

# Public Document Pack



## **DEVELOPMENT CONTROL COMMITTEE A**

<b>DATE</b>	<b>Wednesday 18 January 2017</b>
<b>PLACE</b>	<b>Council Chamber, Council Offices, High Street, Needham Market</b>
<b>TIME</b>	<b>12noon</b>

Contact: Committee Services  
Direct Line: 01449 724673  
Fax Number: 01449 724696  
E-mail: [committees@baberghmidsuffolk.gov.uk](mailto:committees@baberghmidsuffolk.gov.uk)

10 January 2017

**The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Committee Clerk.**

### **AGENDA**

1. Apologies for absence/substitutions
2. To receive any declarations of pecuniary or non-pecuniary interest by Members
3. Declarations of lobbying
4. Declarations of personal site visits
5. To receive notification of petitions in accordance with the Council's Petition Scheme.
6. Questions by the public

The Chairman to answer any questions from the public of which notice has been given no later than midday five clear working days before the day of the meeting in accordance with Committee and Sub-Committee Procedure Rule 7.

7. Questions by Councillors

The Chairman to answer any questions on any matter in relation to which the Council has powers or duties which affects the District and which falls within the terms of reference of the Committee, of which due notice has been given no later than midday three clear working days before the day of the meeting in accordance with Committee and Sub-Committee Procedure Rule 8.

8. Schedule of planning applications

**Report NA/03/17**

**Pages 1 to 14**

**Note: The Chairman may change the listed order of items to accommodate visiting Ward Members and members of the public**

9. Site inspections

**Note:** *Should a site inspection be required for any item a date and time will be advised. The Committee will reconvene after the site inspection at 12:00 noon in the Council Chamber.*

***Would Members please retain the relevant papers for use at that meeting.***

**Notes:**

1. The Council has adopted a Charter on Public Speaking at Planning Committee. A link to the Charter is provided below:

<http://www.midsuffolk.gov.uk/assets/UploadsMSDC/Organisation/Democratic-Services/Constitution/Other-Links/Charter-on-Public-Speaking-at-Planning-Committee.pdf>

Those persons wishing to speak on a particular application should arrive in the Council Chamber early and make themselves known to the Officers. They will then be invited by the Chairman to speak when the relevant item is under consideration. This will be done in the following order:

- Parish Clerk or Parish Councillor representing the Council in which the application site is located
- Objectors
- Supporters
- The applicant or professional agent / representative

Public speakers in each capacity will normally be allowed 3 minutes to speak.

2. Ward Members attending meetings of Development Control Committees and Planning Referrals Committee may take the opportunity to exercise their speaking rights but are not entitled to vote on any matter which relates to his/her ward.

Val Last  
Governance Support Officer

**Members:**

Councillor Matthew Hicks – Chairman – Conservative and Independent Group  
Councillor Lesley Mayes – Vice Chairman – Conservative and Independent Group

Conservative and Independent Group

Councillors: Gerard Brewster  
David Burn  
Lavinia Hadingham  
Diana Kearsley  
David Whybrow

Liberal Democrat Group

Councillor: John Field

Green Group

Councillor: Anne Killett  
Sarah Mansel

**Substitutes**

Members can select a substitute from any Member of the Council providing they have undertaken the annual planning training.

**Ward Members**

Ward Members have the right to speak but not to vote on issues within their Wards.

## **Mid Suffolk District Council**

### **Vision**

**“We will work to ensure that the economy, environment and communities of Mid Suffolk continue to thrive and achieve their full potential.”**

### **Strategic Priorities 2016 – 2020**

#### **1. Economy and Environment**

**Lead and shape the local economy by promoting and helping to deliver sustainable economic growth which is balanced with respect for wildlife, heritage and the natural and built environment**

#### **2. Housing**

**Ensure that there are enough good quality, environmentally efficient and cost effective homes with the appropriate tenures and in the right locations**

#### **3. Strong and Healthy Communities**

**Encourage and support individuals and communities to be self-sufficient, strong, healthy and safe**

### **Strategic Outcomes**

**Housing Delivery** – More of the right type of homes, of the right tenure in the right place

**Business growth and increased productivity** – Encourage development of employment sites and other business growth, of the right type, in the right place and encourage investment in infrastructure, skills and innovation in order to increase productivity

**Community capacity building and engagement** – All communities are thriving, growing, healthy, active and self-sufficient

**An enabled and efficient organisation** – The right people, doing the right things, in the right way, at the right time, for the right reasons

**Assets and investment** – Improved achievement of strategic priorities and greater income generation through use of new and existing assets ('Profit for Purpose')

# Suffolk Local Code of Conduct

## 1. Pecuniary Interests

Does the item of Council business relate to or affect any of your/your spouse /partner's pecuniary interests?

Yes

Declare you have a pecuniary interest

Leave the room. Do not participate or vote (Unless you have a dispensation)

Breach = criminal offence

No

No interests to declare

## 2. Non-Pecuniary Interests

Does the item of Council business relate to or affect any of your non-pecuniary interests ?

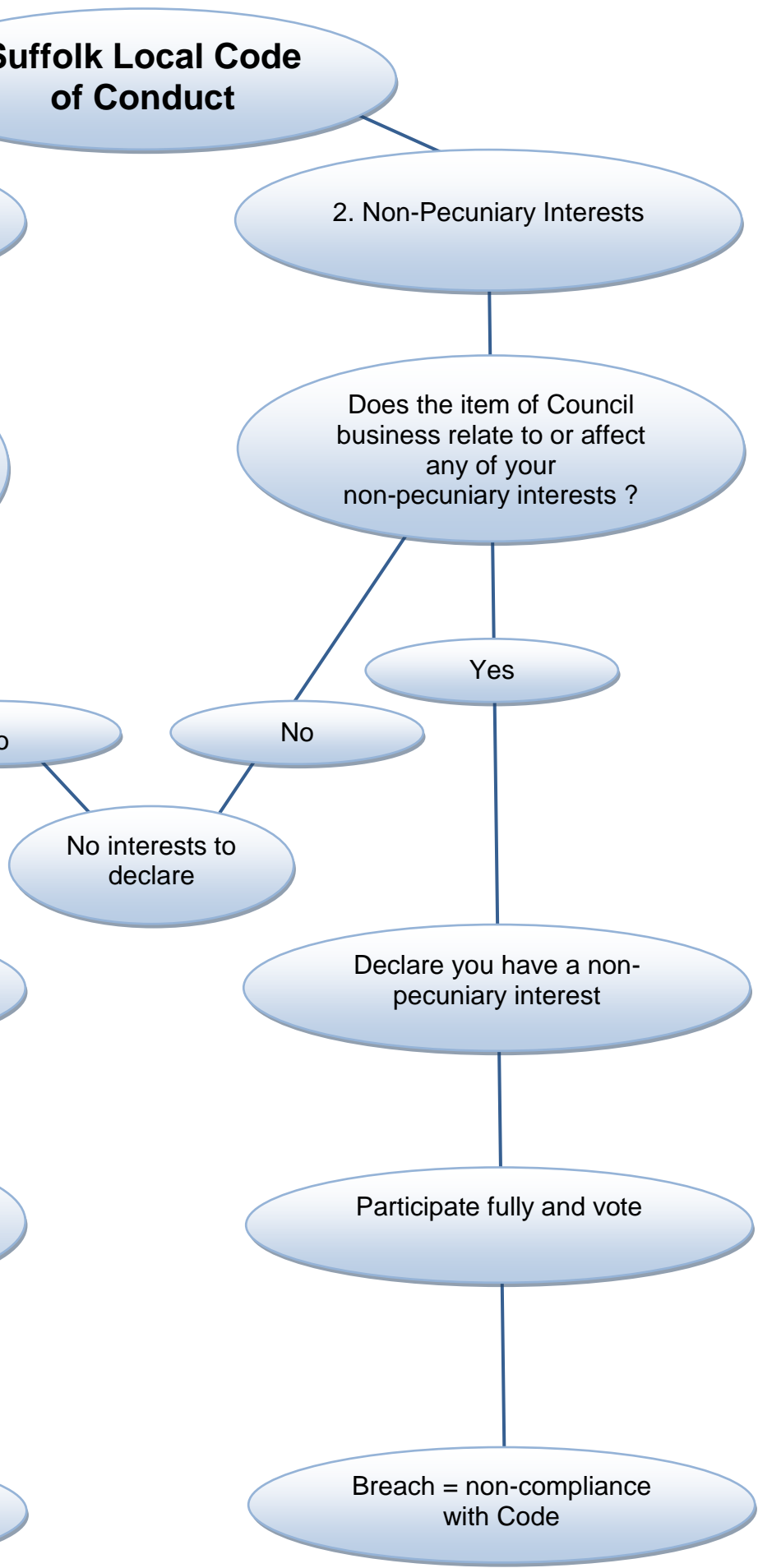
Yes

Declare you have a non-pecuniary interest

Participate fully and vote

Breach = non-compliance with Code

No



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# Agenda Item 8

## NA/03/17

### MID SUFFOLK DISTRICT COUNCIL

### DEVELOPMENT CONTROL COMMITTEE A 18<sup>th</sup> Jan

### SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Ref No.	Location And Proposal	Ward Member	Officer	Page No.
1.	4810/16	<b><u>Mid-Suffolk Leisure Centre, Gainsborough Road, Stowmarket, IP14 1LH</u></b>  Erection of a 17.5m tall lattice mast with 3no. telecommunications antennae and 2no. dishes.	Cllr B Humphreys  Cllr D Muller  Cllr G Green	RUBI	1-14

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MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE - 18 January 2017

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<b>AGENDA ITEM NO</b>	1
<b>APPLICATION NO</b>	4810/16
<b>PROPOSAL</b>	Erection of a 17.5m tall lattice mast with 3no. telecommunications antennae and 2no. dishes.
<b>SITE LOCATION</b>	Mid-Suffolk Leisure Centre, Gainsborough Road, Stowmarket, IP14 1LH
<b>SITE AREA (Ha)</b>	
<b>APPLICANT</b>	Shared Access and CTIL
<b>RECEIVED</b>	November 28, 2016
<b>EXPIRY DATE</b>	January 24, 2017

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**REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

The Head of Economy considers the application to be of a controversial nature having regard the extent and planning substance of comments received from third parties.

**PRE-APPLICATION ADVICE**

1. Pre application was sought by the applicant. The current application 4810/16 was submitted before a response was received.

**SITE AND SURROUNDINGS**

2. The application site is a small area located to the rear of Mid-Suffolk Leisure Centre in Stowmarket. The area occupies a corner currently used for storing bins. The immediate surroundings of the site are the Leisure Centre building to the southeast and southwest, tall trees and hedges to the northwest, and the car park to northeast.

The wider area around Mid-Suffolk Leisure Centre is predominately residential with several educational facilities nearby including Wood Ley Community Primary School to the northwest, Chilton Community Primary School to the east, Stowmarket High School to the south, Foxglove Montessori Nursery School to the south, and The Kingsfield Centre Pupil Referral Unit to the southwest. There is also Chilton Meadows Residential and Nursing Home and Stow Lodge Centre to the west, and Chilton Court residential home to the east.

The site is not located a conservation area nor is the site located is a Special Landscape Area. The nearest listed building is Chilton Court on Gainsborough Road, a Grade II listed building located to the east of the site. Within the wider area there is also Stow Lodge Centre on Union Road which is a Grade II listed building located to the west of the site.

**HISTORY**

3. The planning history relevant to the application site is:



4810/16	Erection of a 17.5m tall lattice mast with 3no. telecommunications antennae and 2no. dishes.	
3930/14	Re-roof existing Bowls Hall and Creche and installation of Solar PV Array	Granted 19/02/2015
1585/11	Erection of single-storey extension to form new fitness studio	Granted 19/07/2011
1130/94	ERECTION OF EXTENSIONS TO HIGH SCHOOL TO PROVIDE NEW STAFF AND LIBRARY BLOCK AND SCIENCE BLOCK. (FOLLOWING REMOVAL OF STAFF BLOCK ON SITE)	17/02/1995
0084/94/	ERECTION OF EXTENSION TO LEISURE CENTRE WITH ALTERATION TO ACCESS AND CAR PARK.	Granted 16/03/1994
0309/86	Erection of indoor bowls hall with layout of additional car parking, and formation of two new vehicular access including one temporary access for construction traffic	Granted 04/06/1986
0765/84	Erection of indoor swimming pools with associated car parking.	Granted 08/11/1984
1072/79	Alterations and additions to Sports Centre	Granted 21/01/1980
79/0213	Retention of part use of premises for electrical business and erection of flat roofed single storey rear extension to existing workshop	11/06/1979
0213/79	Retention of part use of premises for electrical business and erection of flat roofed single storey rear extension to existing workshop	Refused 11/06/1979

### PROPOSAL

4. The proposal is to erect a 17.5 metre high lattice tower with 3 no. telecommunications antennae and 2 no. dishes, and 3no. ground based cabinets.

### POLICY

5. Planning Policy Guidance

See Appendix below.

### CONSULTATIONS

6. The Senior Environmental Management Officer has no objections to the application.

The Senior Environmental Health Officer has no objections to the application.



Any further responses has be updated to the Committee via late papers or verbally on the day.

### LOCAL AND THIRD PARTY REPRESENTATIONS

7. A substantial number of objections have received from local residents in the area. To date all the objections have been considered and are summarised below-

- Objections received based on the serious health implications posed by the mast to local residents, children attending nearby schools, and the elderly living in nearby residential and nursing care homes.
- Objections received based on the location of the mast close to residential properties and schools and comments that there must be a more suitable site.
- Objections received based on the mast having a detrimental visual impact on the surrounding area.

### ASSESSMENT

8. The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012 the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained with the NPPF are a material consideration and should be taken into account for decision-making purposes.

Paragraphs 42-46 of the NPPF set out the Government's position on telecommunications development. Paragraph 42 states "*Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.*" The NPPF goes on to advise that the numbers of masts should be kept to a minimum consistent with the efficient operation of the network and that existing masts, buildings and other structures should be used unless the need for a new site has been justified. Where new provision is required, equipment should be sympathetically designed and camouflaged where appropriate.

Paragraph 44 of the NPPF states that "*Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area.*" Proposals for new equipment should be supported by the necessary evidence to justify the proposed development including:

- Outcome of consultations with interested organisations including schools and aerodromes
- Compliance with ICNIRP guidelines
- Evidence of exploration of alternative sites and buildings.

Paragraph 46 states "*Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure.*"

As of the 24<sup>th</sup> November 2016 development consisting of a mast not higher than 25 meters above ground level on unprotected land (such as this site) is permitted development under Class A, Part 16, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO), subject to an assessment in respect of



the sitting and appearance of the development.

It is noted that a large number of objections relate to concerns regarding the health risks that the development may pose. The applicant has provided a ICNIRP Certificate and confirmed that the site is designed in full compliance with the requirements of the radio frequency (RF) guidelines of the International Commission on Non-Ionizing Radiation (ICNIRP) for public exposure as expressed in the EU Council recommendation of July 1999. As such concerns regarding health risk do not form a material planning consideration or grounds for a refusal.

The application has been submitted by Pegasus Planning Group Ltd to improve the 4G network coverage of O2 and Vodafone and is a joint venture between Vodafone and Telefonica UK (trading as O2). The application by Pegasus includes a Planning Statement which details the consultations that have taken place, and includes a declaration of ICNIRP compliance. The Planning Statement also details the alternative sites that have been considered which include Chilton Primary School, Scania Truck Depot, corner of Voile Hill Road and Recreation Road, Land adjacent to Finneys II Sandwich Shop, and Stowmarket Police Station Tower.

The 17.5 metre height of the mast has been designed to be taller than the neighbouring trees which could otherwise obstruct the signal. The mast and ground cabinets will be located in an area currently used for storing bins and is not considered to effect the daily operations of the leisure centre.

The application is not located in a Conservation Area or Special Landscape Area. The nearest listed building is the Grade II Chilton Court on Gainsborough Road. Due to the distance between the mast and the existing urban setting, the addition of mast at the leisure centre is not considered to have a detrimental impact the appearance or setting of the listed building, or pose any harm within the meaning provided by the NPPF.

The appearance of the mast is typical in appearance and has been located to the rear of the existing leisure centre. It is considered that all possible steps have been taken to locate the mast where it is will have minimal impact on the character of the surrounding area.

The National Planning Policy Framework supports the development and improvement of the communications infrastructure and proposal is considered to be permitted development as defined by The Town and Country Planning (General Permitted Development) Order 2016. The proposal would contribute towards the Government's long-standing and well-documented commitment to maintaining and improving communications networks across all of the UK. Any potential perceived harm is any case readily outweighed by the benefits of the scheme.

Having regard for the above it is considered that the sitting and appearance of the development would be acceptable in accordance with the Prior Approval requirements under Part 16 of the GPDO 2015 (as amended 24<sup>th</sup> November 2016).

### **RECOMMENDATION**

**That Permission is granted.**

Philip Isbell

Ruth Bishop

**APPENDIX A - PLANNING POLICIES**

**1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review**

**Cor6** - CS6 Services and Infrastructure

**2. Mid Suffolk Local Plan**

**GP1** - DESIGN AND LAYOUT OF DEVELOPMENT

**SB2** - DEVELOPMENT APPROPRIATE TO ITS SETTING

**SC7** - SITING OF TELECOMMUNICATIONS EQUIPMENT

**3. Planning Policy Statements, Circulars & Other policy**

**C01/03** - Safeguarding aerodromes, technical sites and military explosives

**NPPF** - National Planning Policy Framework

**APPENDIX B - NEIGHBOUR REPRESENTATIONS**

Letters of representation have been received from a total of **42** interested parties.

The following people **objected** to the application

[Redacted list of names and addresses]

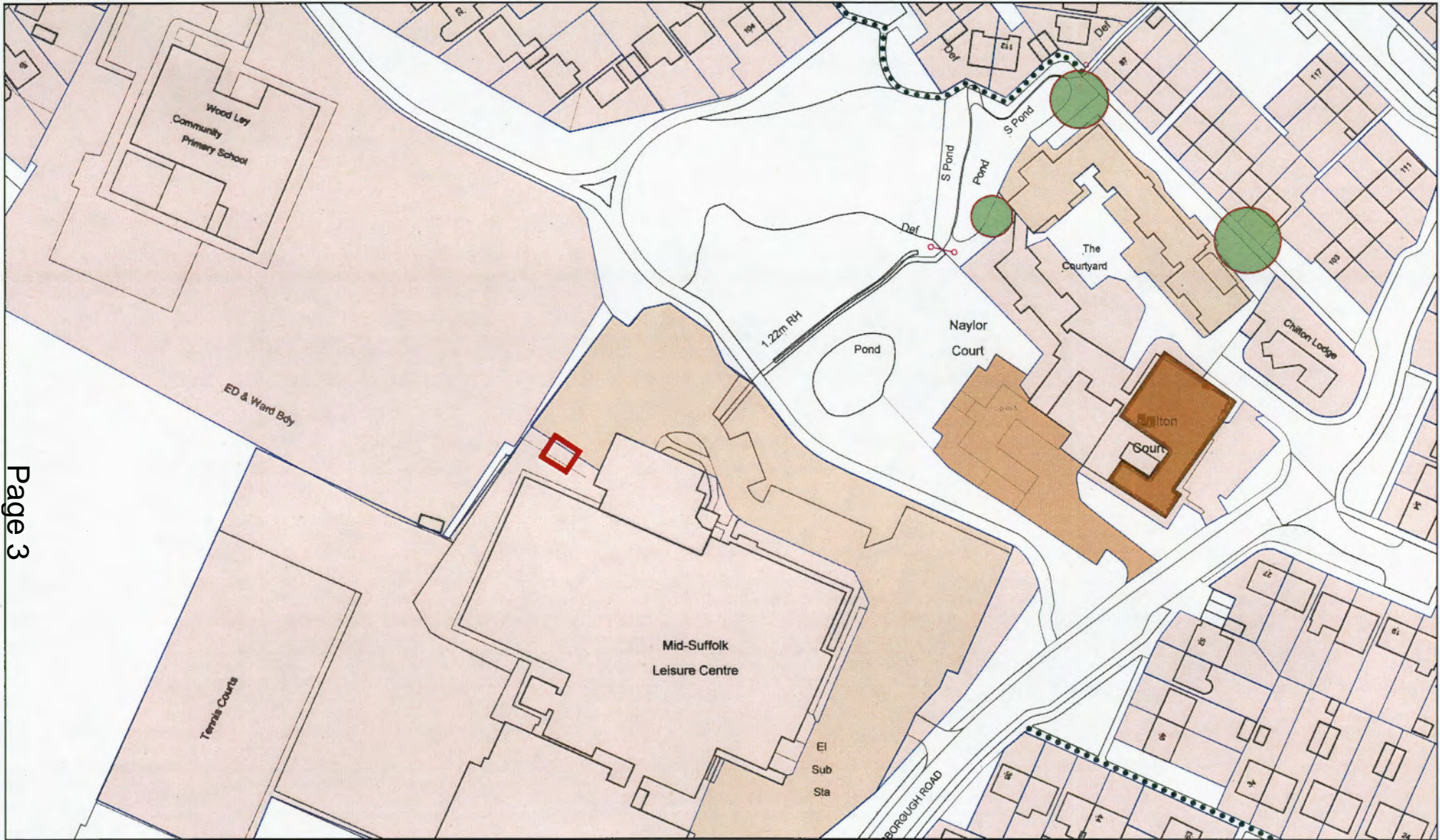


[REDACTED]

The following people **supported** the application:

The following people **commented** on the application:





4810/16

DC Constraints



**MID SUFFOLK DISTRICT COUNCIL**

131, High Street, Needham Market, IP6 8DL  
 Telephone : 01449 724500  
 email: customerservice@csduk.com  
 www.midsuffolk.gov.uk

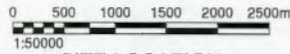
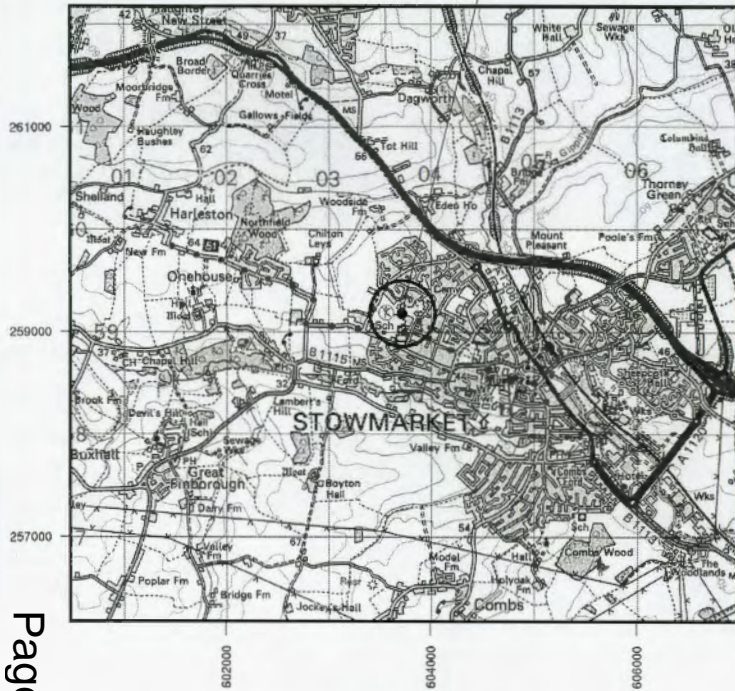


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 Date Printed : 09/01/2017



SITE LOCATION



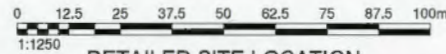
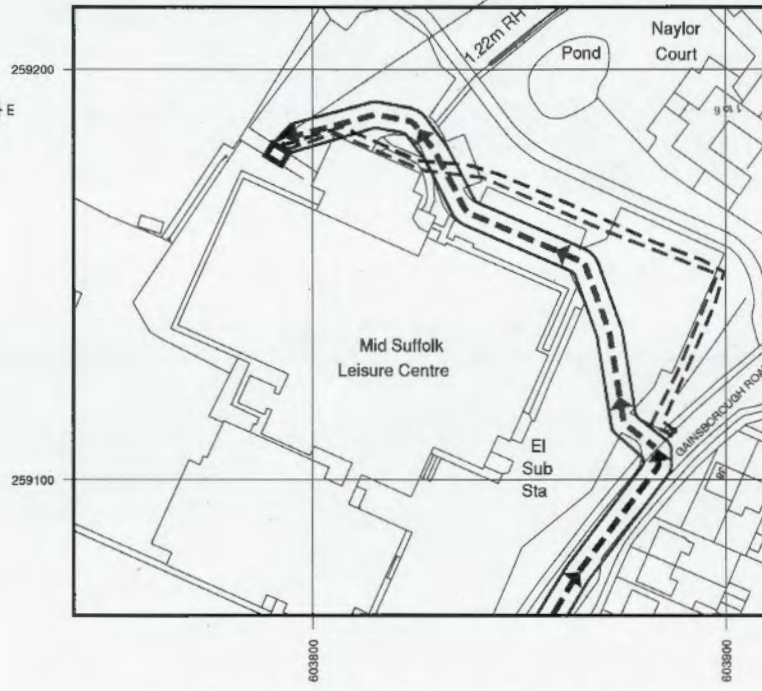
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Ordnance Survey map extract  
based upon Landranger map series  
with the permission of the controller of  
Her Majesty's Stationery Office  
Licence No. 0100023487  
Crown copyright.



SITE PHOTOGRAPH



SITE LOCATION



**DETAILED SITE LOCATION**  
(Scale 1:1250)

Based upon Ordnance Survey map extract  
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ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

NGR	E: 603786 N: 259185
CONCESSION REQUIRED	NO

DIRECTIONS TO SITE: FROM M6 CONTINUE ONTO A14. MERGE ONTO A14. TAKE THE A14 EXIT TOWARDS CAMBRIDGE/A1307/A10. CONTINUE ONTO HUNTINGTON ROAD/A14. TAKE THE A14 RAMP TO A10/NEWMARKET. CONTINUE ONTO A14. SLIGHT RIGHT ONTO NEWMARKET BYPASS. CONTINUE STRAIGHT ONTO A14. AT JUNCTION 49, TAKE THE A1308 EXIT TO STOWMARKET. AT THE ROUNDABOUT, TAKE THE 2nd EXIT ONTO BURY ROAD. TURN LEFT ONTO CHILTON WAY. TURN LEFT ONTO ONEHOUSE ROAD. TURN LEFT ONTO GAINSBOROUGH ROAD AND ENTRANCE TO SITE IS VIA THE LEISURE CENTRE. FOLLOW THE CAR PARK TO THE RIGHT UNTIL YOU COME TO THE BACK OF THE LEISURE CENTRE. SITE IS LOCATED IN THE SOUTH WEST CORNER OF CAR PARK.

	= Construction Access
	= Site Access
	= Public Highway
	= Power Route
	= Indicative Fibre Route - Not Confirmed By Operator

A	FIRST ISSUE	PL	MW	MNH	27.10.16
Rev	Modification	By	Ch	Ap	Date

shared access

**O<sub>2</sub>**  
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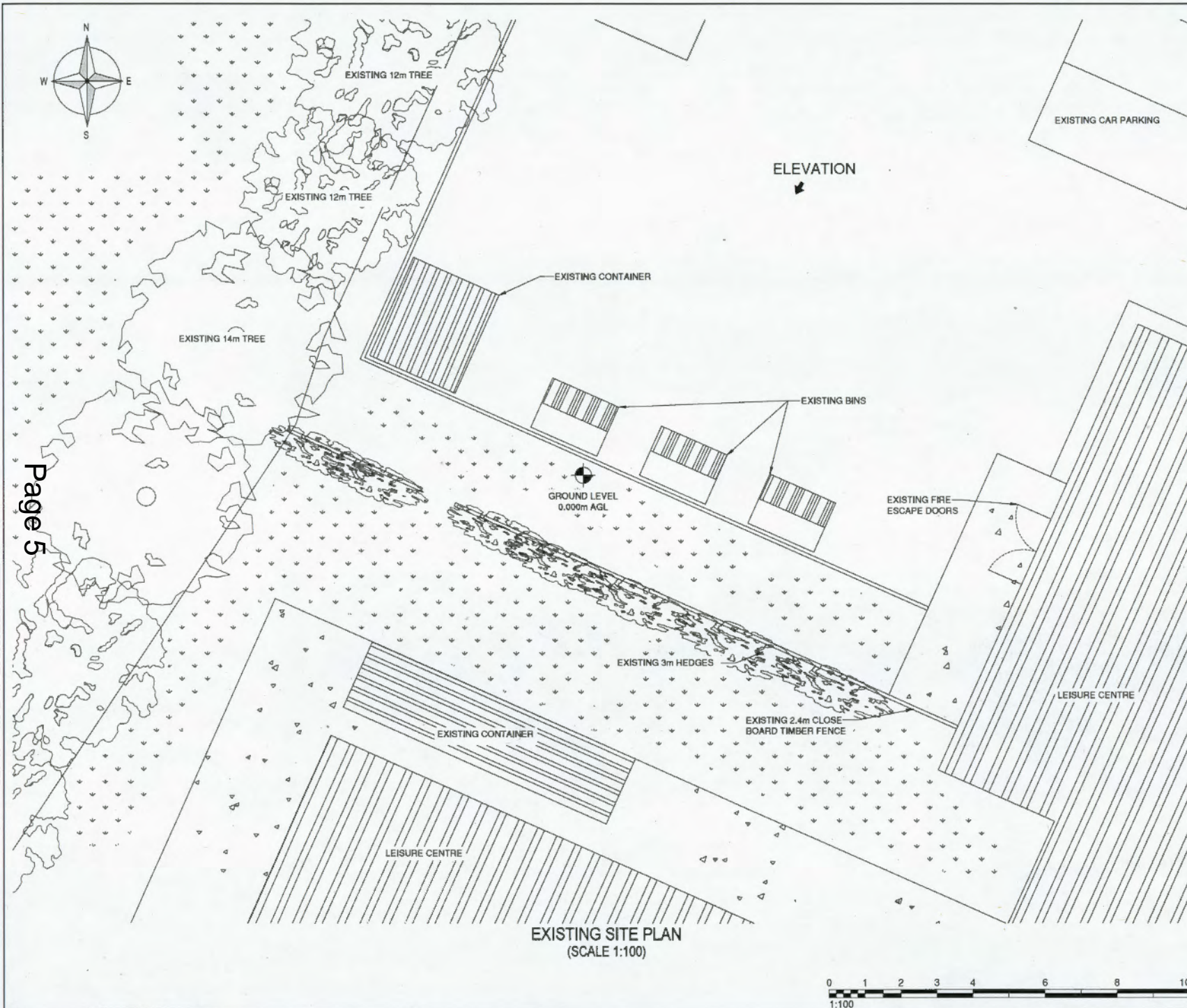
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GAINSBOROUGH ROAD  
STOWMARKET  
IP14 1LH

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Purpose of Issue:	PLANNING				
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A3





Page 5

ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

NGR E: 603786 N: 259185

CONCESSION REQUIRED	NO
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THESE NOTES ARE BASED ON THE USE OF EXPERIENCED AND COMPETENT CONTRACTORS CARRYING OUT THE WORK USING APPROVED SAFE METHOD OF WORKING

KEY TO HEALTH AND SAFETY SYMBOLS

- INDICATES A RESIDUAL RISK REQUIRING A COMPULSORY ACTION
- ⓘ INDICATES A RESIDUAL RISK FOR INFORMATION
- ⊘ INDICATES A RESIDUAL RISK REQUIRING A PROHIBITIVE ACTION
- ⚠ INDICATES A RESIDUAL RISK AS A WARNING

SAFETY, HEALTH AND ENVIRONMENT INFORMATION

NOTES BELOW ARE ADDITIONAL TO HAZARD/RISKS NORMALLY ASSOCIATED WITH THIS TYPE OF WORK. NUMBERS CORRESPOND TO RISK REGISTER REFERENCES

CONSTRUCTION  
CAR PARK

OPERATIONS, MAINTENANCE  
CAR PARK

DISMANTLING / DEMOLITION (FUTURE)  
CAR PARK

REFER TO GENERAL NOTES AND THE PRINCIPAL CONTRACTOR FOR MORE INFORMATION ABOUT THE RISKS ASSOCIATED WITH THIS WORK

NOTE:  
PART OF HEDGELINE AND FENCING TO BE REMOVED TO CLEAR AREA PRIOR TO INSTALLATION WORKS

A	FIRST ISSUE	PL	MW	MNH	27.10.16
Rev	Modification	By	Ch	Ap	Date

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**O<sub>2</sub>**  
CTIL

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Cell ID No's		
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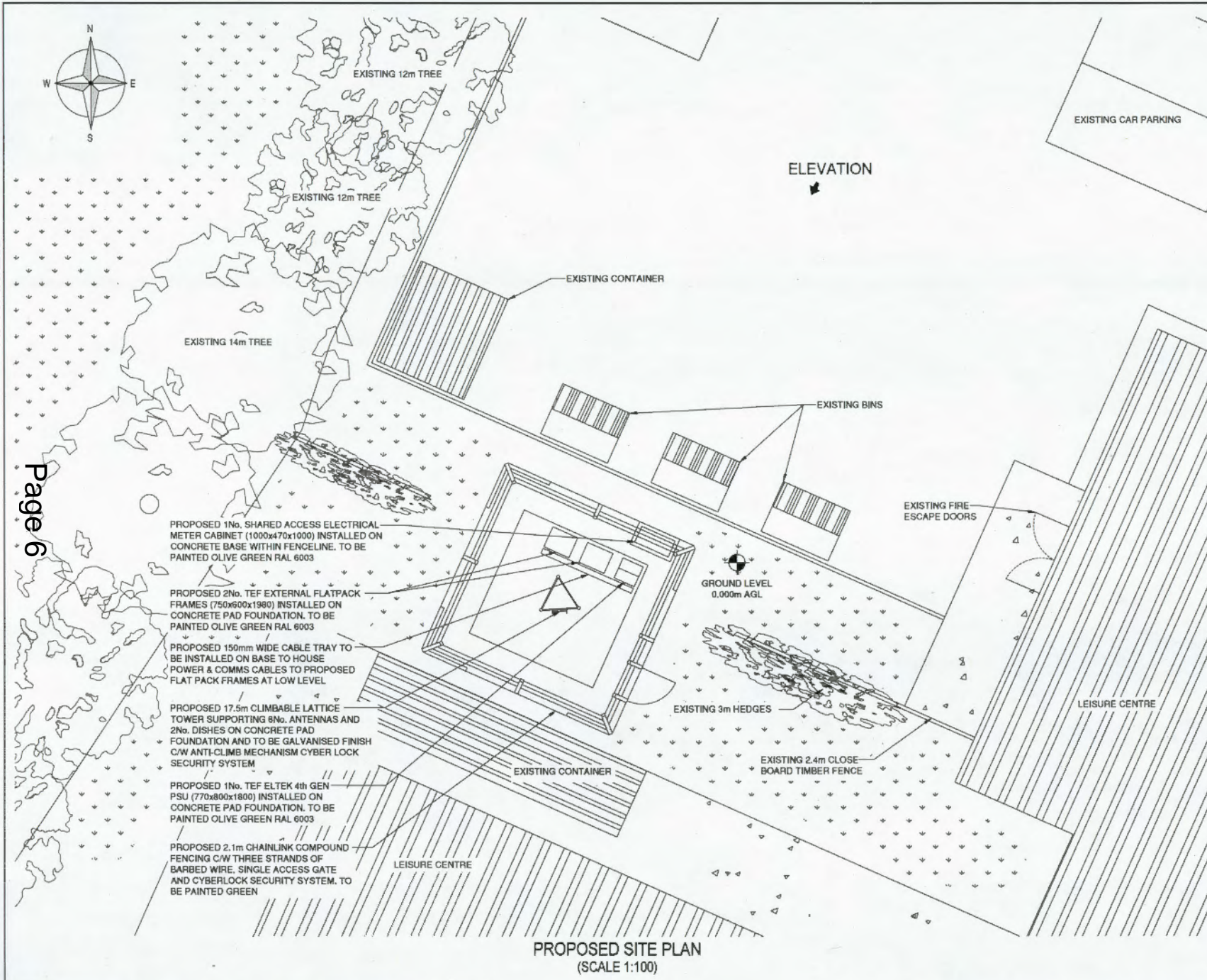
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STOWMARKET  
IP14 1LH

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Surveyed By:	MNH
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Drawn:	PL
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Date:	27.10.16

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Date





Page 6

The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.  
 Designed in accordance with Comerstone document: CORN/09/006



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CONCESSION REQUIRED		NO		

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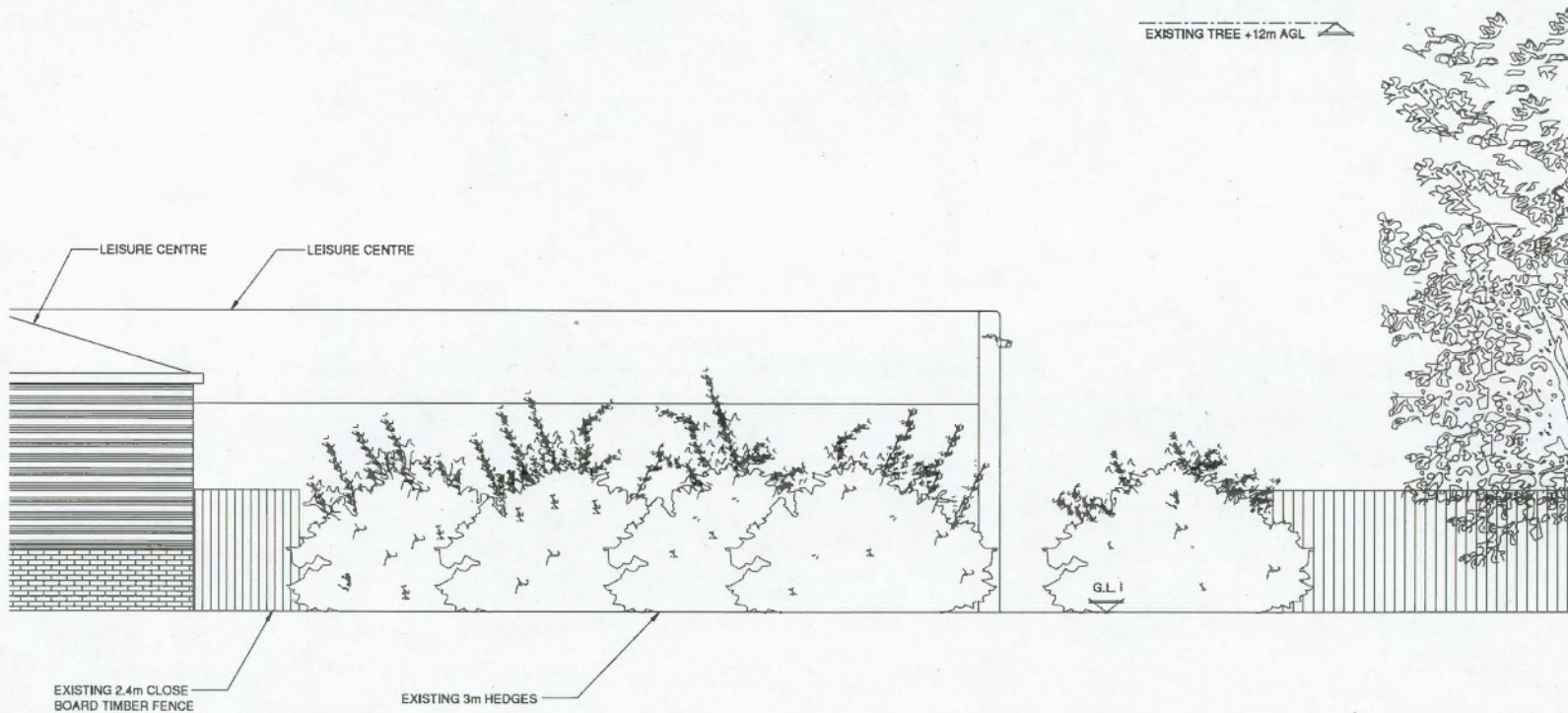
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EXISTING SITE ELEVATION  
(SCALE 1:100)



ALL DIMENSIONS ARE IN mm UNLESS NOTED OTHERWISE

NGR E: 603786 N: 259185

CONCESSION REQUIRED	NO
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A	FIRST ISSUE	PL	MW	MNH	27.10.16
Rev	Modification	By	Ch	Ap	Date

shared access

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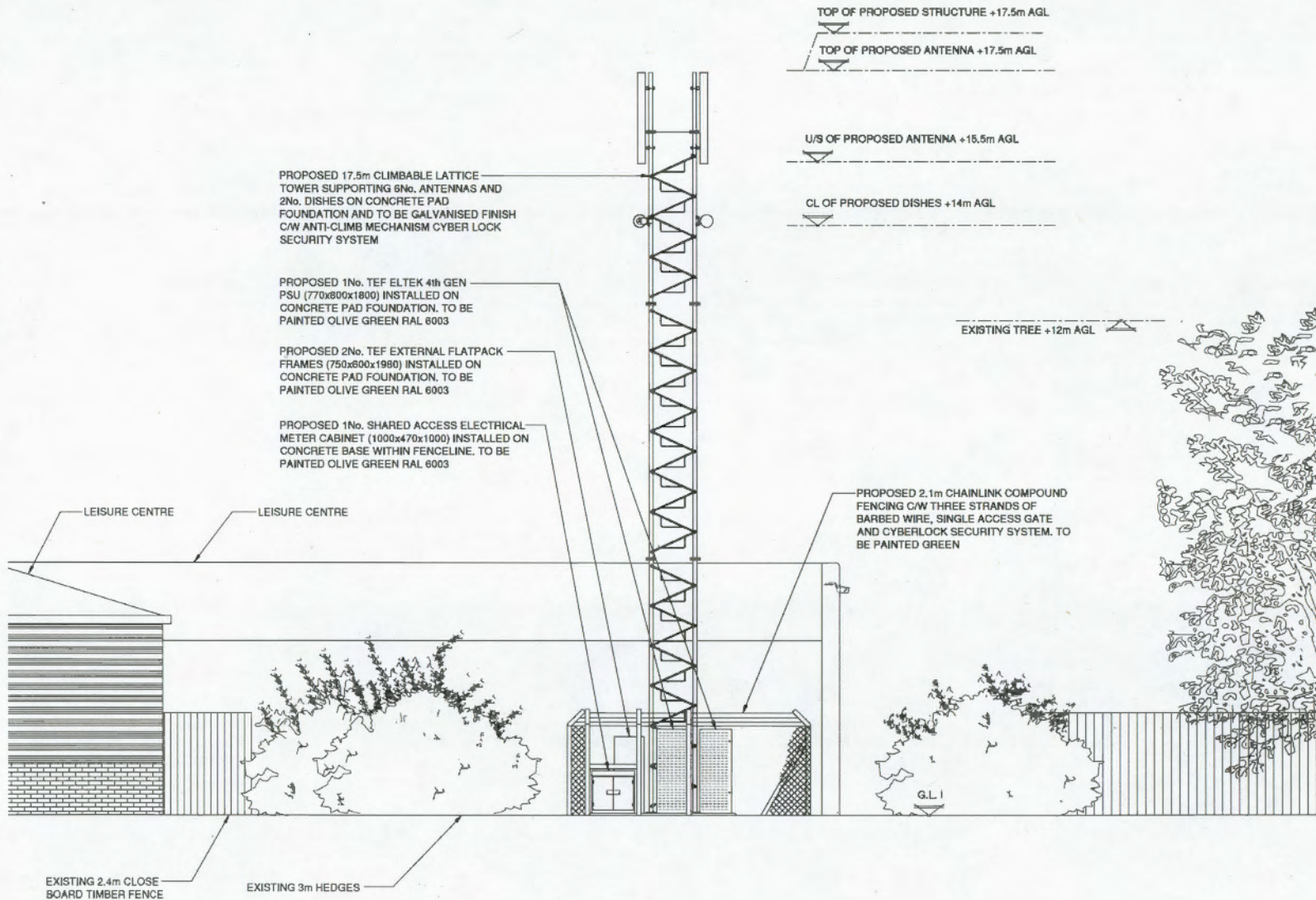
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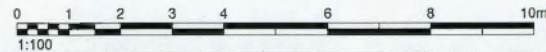
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STOWMARKET  
IP14 1LH

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PROPOSED SITE ELEVATION  
(SCALE 1:100)



The drawings comply with TEF & Vodafone Standard ICNIRP guidelines.  
Designed in accordance with Comerstone document: CORN/09/006

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CONCESSION REQUIRED			NO														
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Checked:		MW		Date: 27.10.16													

12  
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AS



**From:** David Harrold  
**Sent:** 02 January 2017 09:25  
**To:** Planning Admin  
**Cc:** Ruth Bishop  
**Subject:** Plan ref 4810/16/FUL Mid Suffolk Leisure Centre, Gainsborough Road, Stowmarket. EH - Other Issues

Thank you for consulting me on the above application.

I can confirm in respect of other environmental health issues that I do not have any adverse comments and no objection to the development.

In respect of public safety and health protection concerns, you may wish to consult the Health and Safety Executive and appropriate radiological advisory bodies.

David Harrold MCIEH

Senior Environmental Health Officer  
Babergh and Mid Suffolk Council

**From:** Nathan Pittam  
**Sent:** 23 December 2016 13:59  
**To:** Planning Admin  
**Subject:** 4810/16/FUL. EH - Land Contamination.

**M3 : 188168**

**4810/16/FUL. EH - Land Contamination.**

**SLM Community Leisure, Mid-Suffolk Leisure Centre, Gainsborough Road,  
STOWMARKET, Suffolk, IP14 1LH.**

**Erection of a 17.5m tall lattice mast with 3no. telecommunications antennae  
and 2no. dishes.**

Many thanks for your request for comments in relation to the above application.  
Having reviewed the application I can confirm that I have no objections to raise with  
respect to land contamination.

Regards

Nathan

**Nathan Pittam** BSc. (Hons.) PhD  
Senior Environmental Management Officer  
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