Committee Report

Item 7B

Reference: DC/19/03907
Case Officer: Gemma Walker

Ward: Palgrave
Ward Member/s: Cllr David Burn

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development
Application under Section 73 of the Town and Country Planning Act - Variation of condition 2 (Approved Plans and Documents) on planning permission DC/17/05666 - Erection of a new processing facility, waste water treatment plant and gatehouse with associated car park and service yards, two vehicle access points, drainage swale and landscaping.

Location
Land Eye Airfield, Castleton Way, Eye in the Parish of Yaxley Suffolk

Expiry Date: 16/11/2019
Application Type: FUW - Full App Without Compliance of Condition
Development Type: Major Large Scale - All Other
Applicant: Crown Chicken Limited
Agent: Trundley Design Services

Parish: Yaxley
Site Area: 19,447sqm

Details of Previous Committee / Resolutions and any member site visit: None
Has a Committee Call In request been received from a Council Member (Appendix 1): No
Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

This application relates to an amendment to DC/17/05666 which was a “Major” application for: industrial floorspace in excess of 3,750 sq metres.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Eye Neighbourhood Plan is currently at the latter end of the Stage 5: Independent Examination (Summer 2019) process.

Accordingly, the Neighbourhood Plan has increasing statutory weight. Full-weight can be applied following Adoption which first requires a positive referendum outcome.

The application site is also situated within the Eye Airfield Development Framework 2013 and Eye Airfield Planning Position Statement 2013, both of which have been adopted by the Council.

Consultations and Representations

During the course of the application consultation and representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Eye Town Council
No comments.

Yaxley Parish Council

Yaxley Parish Council has nothing to add to its comments on this application to the comments that were made on similar applications and sent by email at the end of August 2019.

National Consultee (Appendix 4)
Natural England
No comment.

SCC Consultee (Appendix 5)

SCC Flood and Water
No comment

SCC Highways
No comment received

Internal Consultee Responses (Appendix 6)

BMSDC Environmental Health – Light, Noise, Odour and Smoke
No objection

BMSDC Environmental Health - Land Contamination
No objection.

BMSDC Economic Development
We support this development as it will provide new and safeguarded jobs in an appropriate location and will result in considerable investment in the local economy.

BMSDC Enforcement
Current enforcement case relates to the site.

B: Representations

None received. A verbal update will be provided as necessary.

Planning History

DC/17/05666 – Planning Application - Erection of a new processing facility, waste water treatment plant and gatehouse with associated car park and service yards, two vehicle access points, drainage swale and landscaping – granted April 2018 by the Planning Committee (in accordance with the officer's recommendation).

Application DC/17/05666 included various conditions, some which required agreement prior to commencement and some of which required agreement prior to commencement of the use. Conditions 5, 6, 7, 9, 10, 14, 18 and 20 have been discharged as required.

Prior to commencement condition 16 is outstanding, requiring fire hydrants scheme to be agreed, this is waiting on an agreed water plan. (DC/19/03107)

Prior to commencement above slab level condition 23 is outstanding, requiring a scheme of renewable energy technology. Details of a CHP scheme have recently been re-submitted (DC/19/04495).

Conditions 15 and 22 require agreement prior to first use/occupation, and no details have been submitted in this respect, however the site is currently under construction. Other conditions require works to be undertaken in accordance with the previously agreed details, and do not require further discharge from the Council.
PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1 The application site forms land at the south of the former Eye airfield and is situated between Castleton Way to the south, the A140 to the west and Potash Lane (old runway) to the east. To the north and east of the site is the wider Eye Airfield with existing commercial and industrial development and gas compressor station.

1.2 Construction of a poultry production plant is nearing completion at the site.

1.3 The nearest dwellings to the site are located within Yaxley, which lies west and south west of the application site, and Eye which lies east and south east of the site.

1.4 The site is not in a Conservation Area. Listed buildings are located west of the A140. The site is not in or near the Eye Special Landscape Area. The site is in Flood Zone 1.

2. The Proposal

2.1 The application seeks to vary the plans approved pursuant to planning permission DC/17/05666. The variation of condition 2 relates to only the design and waste water plant, replacing plans 17-L07-PL013 and 17-L07-PL014 with PL013A and PL014A. All other aspects of DC/17/05666 remain the same within this application, although other applications are pending consideration as detailed above in the planning history.

2.2 In respect of the design of the wastewater treatment facility variations relate to the external appearance of the wastewater enclosure, with revised window and door positions, and reduced extent of the personnel walkway over the denitrification basin. An increase in floorspace, from 431.3 sqm (DC/17/05666) to 483.75 sqm is proposed in respect of the treatment area building.

2.2 The consented waste water treatment was to be situated to the north-eastern corner of the site, adjacent to the security gatehouse and airfield runway access. The siting is minimally altered in respect of this proposal.
3. The Principle of Development

3.1 Local Plan Policies E8 and E12 focus on extensions to industrial buildings. The policies express a presumption in favour of industrial extensions provided they perform appropriately in respect to character, traffic, residential amenity, parking provision, loading, unloading and manoeuvring and landscaping.

3.2 The NPPF at paragraph 80 states that “Significant weight should be placed on the need to support economic growth and productivity, taking into account both the local business needs and wider opportunities for development” Paragraph 83 also considers that “decisions should enable the sustainable growth and expansion of all types of businesses in rural areas, both through conversion of existing buildings and well-designed new buildings”.

3.3 Local Plan Policies are considered to accord with the requirements of the NPPF, and therefore should be given weight in determination of this application accordingly.

3.4 In light of the above the proposal is considered acceptable in principle, subject to compliance with the detailed requirements of Local Plan Policies E8 and E12.

3.5 It is noted that the site is also allocated within the emerging Babergh Mid Suffolk Joint Local Plan at LA099 for the provision of employment uses and associated infrastructure. However, the plan has only recently finished Regulation 18 consultation and as such does not have weight to be a determinative factor in considering this proposal.

4.0 Character and Appearance

4.1 The proposal is for minor changes following planning permission DC/17/05666, with a small increase in floorspace and a slight redesign of the wastewater treatment facility and are aesthetic only. The proposed alterations are very minor and will not adversely affect the industrial character of the area or amenity of the wider locale. The service infrastructure will continue to be appreciated against a backdrop of large industrial buildings. The utilitarian appearance of the facility is maintained, one that is wholly expected given its infrastructure-related purpose. This is considered to be properly related to the character and appearance of its surroundings in compliance with Local Plan Policy E8.

5.0 Access, Parking and Highway Safety

5.1 The proposal relates to an amendment to the waste water treatment plant. The location of the plant varies slightly from that approved, however this does not alter or impact on the internal access roads, parking or access/egress of the site.

5.2 The proposal does not result in additional capacity or production floorspace as to affect the requirements for parking or so as to result in additional traffic. The proposal is not considered to risk harm to highway safety to consider refusal in this respect.

5.3 The proposal as previously approved provided 450 parking spaces [including 6 disabled parking spaces]. The proposal currently before Members as detailed on drawing reference 17-L07-PL029B includes provision for 457 spaces including 6 disabled spaces.

6.0 Landscape

6.1 The alterations do not compromise the already approved landscaping scheme. The extent of the alterations is minor and forming part of the wider development on this site. Some changes to the
landscaping are however detailed on the proposed plans, and it is considered appropriate to seek to confirm these details by way of condition to ensure that the landscaping is agreed, implemented and retained. As such the proposal is not considered to risk harm to the landscape character as to be unacceptable in this regard.

7.0 Residential Amenity

7.1 There is no change in the residential amenity implications arising from the works that are the subject of this application, owing to the considerable separation distance between the site and the nearest dwellings. As with the original permission it is considered that there would be no unacceptable harm to residential amenity, subject to conditions originally proposed.

8.0 Heritage

8.1 The alterations to the waste water treatment facility are minimal from the consented scheme and do not impact the nearest designated heritage asset that is located some distance from the site and separated from the site by the intervening A140.

9.0 Flood Surface Water Drainage

9.1 Application DC/17/05666 included surface water drainage and Flood Risk assessment, following which the works were subject to conditions to require the implementation of these measures. The proposal would not significantly change the built footprint or drainage characteristics of the site, such that subject to the conditions as DC/17/05666 the proposal is not considered to have an unacceptable impact to warrant refusal in this respect.

10. Eye Neighbourhood Plan

10.1 The site is located within the designated Eye Business Area as defined in the Eye Neighbourhood Plan (ENP). Policy Eye 33 provides policy direction in the Eye Business Area however its direct relevance in respect to the subject proposal, being merely a cosmetic alteration to servicing plant, is very limited. The application does not conflict with the ENP.

10.2 The Eye Airfield Development Framework (February 2013) masterplan shows the site in part within an area allocated for business use and in part for landscaping. The Eye Airfield Planning Position Statement (November 2013) includes the site within the same masterplan plan, but excludes it from the policy area detailed on Map 2. It continues to include the site in maps 6 and 7 for business and landscaping. The proposal to amend a previously permitted building is not considered to be contrary to any of the requirements detailed.

11. Other Matters

11.1 The original application (DC/17/05666) was subject to a number of conditions controlling various aspects of the development, where still necessary these are proposed to be retained as this application falls under S73A, and is a new consent for the proposal as DC/17/05666, with the amendments as detailed. If previously discharged the condition for this decision will continue to require the implementation of the details as agreed. Some however are no longer relevant having regards to the pre-commencement nature of the condition, and the extent of construction complete on site.

PART FOUR – CONCLUSION

12. Planning Balance and Conclusion
12.1 The permission DC/17/05666 has been implemented, and includes the waste water treatment plant. This application seeks under S73A to amend the plans of that permission, only in relation to the waste water treatment plant. These equate to minor cosmetic alterations to the locations of windows and doors. An increase in floorspace of 52.45 sqm is proposed. No other changes to the wider site are proposed as part of this application.

12.2 The changes to the design of the wastewater facility, have no material impact on the character and appearance of the industrial site or the amenity of the wider area. The proposed variations to the approved plans are deemed acceptable and the application is recommended for approval.

12.3 Application DC/17/05666 was subject to a number of conditions, given that this application is made under S73A of the Town and Country Planning Act it is appropriate to include these conditions within a further grant of planning permission.

RECOMMENDATION

That the application is GRANTED planning permission:-

That the Chief Planning Officer be authorised to GRANT Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

1. Approved Plans (Plans submitted that form this application)
2. Restriction on changes of use
3. Strategy for disposal of surface water and FRA
4. Provision of SUDs
5. Operation times
6. Landscaping scheme to be agreed and implementation
7. Archaeological reports
8. Fire hydrants
9. Access visibility splays
10. Highways surface water control
11. Provision of parking and turning
12. Cycle parking
13. Travel plan
14. Lighting scheme
15. Renewable energy technology

Informatives as required by consultees and as included on original permission.