

# **Development Control Committee**

## **1 March 2023**

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

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

**Synopsis:**

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

**Recommendation:**

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

**CONTACT CASE OFFICER:**

Charlotte Waugh

Email: [charlotte.waugh@westsuffolk.gov.uk](mailto:charlotte.waugh@westsuffolk.gov.uk)

Telephone: 01284 757349

## **Background:**

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

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

## **Proposal:**

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

## **Application supporting material:**

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

## **Site details:**

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

## **Planning history:**

5. None

## **Consultations:**

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

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

7. **SCC Highway Authority:**

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

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

**8. SCC Fire and Rescue:**

Recommends the installation of fire hydrants to serve this development.

**9. West Suffolk Public Health and Housing:**

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

**10. West Suffolk Environment Team:**

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

**11. Place Services – Landscape:**

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

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

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

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

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

**Representations:**

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

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

**13. Parish Council**

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

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

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

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

### **Local representations:**

13. 55 representations have been received during the course of the applications (including those following re-consultations) raising the following concerns:

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

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

5 Letters of support have also been received, noting:

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

### **Policy:**

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

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

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in the Countryside

Policy DM6 Flooding and Sustainable Drainage

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

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

Policy DM14 Protecting and enhancing natural resources, minimising pollution and safeguarding from hazards

Policy DM36 Local Centres

Policy DM41 Community facilities and Services

Policy DM46 Parking Standards

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy

Core Strategy Policy CS2 - Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Core Strategy policy CS4 – Settlement Hierarchy and Identity

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

Core Strategy Policy CS13 - Rural Areas

Vision Policy RV1 - Presumption in favour of Sustainable Development

**Other planning policy:**

National Planning Policy Framework 2021 (NPPF)

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

**Officer comment:**

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

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

**Principle of development**

18. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the Rural Vision (2014). National planning policies set out in the National Planning Policy Framework 2021 are also a key material consideration.

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

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

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



### **Built form and visual amenity**

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

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

### **Impact on residential amenity**

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

### **Highway safety**

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

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

### **Ecology**

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

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

### **Flooding**

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

### **Air Quality**

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

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

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

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

## Conclusion

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

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

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

## Recommendation:

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

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

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

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

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

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

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

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

Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



written approval of the Local Planning Authority.

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

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

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

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

Reason: To ensure the adequate supply of water for firefighting and community safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 8 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

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

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

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

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

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

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

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

07:00 - 20:00 Monday - Sunday

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

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

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

### **Documents:**

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