or Bank Holidays

Reason: To protect the amenity of residential properties.

23. The Local Planning Authority shall be provided with three working days notice prior to any extended concrete pour taking place outside the agreed hours of construction for agreement that the works can proceed.

Reason: To protect the amenity of residential properties.

24. Any waste material arising from site, preparation and construction works shall not be burnt on site but shall be kept securely in containers for removal to prevent escape into the environment.

Reason: To protect the amenity of residential properties.

25. Within three months of development commencing details of a fire hydrant to serve the site shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be installed and made available prior to any of the building hereby approved first being brought into use.

Reason: To ensure that sufficient fire hydrants are in situ to serve the business park.

26. Details of the facing and roofing materials for the hereby approved building shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory.

27. Within three months of the development commencing details of 2 charging points for non accessible car parking spaces and 1 accessible car parking space shall be submitted to and approved in writing with the Local Planning Authority. The approved details shall be implemented prior to any building hereby approved first being brought into use and shall be retained thereafter.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to enhance local air quality in line with the National Planning Policy Framework (NPPF) paragraph 35; Policy DM2 (k) of the Joint Development Management Policies Document and Policy CS2 (E) of the Core Strategy.

28. All planting shown on drawing number 17.3038.01 Rev L shall be carried out in the first planting season following the building hereby approved being first brought into use (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

29. The skylark mitigation shall be implemented in accordance with the details of the Rougham Estate Farms letter dated 16th February 2018 and thereafter shall be maintained for a period of 5 years from the commencement of development.

Reason: To ensure the continued provision of mitigation in relation to skylarks

30. Within three months of the development commencing details of external lighting for the plot site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location, lux levels and other

features necessary to control light spillage. The approved details shall be implemented before the building is first brought into use and retained thereafter.

Reason: To ensure that bat corridors are protected

31. Within three months of development commencing full details of the lockers and drying rooms for each changing room shall be submitted to and approved in writing with the Local Planning Authority. The approved details shall be fully installed and available to staff before the building hereby approved is first brought into operation and thereafter retained.

Reason: To ensure that the facilities to allow staff to cycle and walk to work are installed and available as mitigation for the scheme not having a Travel Plan or making a public transport contribution.

32. Notwithstanding the submitted details, prior to their installation details of the siting, design, height and materials of screen walls, fences and gates shall be submitted to and approved in writing by the Local Planning Authority. The approved screen walling and/or fencing and/ or gates shall be constructed or erected before any of the buildings hereby approved are first brought into use and thereafter retained in the form and manner installed.

Reason: To provide clarification and ensure the satisfactory development of the site.

33. The development hereby permitted shall be constructed to BREEAM Very Good standard or equivalent unless otherwise agreed in writing with the local planning authority.

Reason: In accordance with Joint Development Management Policy Document DM7

34. Within three months of the development of the buildings hereby approved commencing an ecological mitigation and enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timeline for implementation and take account of the recommendations as set out in the Ecological Appraisal Rev CO4. The approved details shall thereafter be implemented in the approved timeframe and retained thereafter.

Reason: To ensure that biodiversity is protected.

35. Within three months of the development commencing a noise management plan shall be submitted to and agreed in writing by the Local Planning Authority. The submission shall amongst other things include noise details of all mechanical plant to be installed on the site and the working practices that will be implemented to minimise noise generated from the use of the site. The approved mechanical plant shall be installed prior to the building hereby approved first being brought into operation and retained thereafter unless otherwise agreed in writing. The approved working practices shall also be followed unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of residential properties.

36. In the event that primary cooking is to be undertaken on site, suitable extraction and filtration equipment shall be installed to disperse smells created

from the premises in which cooking activities take place. Before the installation of such a system, details of the proposed filtration plant, its ducted route through the building and its final discharge point shall be submitted to the Local Planning Authority. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of any primary cooking, and be retained in the approved form thereafter.

Reason: To protect the amenity of residential properties.

37. The grass area north of the grey area and immediately south of the northern landscape boundary shown on drawing no. 18 1573 01 Rev C shall be kept free at all times and shall not be used to store machinery, vehicles or other items.

Reason: To enhance the amenity of the area and to help protect the landscaping hereby approved.

38. The development shall deliver at least 20% on-site renewable/low carbon energy provision in line with the approved Energy Statement.

Reason: In the interests of sustainability to ensure the development minimises its environmental impact in accordance with policy DM7 of the Joint Development Management Policy Document 2015 in lieu of BREEAM Excellent being achieved.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P28SPIPDLGI00>