

## **Committee Report**

**Item 7B**

**Reference:** DC/20/01175

**Case Officer:** Katherine Hale

**Ward:** Blakenham

**Ward Member/s:** Cllr John Field.

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### **RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS**

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#### **Description of Development**

Application for Outline Planning Permission. (Access to be considered) Extension to Port One Business and Logistics Park (as permitted under ref. 2351/16 and varied by ref. 1755/17), together with associated works including drainage lagoons, ecology mitigation and landscaping

#### **Location**

Land Adj Port One Business And Logistics Park, Blackacre Hill, Bramford Road, Great Blakenham Suffolk IP6 0RL

**Expiry Date:** 08/07/2020

**Application Type:** OUT - Outline Planning Application

**Development Type:** Major Large Scale - Manu/Ind/Storg/Wareh

**Applicant:** Curzon De Vere Ltd

**Agent:** The JTS Partnership LLP

**Parish:** Great Blakenham

**Site Area:** 17.30 hectares

**Plot ratio:** 1: 2.48 [total building floorspace (69,737 square metres) of site area]

**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:** Yes DC/19/05576

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**THIS REPORT IS NOW BEING RETURNED TO COMMITTEE FOLLOWING DEFERRAL AT THE MEETING OF 28 OCTOBER 2020 AS REQUESTED BY MEMBERS.**

**It will be supplemented with an additional revised presentation at the Committee meeting of 25 November**

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A short update now follows answering the questions raised by Members on 28 October 2020 and adding the necessary clarity and additional information where required.

The report then reproduces the earlier report from 28 October which is unchanged **as is the recommendation**

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# SHORT UPDATE REPORT for the 25 NOVEMBER MEETING

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## Supplementary Introduction following previous deferral

Members will recall that at the Committee meeting of 28 October 2020 this application was deferred after discussion to enable officers to provide additional information and clarification on specific points raised by Members.

The presentation that will accompany this item on 25 November will provide a comprehensive exploration of the issues but to assist Members prepare for the meeting a short summary is provided below.

## Issues arising from the discussion on 28 October 2020

1. Officers need to clarify proposed building heights
2. What trees will be lost amongst the plantations/landscaping?
3. Officers need to explain the operation of the access and junction works
4. How is development justified in traffic terms – J52 A14?
5. Officers need to expand on ecology & Places Services comments
6. How will flood risk be mitigated?
7. Officers need to explain the relationship of this application top the concurrent S73 application and the recommended Deed of Variation

## Summary

### Building Heights

The five proposed buildings shown illustratively on the layout plan are depicted with building heights of:

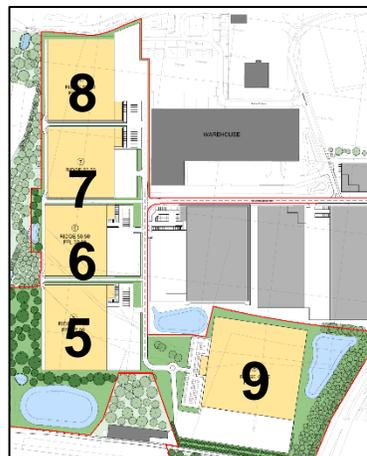
Plot 9: 20.5m

Plot 8: 17.5m

Plot 7: 17.5m

Plot 6: 18.5m

Plot 5: 14.5m



**proposed units [yellow]**

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These proposed heights are compatible with those previously approved for plots 4,3 & 2.

Plot 4: 18.5m [currently close to completion]

Plot 3: 21.5m

Plot 2: 25.0m



**Previously approved units [grey]**

The [presentation will include cross-sections which will demonstrate that not only are the proposed buildings of a height that is compatible with those already within Port One [and significantly below the Energy from Waste building and the proposed SnoAsis Ski Run] but will be below tree heights on the Blakenham Estate to the west. This is due in part to the topography and the fact that the ground level within the development will be significantly lower than the land to the west.

### **Tree loss**

The extent of tree loss has according to the applicant all been agreed with Lady Hart [the land-owner] who has agreed which trees should be retained as part of the sale arrangements.

No trees within the Blakenham Woodland Garden are affected as this is some way from the site and is not involved.

The presentation to Members on the day of the Committee meeting will describe the landscaping mitigation measures and it will be demonstrated that whilst some relatively new plantation trees will be lost:

- sufficient plantation will remain to provide a dense screen
- the proposed building on Plot 8 which is the one that intrudes into the plantation the most has been moved since the previous meeting to allow an additional swathe of tree belt to be retained *[this is welcomed and is a direct response to Member comments]*
- a large area of new planting will be delivered in the south-west corner of the site which will provide adequate recompense for those lost

## Access arrangements

Proposed access serving Port One will be signalled agreed with SCC Highways via a S278 Agreement.

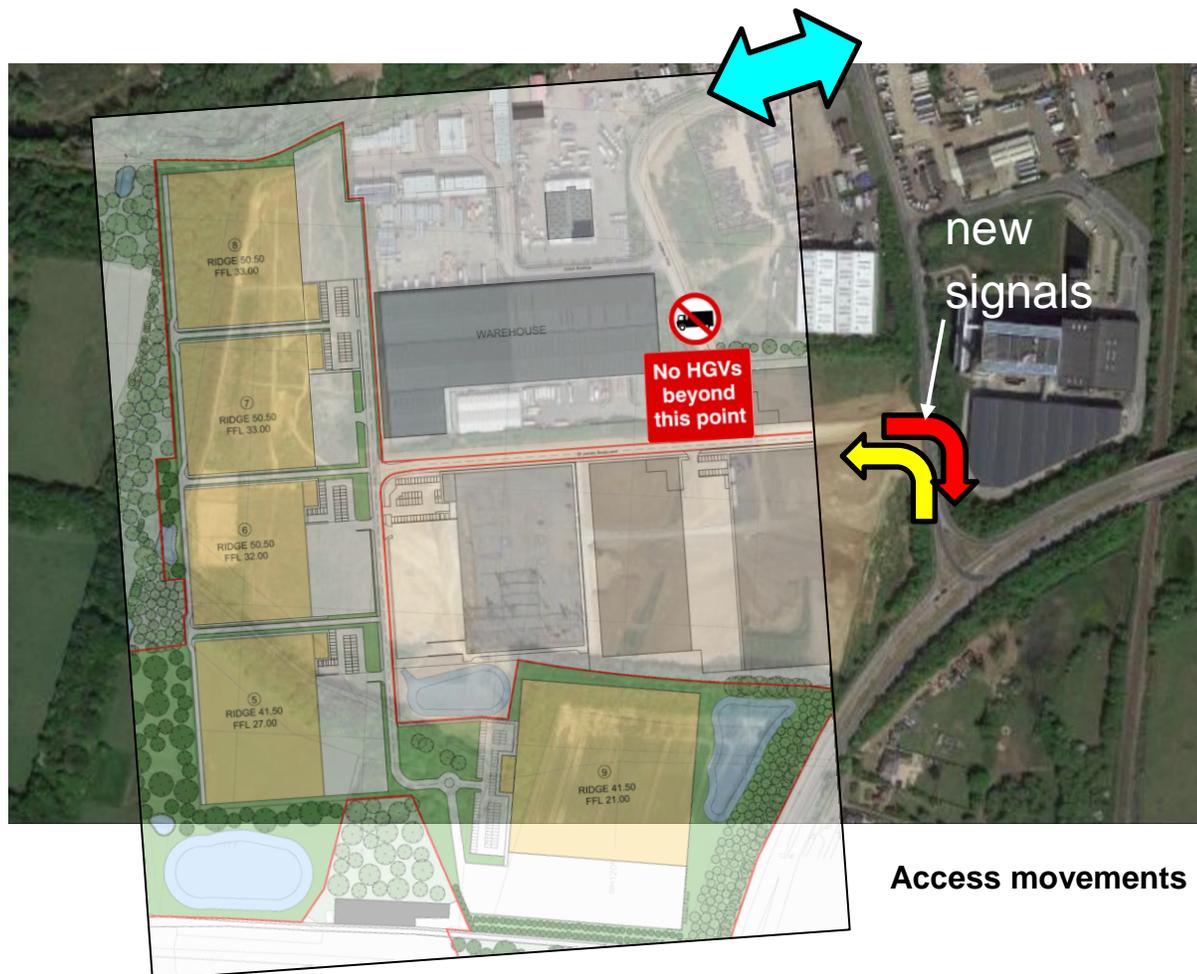
Once operational it will allow:

**Left** in movements from Bramford Road [northbound] for all vehicles

**Right** out only onto Bramford Road for all vehicles

Any ability for HGV's to move between the Addison Road access and the Port One development [and vice versa] will be stopped. Cycles, motor bikes, cars and light vans will be able to make that manoeuvre.

**Addison Road** will allow in and out but with the restriction identified above in respect of HGV's not being able to inter connect between the two industrial parks



The signalled access will also be provided with a toucan crossing facility, 3m wide extended footway cycleway.

## J52 A14

The presentation will include reference to both Highways England advice and that from Suffolk County Highways as this was based on months of discussion, additional modelling and agreement between the applicants highway consultants and the relevant highway authorities.

### Ecology and landscape

The presentation on the day of the Committee meeting will fully update Members by explaining the ecological and landscape mitigation included in the proposal and by reference to the various reports that were submitted with the application.

This list of documents includes:

Tree Bat Roost Assessment – June 2017, July 2017, August 2017, February 2018, August 2018, March 2020, September 2020

Badger – December 2019

Great Crested Newt – April 2020 (times 3), May 2020 (times 3)

Reptiles – April 2020, May 2020 (times 2), June 2020 (times 4)

Bat Survey - June 2020 (times 2), July 2020, August 2020

The full timeline is as follows:

Date of Survey	Ecological Survey Description	What Was Submitted?
15 <sup>th</sup> September 2020	Tree Roost Assessment	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Tree (Bat) Roost Assessment – Rev 3  Tree Letter September 2020
13 <sup>th</sup> August 2020	Bat Transect Survey	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Phase 3 & 4 – Bat Survey Report

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29 <sup>th</sup> July 2020	Bat Transect Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Phase 3 &amp; 4 – Bat Survey Report</p>
23 <sup>rd</sup> June 2020	Bat Transect / Lagoon Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Phase 3 &amp; 4 – Bat Survey Assessment Amended – Rev B</p> <p>Ecology Assessment Letter June 2020</p>
18 <sup>th</sup> June 2020	Bat Transect Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Phase 3 &amp; 4 – Bat Survey Assessment Amended – Rev B</p> <p>Ecology Assessment Letter June 2020</p>
15 <sup>th</sup> June 2020	Reptile Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p>

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		Phase 3 – Reptile Survey Report – Rev A
12 <sup>th</sup> June 2020	Reptile Survey	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Phase 3 – Reptile Survey Report – Rev A
9 <sup>th</sup> June 2020	Reptile Survey	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Phase 3 – Reptile Survey Report – Rev A
5 <sup>th</sup> June 2020	Reptile Survey	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Phase 3 – Reptile Survey Report – Rev A
28 <sup>th</sup> May 2020	Reptile Survey	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Phase 3 – Reptile Survey Report – Rev A
27 <sup>th</sup> May 2020	Reptile Survey	Preliminary Ecological Appraisal (Phases 1 and 2)

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		<p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Phase 3 – Reptile Survey Report – Rev A</p>
13 <sup>th</sup> May 2020	Great Crested Newt Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Survey Report</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Outline Mitigation Strategy</p>
5 <sup>th</sup> May 2020	Great Crested Newt Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Survey Report</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Outline Mitigation Strategy</p>
1 <sup>st</sup> May 2020	Great Crested Newt Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p>

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		<p>Great Crested Newt (<i>Triturus cristatus</i>) Survey Report</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Outline Mitigation Strategy</p>
24 <sup>th</sup> April 2020	Reptile Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Phase 3 – Reptile Survey Report – Rev A</p>
17 <sup>th</sup> April 2020	Great Crested Newt Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Survey Report</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Outline Mitigation Strategy</p>
9 <sup>th</sup> April 2020	Great Crested Newt Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Survey Report</p>

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		Great Crested Newt ( <i>Triturus cristatus</i> ) Outline Mitigation Strategy
3 <sup>rd</sup> April 2020	Great Crested Newt Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Survey Report</p> <p>Great Crested Newt (<i>Triturus cristatus</i>) Outline Mitigation Strategy</p>
March 2020	Tree Roost Assessment	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Tree (Bat) Roost Assessment – Rev 3</p>
6 <sup>th</sup> December 2019	Badger Survey	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p> <p>Badger (<i>Meles meles</i>) Survey Report</p>
August 2018	Tree Roost Assessment	<p>Preliminary Ecological Appraisal (Phases 1 and 2)</p> <p>Preliminary Ecological Appraisal (Phases 3 and 4)</p>

		Tree (Bat) Roost Assessment – Rev 3
20 <sup>th</sup> February 2018	Tree Roost Assessment	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Tree (Bat) Roost Assessment – Rev 3
August 2017	Tree Roost Assessment	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Tree (Bat) Roost Assessment – Rev 3
July 2017	Tree Roost Assessment	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Tree (Bat) Roost Assessment – Rev 3
June 2017	Tree Roost Assessment	Preliminary Ecological Appraisal (Phases 1 and 2)  Preliminary Ecological Appraisal (Phases 3 and 4)  Tree (Bat) Roost Assessment – Rev 3

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## **Flood risk**

The strategy to be employed is based on surface water being taken southwards through a series of existing and new swales and pipes connecting such features to a large infiltration basin which will hold excess surface water. This feature will deal with exceedance flows as will the existing swale that runs east-west across the site at its southern end and the natural valley on part of its eastern edge that connects to that swale

The SuDS Authority has indicated that technical details can be resolved by condition at Reserved Matters stage of outline planning permission is granted.

## **S73**

That is the subject of an application the full report for which now appears on the same agenda as this item

## **Recommendation**

**The officer recommendation [on behalf of the Chief Planning Officer] remains unaltered from that which appeared in the previous report. That report now follows....**

Report from 28 October 2020 meeting follows.....

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# The REPORT from 28 October 2020

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## PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

- Is a Major application; and,
  - The application involves the creation of 69,737 square metres of commercial floor space which exceeds the threshold for 'delegated' determination.
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## PART TWO – POLICIES AND CONSULTATION SUMMARY

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### Summary of Policies

#### The Development Plan

The Adopted Development Plan for Mid Suffolk District Council comprises the Mid Suffolk Core Strategy Focused Review (2012), the Mid Suffolk Core Strategy (2008) and the Mid Suffolk Local Plan (1998), specifically the live list of 'saved policies' (2007).

The following are considered the most relevant to the determination of this proposal

#### **Adopted Mid Suffolk Core Strategy (2008) (CS08)**

- CS01 - Settlement Hierarchy
- CS02 - Development in the Countryside & Countryside Villages
- CS03 - Reduce Contributions to Climate Change
- CS04 - Adapting to Climate Change
- CS05 - Mid Suffolk's Environment

#### **Adopted Mid Suffolk Core Strategy Focused Review (2012) (CSFR12)**

- FC01 - Presumption In Favour Of Sustainable Development
- FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development
- FC03 - Supply Of Employment Land

#### **Adopted Mid Suffolk Local Plan (1998) (ADP98)**

- GP01 - Design and layout of development
  - SB02 - Development appropriate to its setting
  - H17 - Keeping residential development away from pollution
  - CL08 - Protecting wildlife habitats
  - CL09 - Recognised wildlife areas
  - CL11 - Retaining high quality agricultural land
  - E03 - Warehousing, storage, distribution and haulage depots
  - E04 - Protecting existing industrial/business areas for employment generating uses
  - E06 - Retention of use within existing industrial/commercial areas
  - E09 - Location of new businesses
  - E10 - New Industrial and commercial development in the countryside
  - E11 - New Industrial and commercial development in the countryside
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E12 - General principles for location, design and layout  
T09 - Parking Standards  
T10 - Highway Considerations in Development  
T11 - Facilities for pedestrians and cyclists  
T12 - Designing for people with disabilities

### **Status of Adopted Local Plan (1998) (ADP98)**

A number of policies within the Plan have now been held to be 'out-of-date' as a result of recent planning appeal decisions on the basis of Inspectors declaring them to be inconsistent with the NPPF [2019]. On this basis the tilted balance required by paragraph 11 of the NPPF may need to be brought into play but this will need to be tempered against the Adopted Development Plan where and if relevant policies remain valid and continue to attract significant weight as material planning considerations dependent upon their consistency with the NPPF. This cannot, however, supplant the statutory duty to take decisions in accordance with the development plan unless such considerations indicate otherwise.

### **Draft Joint Local Plan Preferred Options Document 2019(DLPPOD19)**

This emerging local plan remains at an early stage and as a result attracts limited weight as a material planning consideration. It is the latest expression of the Council's current preferred direction of travel in terms of its future planning strategy and policies but could however be subject to change as the local plan process advances. It is however relevant to note the emphasis on the direction of growth to the A14 corridor and this report will amongst other things refer to emerging policy SP05.

### **The National Planning Policy Framework (NPPF)**

The National Planning Policy Framework (NPPF) 2019 contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes.

Particularly relevant elements of the NPPF include:

Section 2: Achieving Sustainable Development  
Section 4: Decision Making  
Section 6: Building a Strong, Competitive Economy  
Section 12: Achieving Well-Designed Places  
Section 15: Conserving and Enhancing the Natural Environment

### **The National Planning Practice Guidance (NPPG)**

The National Planning Practice Guidance (NPPG) provides guidance and advice on procedure rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application.

### **Other Considerations**

- Ipswich Policy Area
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- Suffolk County Council- Suffolk's Guidance for Parking (2014 updated 2019)
- BMSDC Open for Business Strategy
- Grow on Space Supply and Demand Analysis (October 2019)

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area however the site is situated in close proximity to the neighbouring Parish of Sproughton. Sproughton is currently in the process of preparing their Neighbourhood Development Plan and whilst it does not cover Gt Blakenham the application site is adjacent to the defined Sproughton Neighbourhood Plan Area. Sproughton has within its boundary a Designated Enterprise Area and reference will be made to the relevance of this to the application at hand in this report.

### **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)**

**Great Blakenham Parish Council** The Council is very concerned about the following:

*[it is noted that the Parish Council does not specifically object]*

- The number and variety of trees that are due to be removed, especially as the southern boundary of the site has an attractive wooded area through which a footpath runs.

#### **Officer comment:**

*The Agent has amended the scheme in conjunction with formal comments received from Place Services – Landscaping to ensure that the development does not result in an excessive loss of trees. A buffer is proposed along the southern boundary of the site.*

- There are no details given of the height of the buildings or their elevation against the hill on the western edge of the site.

#### **Officer comment:**

*The application is for outline only with access to be considered and all other matters reserved and therefore detailed design such as heights are not for consideration at this stage, however, the Agent has submitted an indicative layout plan which suggests the ridge heights to be 50.5m. This report will explore the question of appropriate building height in the context of recently erected and approved buildings within the immediate vicinity a little later in this report*

- The high probability of twenty-four hour operation at the site which will bring light and noise pollution.

#### **Officer comment:**

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*Whilst it is acknowledged that some units [if approved] might operate on a 24 hour basis officers do not consider this will be a threat to amenity given the existing nature of the adjacent premises and that the nearest properties are at least 80metres away to the southeast. It is suggested that Unit 9 is controlled by condition in terms of opening hours in order to safeguard residential amenity in this part of the site. In addition, there will be ample screening, together with noise attenuation basins. The site context should also be taken into consideration given the existing businesses adjacent to the site and SnOasis to the north.*

*The Council's Environmental Health Team have been consulted and have no objection to the proposal subject to conditions. These conditions are recommended to mitigate the potential noise and/or light nuisance including a noise assessment to be submitted and the hours of construction to be limited to specific time periods.*

*The comments from the Parish Council are noted in respects to light spillage and technology is such that pollution such as skyglow can now be avoided.*

*It is however prudent to condition lighting details to ensure the concerns expressed by the Parish Council do not become a reality.*

- It should be noted that the site is close to the Little Blakenham bat roost and further light pollution will have negative impact on the bat colony.

**Officer comment:**

*Whilst it is acknowledged that there will be some disturbance to bat roosting, the Agent has undertaken and submitted sufficient surveys in order to establish the potential areas for bat roost however no evidence of bat usage and no signs of bats were found. As such, subject to suitable conditions in relation to biodiversity mitigation, compensation and enhancement. The proposal is not considered to have a detrimental impact from an ecology and more specifically bat stand point.*

- This development will only increase the risk of flooding on the B1113, a problem which has been well documented and is now a major hazard on the road during periods of heavy rain.
- Traffic - the Council does not feel that there is enough clarity about the access on to and off the site on to the B1113. This road is already overloaded with traffic, which continues to grow as more industrial units and houses are built along both sides. The Council have repeatedly asked for a lower speed limit along the B1113 from the Suez site up to the Hackneys Corner junction as both the number of vehicles using the road and the number of junctions on to it continue to increase.
- The Council wants to put on record yet again that it is essential that a new traffic assessment is carried out before any more development (including this one) is approved and that this new assessment takes account of both recent and possible future developments (e.g. SnOasis).

**Officer Comment:**

*With regards to the increase in traffic SCC Highways Authority has provided their comments and are content with the proposed scheme and Members are advised that additional information was provided at the behest of SCC Highways,. The new access would be created to ensure that HGV vehicles were directed away from the B1113 and onto the A14 at all times.*

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*Phasing of improvements will need to be managed carefully (via conditions) to ensure that the overall raft of highway improvements in the locality arising in large part from the SnOasis development will be coordinated to avoid unnecessary disruption and abortive engineering works.*

### **Little Blakenham Parish Council**

“Little Blakenham Councillors discussed this application and unanimously object to it in its current form for the following reasons:

The Council is extremely concerned about the height and scale of the buildings, especially as the site is on an upward slope from the B1113. The Council notes that there appear to be no drawings of the elevation of the building against the contour lines of the land and feels that it is impossible to understand how this will look from The Common without further detailed information. It is essential that further information and clarification is obtained from the developer before any decision is made, even if this means delaying any decision on the application. The Council is aware that part of the land was the subject of another planning application where height restrictions were put in place and believe that similar restrictions should be in place if this application is approved to prevent the buildings towering over the local area. Construction of the 20-metre high warehouse type buildings on an already elevated site, to the edge of the allocated site is not in the public interests and intends only to maximise floorspace without consideration of the locality. Elsewhere in the district, building of this scale are appropriately offset by being designed into low lying sites, to reduce their visual impact.

Traffic concerns - apart from staff driving to and from the site, there are an extremely high number of lorry parking areas and lorry movements per hour listed in the application. This will result in a huge increase in traffic on the B1113, a road which is already over capacity with long delays at rush hour. Additionally the entrance to the site will be close to the Suez incinerator entrance and close to the traffic lights beside the incinerator and adding yet another junction to a short stretch of the B1113 between the Suez junction and Hackneys Corner which increases the risk of accidents as more and more vehicles are attempting to turn in and out. This, of course, is additional to the massive increase in traffic that would be produced by any development on the SnOasis site.

Tree loss – the application involves the removal of many well-established trees and there is no indication that there will be sufficient replacements in that area of the site to offset this. The removal of a substantial amount of vegetation will further reduced the screening provided. In addition, vegetation is transient and beyond a five-year landscape condition the District Council cannot control the screening measures of the site. The Parish Council disagree with the assessment of the Landscape Officer, that the impact will be only to the immediate area. Wider vistas of this area are achieved from many points further afield.

Finally, the Council feels that a further development of this size and scale will mean that Port One would become a major business park and that the whole application needs to be thoroughly reassessed and further information must be obtained from the developer on these areas of concern before any decision is made.

It should be noted that the Parish Council were in support of the original application that provided a combination of unit sizes, however also respected the existing character of development AND worked with the site constraints, including site elevations and existing vegetation.

The implications of the Covid-19 pandemic are anticipated to result in an economic downturn, and the economic benefit of development in the area is noted, however it should not be ‘development at any cost’. The proposal does not provide a satisfactory alternative to that originally approved.”

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**Officer Comment:** *Please note Officer comments in respect of Great Blakenham Parish Council's comments where there is cross over.*

*The Agent has amended the scheme in conjunction with formal comments received from Place Services – Landscaping to ensure that the development does not result in an excessive loss of trees. A buffer is proposed along the southern boundary of the site. The application is for outline only with access to be considered and all other matters reserved and therefore detailed design such as heights are not for consideration at this stage, however, the Agent has submitted an indicative layout plan which suggests the ridge heights to be 50.5m. With regards to the increase in traffic SCC Highways Authority have provided their comments and are content with the proposed scheme. The new access would be created to ensure that HGV vehicles were directed away from the B1113 and onto the A14 at all times.*

### **Claydon Parish Council**

Parish Councillors do not have a comment on this development

### **National Consultee (Appendix 4)**

#### **Highways England - 26 June**

No objection

#### **Natural England**

Natural England's initial screening of this planning application has identified that the proposed development has the potential to adversely affect a Site of Special Scientific Interest (SSSI)<sup>1</sup> designated for hibernating or breeding bats i.e. the relevant Impact Risk Zones have been triggered. As protected species bats are capable of being a material consideration in the determination of planning applications, in this case they form the notified interest of an SSSI and therefore it is section 28i of the Wildlife & Countryside Act 1981 (as amended) that is the relevant legislation in this case (i.e. for proposals with the potential to affect an SSSI).

#### **Historic England**

On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant. It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

### **County Council Responses (Appendix 5)**

#### **SCC - Highways**

"In response to the revised Flood Risk Assessment received on 21/08/20, County Council as Highway Authority make the following comments:

The Stage 1 Road Safety Audit report dated 07/08/20 highlights a number of minor problems with the proposal where the designer has commented these items will be considered during detailed design. This approach is acceptable. With the proposed mitigation and contributions for highway improvements, we consider the proposal would not have an adverse impact on the public highway with regard to congestion, safety or parking. Therefore, the County Council as Highways Authority, does not wish to restrict the grant of permission."

With regards to the proposed development SCC Highways make the following comments:

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“We have reviewed the Technical Note 02 recently supplied with this application, the summary of our findings are as follows:

The Suffolk County Transport Model (SCTM) has been used to assess the car and HGV traffic distribution to and from the development during the AM and PM peak hours with the Snoasis development traffic flows included in the model. Addison Way/Bramford Road junction, B1113/Bramford Road signal junction and the A14 Claydon Interchange roundabout all operate within capacity.

The site access operated above capacity during the peak hour periods therefore there is a proposal to introduce a signalised junction so the junction operates with spare capacity.

We note that the parish council have requested a reduced speed limit (30mph) to be introduced on Bramford Road. We consulted the Traffic Management Officer from the Police who has indicated that the existing speed limit, 40mph, is appropriate for the surroundings and the police would not support a lower speed limit here as it is unlikely to be followed without further traffic calming measures being introduced.

With the proposed mitigation and contributions for highway improvements, we consider the proposal would not have an adverse impact on the public highway with regard to congestion, safety or parking. Therefore, the County Council as Highways Authority, does not wish to restrict the grant of permission.

#### CONDITIONS

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include the following conditions and obligations:

Highway Mitigation Condition - detailed design of the mitigation measures on The Site Access/Bramford Road junction as indicated on Drawing No 1970/04C are to be submitted and approved by the highway authority. The approved scheme shall be laid out, constructed and made functionally available for use prior to occupation and thereafter retained in the approved form for the lifetime of the development. Reason: To ensure that suitable highway improvements and mitigation measures are provided.

Footway Condition: The footway/cycleway to be provided in its entirety before the development is brought into use as indicated on Drawing No 1970/04C. Reason: To ensure that suitable footways are provided to access the application site and to connect the sites with public rights of way and footway network.

Construction Condition: Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
  - provision of boundary hoarding and lighting
  - details of proposed means of dust suppression
  - details of measures to prevent mud from vehicles leaving the site during construction
  - details of deliveries times to the site during construction phase
    - details of provision to ensure pedestrian and cycle safety
  - programme of works (including measures for traffic management and operating hours)
  - parking and turning for vehicles of site personnel, operatives and visitors
  - loading and unloading of plant and materials
  - storage of plant and materials
  - 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: In the interest of
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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.

P 2 - Condition: Before the development is commenced, details of secure covered cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be in accordance with Suffolk Parking Guidance 2019 and carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose. Reason: To promote the use of sustainable travelling alternatives within the area.

#### NOTES

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing."

#### **SCC - Development Contributions Manager,**

"I have no comments to make on this application, but I have copied to colleagues who deal with highways, floods planning, and archaeological matters as they will have comments to make."

#### **Suffolk Police - Design Out Crime Officers**

"It is noted that this is an outline planning application and more in-depth details will follow through further proposals, as a result it is hard to make specific in-depth comments. It is recommended that the development seeks to achieve Secured by Design SBD Commercial certification at [www.securedbydesign.com](http://www.securedbydesign.com) and at SBD commercial 2015 Version 2, as per this link. [http://www.securedbydesign.com/wp-content/uploads/2015/05/SBD Commercial 2015 V2.pdf](http://www.securedbydesign.com/wp-content/uploads/2015/05/SBD%20Commercial%202015%20V2.pdf)

Secured by Design (SBD) is an initiative based upon principles of "designing out crime" incorporating the latest security standards to address emerging criminal methods of attack. SBD has been proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments. General advice around commercial business security can also be found on the Secured by Design Website through this link: <http://www.securedbydesign.com/crime-prevention-advice/secure-your-business/> I would be very pleased to work with the agent and/or the developer to ensure the proposed development incorporates the required elements. This is the most efficient way to proceed with commercial developments and is a partnership approach to reduce the opportunity for crime and the fear of crime."

#### **SCC - Fire & Rescue**

Hydrants are required for this development

#### "Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

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## Water Supplies

Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies. Sprinklers Advised Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

Consultation should be made with the Water Authorities to determine flow rates in all cases. Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance.

For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters."

## **SCC - Archaeological Service**

"This site lies in an area of archaeological potential recorded on the County Historic Environment Record, in close proximity to a number of known heritage assets, a geophysical survey of the development area has identified a number of geophysical anomalies of archaeological significance (BLL 023), immediately to the north archaeological evaluation and excavation identified prehistoric and Roman features and finds (BLG 036) and immediately to the south archaeological evaluation has identified Neolithic and Iron age pits and Roman and medieval field systems (BRF 106). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist. There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

2. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the

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programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2018).

INFORMATIVE:

The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team. I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological mitigation.

In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology/> .”

### **SCC Floods & Water 9 September 2020**

“I have reviewed the following documents and would advise you the surface water drainage proposals remain unacceptable however, bearing in mind the layout and site levels will be reserved matters, I am prepared to remove my holding objection so long as the conditions outlined below are attached to any permission.

- JMS Technical Note dated 18<sup>th</sup> September 2020
- Flood Risk Assessment (FRA) and SUDs Strategy dated 14/8/2020 including appendices

This is because:

The SW drainage proposals fail to demonstrate the drainage proposals comply with national standards. The development is therefore at risk of increasing flooding off site and pollution of ground water – which is used for drinking water. Insufficient appropriate information has been submitted. The vulnerability of ground water is high. Water pollution risks associated with proposed service yards is high.

Longitudinal sections along the proposed drainage system have not been submitted as requested. This is a normal requirement as outlined on our guidance and is routine practise for drainage design. Due to the variable nature of the subsoil ( ranging from clay and sandy materials to chalk, and large depths of proposed cut and fill) I requested these should also show the proposed drainage features (pipe runs and soakaways) interface with: the expected soil strata, the existing and final ground levels, test pits and boreholes, showing how the design soakage rates are derived for the particular depth of each soakaway feature.

The revised FRA includes a review of ground investigations, interpolating soil variations between various trial pits and boreholes as presented in Appendix B – These are discussed in the report and para (2.020) appears to conclude that it is expected that the upper layers of the sandy strata would have a soakage rate of  $6.1 \times 10^{-6}$  m/s . (21mm/hr). But this does not seem to be used for design. A clearer conclusion is required, or more testing.

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In particular, for plot 6 the design rate (75mm/Hr) used, appears to be too high. The cross section in the technical note shows the test result is relevant to strata well above the proposed soakaways.

The depths of the proposed piped drainage system upstream of the plot 6 (levels shown in the model data) are too shallow, -with insufficient cover, but the base of the soakaway is only just over 1m above the chalk level shown in a nearby borehole and so should not be lowered. – The base needs to be well above the chalk to help protect ground water from pollution. The design needs to take account of possible variations in chalk level.

In addition para 6.2.2 of the FRA proposed filter drains (trenches) within plot 6. These would need to be at a greater depth to provide the required water treatment (SUDS Manual para 15.5) and protect the pipes within them from damage.

So it would appear **the final ground levels would need to be higher at plot 6 and probably 7 and 8**  
Para 6.2.2 states the service yard and access road for plot 6 would drain to a filter strip and then to the pipe network. However the filter strip width hasn't been designed -see SUDS manual 15.5 and this is likely to take up a considerable area.

Para 6.2.3 of the FRA states the final discharge would be to "*narrow crated soakaway, like the strategy set out in the extant planning permission*" (for plots 2 and 4). However the proposed design for plots 4 and 2 uses open basins with narrow sand filled trenches beneath. Treatment is provided by the vegetated basin, the topsoil and the sand fill. These are relatively easier to maintain from the surface than buried "crates".

The proposals put forward in 6.2.2. and 6.2.3 are unacceptable. They do not provide adequate treatment and would be difficult to maintain.

Similar issues exist with the depths for pipes serving plot 5. Indeed the overflow pipe to the south west basin (mentioned in the FRA para 6.15) would be above existing ground levels unless the ground is raised in an area with existing trees.

Para 6.15 describes the South West basin as an "infiltration basin", however this is shown to be raised above existing ground levels, built on fill. Infiltration into fill is not normally allowed (BRE 365, SUDS Manual and SCC SUDS Guidance), indeed the surrounding embankment will need to be impermeable for it to be stable.

The proposals for draining plot 9 into soakaways within fill are unacceptable. The soakage rate assumed for this design (40mm/Hr) was the test result from test pit 05/6 however a short distance away the test value was 5mm/hr (too low). If infiltration type SUDS are to be sited in this area then the design rate should be lower than 40mm/hr informed by the review referred to above. Further soakage tests may be needed along the line of the swale or proposed soakaway as described in BRE365 or the SuDS Manual.

Appendix J of the FRA – Simple Index Assessment – is unacceptable as the sole proposal for treatment. The assessment should be used to determine what forms of SuDS can be used in sequence to provide the required treatment for the anticipated pollution hazards. It is not clear what drainage systems the various sheets refer to. "Proprietary treatment systems" are put forward, but they should only be used in exceptional circumstances.

Further design of each component is required to ensure they each provide the appropriate level of treatment- as per the SUDS Manual

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Half emptying times for the drainage need to be checked assuming no FOS (i.e. 1) for the critical 10 year RP storms.

Design calculations for 100 and 30 year Return period events will be needed.

Phasing may be an issue since the current proposals are to drain plots 7 and 8 into plot 6 with an overflow to a new basin sited just south of plot 4.

There may be other issues.

The design so far is preliminary /indicative and more details will eventually be required. It is understood that the layout, levels and appearance and development areas are not fixed by the grant of an outline permission. These will be subject of conditions/reserved matters. However it is important that levels and layout matters/conditions are not cleared before drainage, since as illustrated above, the layout and levels will be informed by the drainage FRA/Strategy which needs to be improved.

Draft Conditions.

Based on SCC standard Outline Application February 2020 version

1. Concurrent with the first reserved matters application(s) a surface water drainage strategy for plots 5-9 shall be submitted to, and approved in writing by, the local planning authority.
2. No development shall take place within any particular area or phase of the development until details of a surface water drainage scheme for that plot/ phase, have been submitted to and approved in writing by the local planning authority

The scheme shall be in accordance with the approved strategy and shall include:

- a) Dimensioned plans and drawings of the surface water drainage scheme;
- b) Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- c) Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- d) Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- e) 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:-
    - 1) Temporary drainage systems
    - 2) Measures for managing pollution / water quality and protecting controlled waters and watercourses
    - 3) Measures for managing any on or offsite flood risk associated with construction

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

The scheme shall be fully implemented as approved.

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

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

3. Within 28 days of completion of the last dwelling/building become erected details of all Sustainable 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 that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk*

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

## **Internal Consultee Responses (Appendix 6)**

### **Environmental Health - Sustainability Issues**

"I have no objection to the application and should the Planning Dept approve it I would suggest the following condition.

Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed. The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3, and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water ( suggested maximum of 105ltr per person per day). Details as to the provision for electric vehicles should also be included please see the Suffolk Guidance for Parking, published on the SCC website on the link below: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-developmentadvice/parking-guidance/> The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, CO2 reduction, resource conservation, use of sustainable materials and provision for electric vehicles. Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used. Evidence should be included where appropriate demonstrating the applicants

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previous good work and standards achieved in areas such as site waste management, eg what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Reason – To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF. Guidance can be found at the following locations: <https://www.midsuffolk.gov.uk/environment/environmental-management/planning-requirements/>

### **Public Realm**

“Public Realm do not wish to offer any comments on this planning application”

### **Heritage Team**

“I do not wish to offer comment on this application.”

### **Economic Development & Tourism**

No objection

“This application contains land that is a natural extension to the existing Port One Business Park which is currently under construction and the application also deals with the masterplanning and phased development of land included in pp 2351/16. The location near to junction 52 of the A45 and close to the Copdock interchange with the A12 makes it attractive to Port-Centric logistics and also for regional manufacturing and distribution operations and therefore it is a strategic employment site for the district. The increase in size of the Business Park will help to support future economic growth in the Ipswich Fringe Area. The expanded site would also support up to 675 FTE new jobs for the district. The height and scale of the proposed buildings on the site reflects the demand for larger sized premises, especially to support the latest high tech logistics & distribution operations as well as the industrial nature of existing surrounding commercial activities. This is land that can be developed and brought to the market relatively quickly to help support future recovery and growth for both the local and regional economy. I, therefore, support the application.”

**Officer comment:** *Members will have noted the concerns expressed by the Parish Council about the perceived impacts of the development. However, Members will note the strong support given by the Economic Development Team to this development.*

*Again, Members will note that the Parish Council raised concerns with regards to the height and size of the proposed premises however as noted in Economic Development Team’s response the height and scale reflect the demand for larger sized premises. This will compliment the Council’s Open for Business Strategy (2018) which looks to support all sectors of the economy from start-up (incubator), grow-on right through to relocation of major companies bringing in inward investment.*

*Officers suggest that when exercising their planning balance Members give significant weight to the economic benefits (including job creation) that this development will deliver.*

### **Environmental Health - Noise/Odour/Light/Smoke**

Thank you for consulting me on the above outline application for the extension to Port One Business and Logistics Park. I understand from the application form, this extension will be for B8 use with hours of operation to include day and night time operation, 7 days a week. In support of the application, I note the noise impact assessment submitted by Sharps Redmore Acoustic Consultants. This assessment comprises a background noise survey and assessment of likely levels of operational noise using BS 4142 “Method for Rating and Assessing Industrial and Commercial Sound”. The impact assessment is made

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with particular reference to unit 9 of the development. This unit is nearest to residential premises. The report concludes that with suitable noise mitigation measures for external plant and loading/unloading activities (such as a noise barrier), the site is suitable for use.

I concur with this view and confirm in respect of noise and 'other' environmental health issues that I do not have any objection to the proposed development.

However until the final use and operation is known, it is not possible to advise further on the extent and degree of these mitigation measures (if any). I would, therefore, require further information at the detailed application stage and recommend the following conditions should approval be granted:

1) Prior to the occupation of unit 9, the applicant is required to submit an assessment carried out in accordance with BS 4142 to show that noise from machinery and equipment, including any external ventilation or refrigeration equipment and external noise from delivery vehicles including loading, will not have an adverse impact on occupiers of any noise sensitive premises. The assessment shall include details of any mitigation measures to be implemented, for the approval of the Local Planning Authority.

I would also recommend appropriate conditions to mitigate against adverse impacts from lighting and noise during construction commensurate with approval ref 2351/16, as follow:

2) No means of external lighting shall be installed or attached to the commercial units except in accordance with details of an illumination scheme (to include luminaire types, position, height, aiming points, lighting levels and a polar illuminance diagram, based on the vertical plane to reflect impact on surrounding residents) which shall have been submitted to and approved in writing by the Local Planning Authority and shall be implemented and retained as approved.

3) The working hours during construction shall be restricted to 0730 hrs to 1800 hrs Mondays to Fridays and 0800 hrs and 1300 hrs on Saturdays. There shall be no working hours on Sundays or Bank Holidays.

Reason: To protect the occupiers of the neighbouring residential properties suffering loss of amenity or nuisance.

### **Ecology 1 October 2020**

"No objection subject to securing biodiversity mitigation, compensation and enhancements.

### **Summary**

We have reviewed the recently updated Tree (Bat) Roost Assessment Rev 3 (Abrehart Ecology Ltd, 24 Sept 2020). This report now includes the results of further aerial inspection of potential roost features in all trees assessed as having moderate & high suitability for bats which will be directly impacted by the development. As this recent survey found no evidence of bat usage and no signs of bats were found in any of the features explored, this now provides certainty of likely impacts to bats (European Protected Species). We welcome the statement that any trees to be impacted by works will be subject to further assessment before felling or remedial works and recommend that this is secured by a condition of any consent. This could include soft felling, climb and inspect surveys, or emergence/return to roost surveys.

The above report is in addition to submitted documents - Preliminary Ecological Appraisal – Port One St James' Park (January 2019), the Preliminary Ecological Appraisal – Port One Business Park (January 2020), Badger (*Meles meles*) Survey Report (June 2020), Great Crested Newt (*Triturus cristatus*) Survey Report (August 2020), Great Crested Newt (*Triturus cristatus*) Outline Mitigation Strategy (August 2020), the Phase 3 - Reptile Survey Report- Rev A (August 2020) and the Phase 3 & 4 - Bat Survey Assessment – Rev B (August 2020) - undertaken by Abrehart Ecology Ltd on behalf of the applicant - should be secured

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and implemented in full. This is necessary to conserve and enhance Protected and Priority Species particularly Gt crested newts, badgers and bats.

We are now satisfied that there is sufficient ecological information on protected species to provide certainty to the LPA of likely impacts and that mitigation can be secured either by a condition of any consent or a mitigation licence from Natural England.

The letter from Abrehart Ecology Ltd (24 Sept 2020) relating to the Tree (Bat) Roost Assessment confirms that planned mitigation for the overall Phased development includes sensitive lighting along retained and created commuting corridors. This will minimise risk of disturbance to bats roosting within retained trees or commuting across the local landscape from the nearby SSSI. Furthermore, bat boxes will be installed on retained trees and a dedicated 'bat house' will be created within wildlife areas. These are proposed to not only offset any loss of roosting opportunities, but to enhance roosting opportunities for bats in the local area – particularly through the increase in hibernating potential. We recommend that these mitigation measures are secured by a condition of any consent.

We note that the further Great Crested Newt (*Triturus cristatus*) Outline Mitigation Strategy (August 2020), demonstrates how mitigation and compensation measures will be delivered for the excellent population of Great Crested Newts contained within the site. As a result, we are satisfied that the LPA will have regard to Conservation of Habitats and Species Regulations 2017 (as amended) when issuing a decision for this European Protected Species, by having certainty that an European Protected Species Mitigation (EPSM) licence will likely be granted for this application. This EPSM Licence will need to be secured as a prior to commencement condition if this application is approved.

We are also satisfied with the further clarification provided to indicate why the reptile survey areas (A & B) are small in size in comparison to the wider site. Therefore, we recommend that a Construction Environmental Management Plan (CEMP: Biodiversity) will need to be secured as a condition of any consent for discharge prior to commencement, which contains the finalised Reptile Mitigation Strategy for this application.

We note that a Bat Activity Survey was completed on the western boundary in 2016 for the granted application (2351/16) and it is accepted that minimal activity was noted. In addition, we note that further bat activity surveys have now been completed, which consist of Transect Surveys, a stationary survey of the Lagoon, as well as several static detectors surveys. These surveys specifically focus on Natterers and Daubentons bats, to determine the extent of the impacts of the qualifying features of the Little Blakenham Pit Site of Special Scientific Interest's (SSSI). These activity surveys carried out in 2017 and 2020 found low numbers of bats using this tree line. The timings of bat activity and species recorded indicated that individual pipistrelles (likely males) were using the tree line, possibly for roosting. These surveys indicate a likely absence of roosts of high conservation interest, such as maternity roosts.

It is recommended that information on a wildlife sensitive lighting design scheme should be provided in line with the Guidance note 8 - Bats and artificial lighting in the UK (ILP, 2018). This should provide recommendations to avoid adverse impacts from lighting to bats and at a minimum provide locations of where lighting should avoid impacts on key habitats. This should be secured by a condition of any consent.

We also support the proposed reasonable biodiversity enhancements as contained in the above submitted Abrehart Ecology reports, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Layout for each phase of development and should be secured prior to slab level. It is recommended that this should include provision of measures within the built and natural elements of each phase of the development.

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This information will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim. Submission for approval and implementation of the details below should be a condition of any planning consent:

Recommended conditions

**1. CONCURRENT WITH RESERVED MATTERS FOR EACH PHASE: ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISALS RECOMMENDATIONS**

*“All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the- Preliminary Ecological Appraisal – Port One St James’ Park (January 2019), the Preliminary Ecological Appraisal – Port One Business Park (January 2020), Badger (Meles meles) Survey Report (June 2020), Great Crested Newt (Triturus cristatus) Survey Report (August 2020), Great Crested Newt (Triturus cristatus) Outline Mitigation Strategy (August 2020), the Phase 3 - Reptile Survey Report- Rev A (August 2020) and the Phase 3 & 4 - Bat Survey Assessment – Rev B (August 2020) and Tree (Bat) Roost Assessment Rev 3 (September 2020) - all undertaken by Abrehart Ecology Ltd as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.*

*This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”*

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998.

**2. CONCURRENT WITH RESERVED MATTERS: PRIOR TO COMMENCEMENT: SUBMISSION OF A COPY OF NATURAL ENGLAND MITIGATION LICENCE FOR GREAT CRESTED NEWT**

*“The proposals shall not in in any circumstances commence unless the local planning authority has been provided with either:*

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or*
- b) a certificate to confirm site registration under the GCN District Level Licence countersigned by Natural England; or*
- c) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.”*

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

**3. CONCURRENT WITH RESERVED MATTERS: PRIOR TO COMMENCEMENT: SUBMISSION OF A COPY OF THE MITIGATION LICENCE FOR BADGERS**

*“The sett closure shall not in in any circumstances commence unless the local planning authority has been provided with either:*

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- a) a licence issued by Natural England pursuant Badger Protection Act 1992 authorizing the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.”

Reason: To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998.

#### 4. CONCURRENT WITH RESERVED MATTERS: PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN: BIODIVERSITY

*“A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.*

*The CEMP (Biodiversity) shall include the following.*

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

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

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

#### 5. CONCURRENT WITH RESERVED MATTERS PRIOR TO SLAB LEVEL: BIODIVERSITY ENHANCEMENT

*“A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the submitted Abrehart Ecology reports, shall be submitted to and approved in writing by the local planning authority.*

*The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.”*

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

#### 6. CONCURRENT WITH RESERVED MATTERS PRIOR TO BENEFICIAL USE: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

*“A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development.*

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The content of the LEMP shall include the following:

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

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

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

#### 6. CONCURRENT WITH RESERVED MATTERS: PRIOR TO BENEFICIAL USE: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

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

#### 7. ACTION REQUIRED: TIME LIMIT ON DEVELOPMENT BEFORE FURTHER SURVEYS ARE REQUIRED

“If any phase of development hereby approved does not commence within 18 months years from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or distribution or abundance of Great crested newt, bats (particularly in trees), reptiles or badgers and
  - ii. identify any likely new ecological impacts that might arise from any changes.
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*iii. determine impacts upon the qualifying features of the Little Blakenham Pit SSSI,  
iii. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of any phase of development.  
iv. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.”*

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

#### **Place Services -Landscape Comments Received 4 September 2020**

“Thank you for re-consulting us on the application for Outline Planning Permission. (Access to be considered) for the extension to Port One Business and Logistics Park (as permitted under ref. 2351/16 and varied by ref. 1755/17), together with associated works including drainage lagoons, ecology mitigation and landscaping.

This letter sets out our consultation response in relation to the amended Tree Survey, AIA & Protection Plan (Dwg ref: LSDP 11365-08 Rev D) and revised Landscape Master Plan (Dwg ref: LSDP 11365-05 Rev G) in response to our previous comments.

We welcome the amendments that have been made in light of our comments, and we are now satisfied that although the scheme includes the removal of trees, sufficient effort has been made to retain trees and remnants of good quality and appropriate replacement planting across the site will be provided to help mitigate landscape and visual impacts.

However, if minded for approval we would recommend the LPA Arboriculture Officer is consulted to ensure they are satisfied with the proposals. Also, the following conditions should be considered to ensure the ongoing management and maintenance of the planting stock is adequate:

#### **ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: ADVANCED PLANTING.**

Before any works commence on site, details of advance native planting to boundaries shall be submitted and approved by the Local Planning Authority. Implementation will need to be carried out prior to any other construction work and in accordance with an implementation timetable agreed in writing with the Local Planning Authority.

Reason - In order to ensure key structural / screening landscape planting is carried out at the earliest opportunity, in the interest of the landscape character and amenity of the locality, and the character, setting and significance of heritage assets.

#### **ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPE MANAGEMENT PLAN.**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a landscape management plan and associated work schedule for a minimum of 10 years. Both new and existing planting will be required to be included in the plan, along with surface treatments, SuDS features and all other landscape assets.

Reason - in the interest of the landscape character and amenity of the locality, and the character, setting and significance of heritage assets.”

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## **B: Representations**

At the time of writing this report at least 4 letters/emails/online comments have been received. It is the officer opinion that this represents 4 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Highway safety, speeding, number of vehicles/traffic
- Environmental Impacts
- Climate change

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

## **PLANNING HISTORY**

<b>REF:</b> DC/17/03851	Discharge of conditions application for 2351/16 - Conditions 12,15,17 and 19 Dormouse ( <i>Muscardinus avellanarius</i> ) Survey Report, Construction Environmental Management Plan, Reptile Mitigation Strategy, Badger ( <i>Meles meles</i> ) Survey Report, 1823 SK10-40A - Proposed Phasing Plan.	<b>DECISION:</b> GTD 15.08.2017
<b>REF:</b> DC/17/05234	Discharge of Conditions applications for 2351/16 - Condition 18 (Prior to commencement: Great Crested Newts)	<b>DECISION:</b> GTD 13.11.2017
<b>REF:</b> DC/18/00284	Discharge of Conditions Application for 2351/16 - Condition 9 (Archaeology).	<b>DECISION:</b> GTD 16.03.2018
<b>REF:</b> DC/18/01897	Discharge of Conditions for Application 2351/16 - Conditions 20 (Details of proposed access) and 26 (Provision of off-road cycle improvements)	<b>DECISION:</b> GTD 21.06.2018
<b>REF:</b> DC/19/01775	Discharge of Conditions Application for 1755/17 - Condition 32 (Hard and Soft Landscaping Masterplan).	<b>DECISION:</b> GTD 15.07.2019
<b>REF:</b> DC/19/01776	Discharge of Conditions Application for 1755/17 - Condition 5 (Levels), 6 (Surface Water Drainage Details), 7 (Construction Management), 25 (Provision of Roads and Footpaths), 28 (Highways - Parking and Turning), 31 (Tree Protection) and 33 (Materials and Layout).	<b>DECISION:</b> PGR 10.09.2019
<b>REF:</b> DC/19/01793	Submission of details under Outline Planning Permission 2351/16 (Varied by Section 73	<b>DECISION:</b> GTD 23.10.2019

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permission 1755/17) for Appearance, Landscaping, Layout and Scale of Phase 2 extending estate road approved under DC/18/01897 to eastern & central parts, provision of main services & balancing lagoon & Phase 4 for central warehouse unit plot.

<b>REF:</b> DC/19/01827	Submission of Details under Outline Planning Permission 2351/16 (Varied by Section 73 permission 1755/17) for Appearance, Landscaping, Layout and Scale of Phase 1 Access Works	<b>DECISION:</b> GTD 10.07.2019
<b>REF:</b> DC/19/04320	Discharge of Conditions Application for 1755/17- Condition 6 (Surface Water Drainage Details) (Part Discharge for Phases 2 and 4)	<b>DECISION:</b> GTD 30.10.2019
<b>REF:</b> DC/19/05259	Discharge of Conditions Application for 1755/17 - Conditions 11 (Agreement of Materials), Condition 29 (Highway Works), Condition 34 (Soft Landscaping) and Condition 35 (Hard Landscaping)	<b>DECISION:</b> GTD 31.01.2020
<b>REF:</b> DC/19/05435	Discharge of Conditions Application for 1755/17 - Condition 13 (Sustainability) (Part discharge in relation to Phase 4 only)	<b>DECISION:</b> GTD 11.03.2020
<b>REF:</b> 1755/17	Application for variation of condition 20 following grant of planning permission 2351/16: "Application for outline planning permission (including access, all other matters reserved) for development of business and logistics park to provide commercial floorspace principally within Use Classes B1 and B8, to include access onto the B1113 Bramford Road and a secondary means of access via Addison Way, together with the provision of estate roads and ancillary parking, servicing and landscaping" to enable revised details for proposed accesses	<b>DECISION:</b> GTD 29.10.2018
<b>REF:</b> 2351/16	Application for outline planning permission (including access, all other matters reserved) for development of business and logistics park to provide commercial floorspace principally within Use Classes B1 and B8, to include access onto the B1113 Bramford	<b>DECISION:</b> GTD 17.11.2016

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Road and a secondary means of access via Addison Way, together with the provision of estate roads and ancillary parking, servicing and landscaping.

<b>REF:</b> 1297/11	Erection of 2 no aluminium warehouses	<b>DECISION:</b> GTD 27.07.2011
<b>REF:</b> DC/18/02066	Application under Section 73 of the Town and Country Planning Act - 'Retail unit built with 6 flats above' - Variation of Condition 11 planning permission 3310/14 (Restriction of Operation Times).	<b>DECISION:</b> GTD 17.08.2018
<b>REF:</b> DC/19/01400	Discharge of Conditions Application for 3310/14 - Condition 8 (Land Contamination)	<b>DECISION:</b> GTD 29.04.2019
<b>REF:</b> DC/20/01369	Discharge of Conditions Application for 3310/14 - Condition 8 (Land Contamination)	<b>DECISION:</b> GTD 02.06.2020

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1. The Site and Surroundings**

- 1.1 The application site is located on the western side of the B1113 (Bramford Road), to the north of the junction that links a single carriageway section with dual carriageway section that extends towards the A14 trunk road. The site is irregularly shaped and comprises of agricultural land and commercial land.
  - 1.2 There are a number of industrial units to the north and east of the site, approximately 20 buildings in total.
  - 1.3 Outline planning permission and subsequent reserved matters were approved for a development of a business and logistics park to provide commercial floorspace principally within Use Classes B1 and B8, to include access onto the B1113 Bramford Road and a secondary means of access via Addison Way, together with the provision of estate roads and ancillary parking, servicing and landscaping in November 2016 under reference 2351/16 (Figure 1).
  - 1.4 The existing 2016 permission (2351/16) was varied to ensure that the conditions reflected the phased nature of the scheme and the existing development is now being brought forward under outline planning permission 1755/17. Reserved matters approvals have been granted in respect of
    - Phase 1 – Access,
    - Phase 2 – Estate Roads and
    - Phase 4 – Plot 4 (refs DC/19/01827 and DC/01793) and site-wide pre-commencement conditions, together with those parts of the phased pre-commencement conditions which relate to Phases 1, 2 & 4, have been fully discharged.
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Accordingly, work commenced on-site at the end of 2019.

- 1.5 Subsequent submission of details for Phase was granted in July 2019 under DC/19/01827 and the submission of details for Phase 2 was granted in October 2019 under reference DC/19/01793 7 respectively. This scheme was approved on a smaller site area which now forms part of the red line site plan as submitted with this application, the approved scheme is currently under construction.

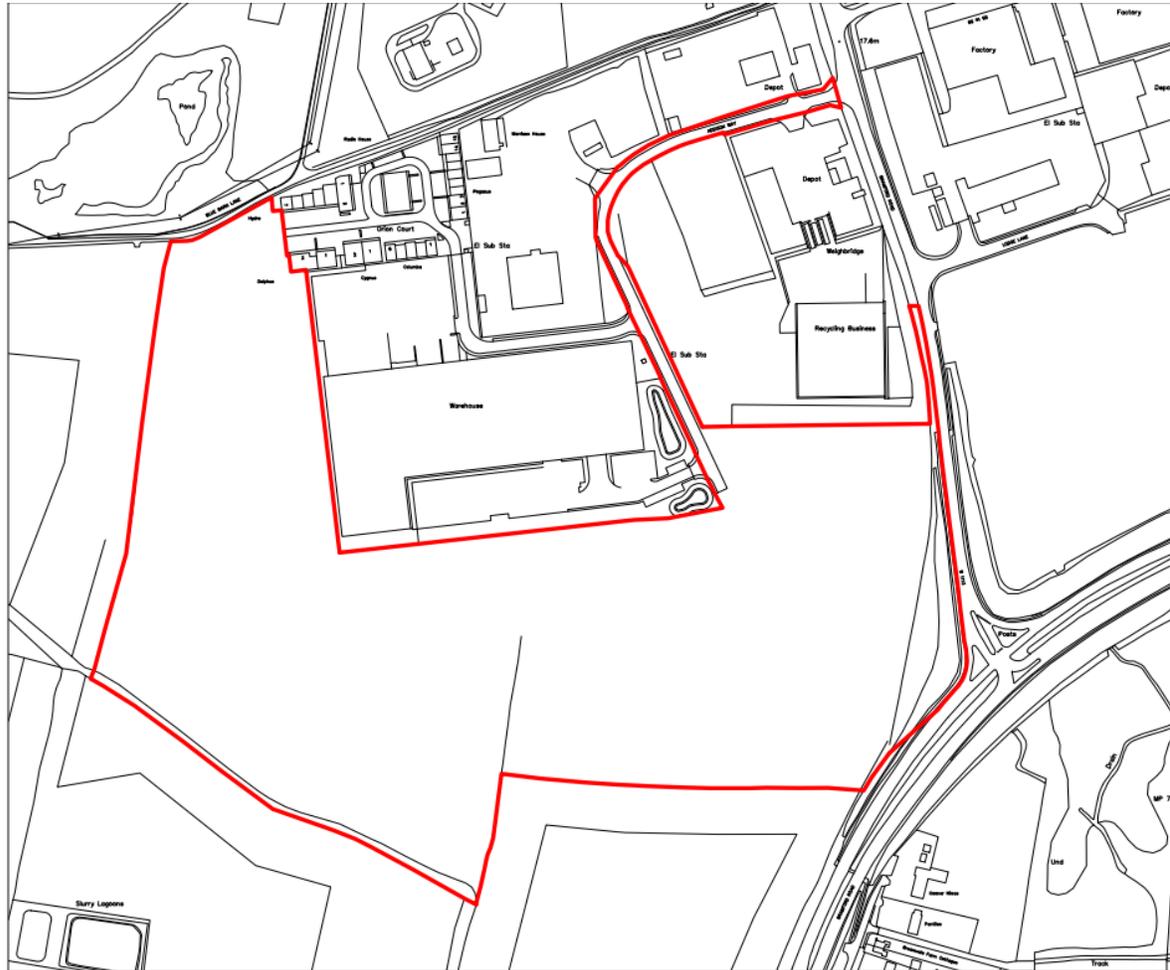


Figure 1. The Red Line Site Plan for application 2351/16



Figure 2. Approved Scheme Currently Under Construction



Figure 3. Site of SnOasis in context to the proposed development (Google Maps, 2020)



Figure 5. ORion Business Park to the north of the site

Figure 4 Existing site 2351/16 and site for 3655/13



## 2. The Proposal

- 2.1 The proposal seeks an extension to the Port One Logistics Park which is currently under development following previous approval under 2351/16 and the subsequent reserved matters. The previously approved scheme was to develop approximately 14.5 hectares of land as a logistic park for both B1 and B8 uses, including a new access.
- 2.2 The proposed extension would add an additional 8 hectares onto the existing previously approved parcel of land resulting in the logistics park increasing to a total area of approximately 22.2 hectares in total. Of this additional 8 hectares, approximately 4.8 hectares form part of another extant planning permission 3655/13. Figure 5 demonstrates the approved site plan boundary under 2351/16 together with the approved scheme under 3655/13. Planning permission 3655/13 was granted for the erection of two industrial greenhouses; the southern greenhouse has been built and is currently in use as shown below (Figure 6). The area of land for the Northern Greenhouse now forms part of the red line site for this application (Figure 6a).

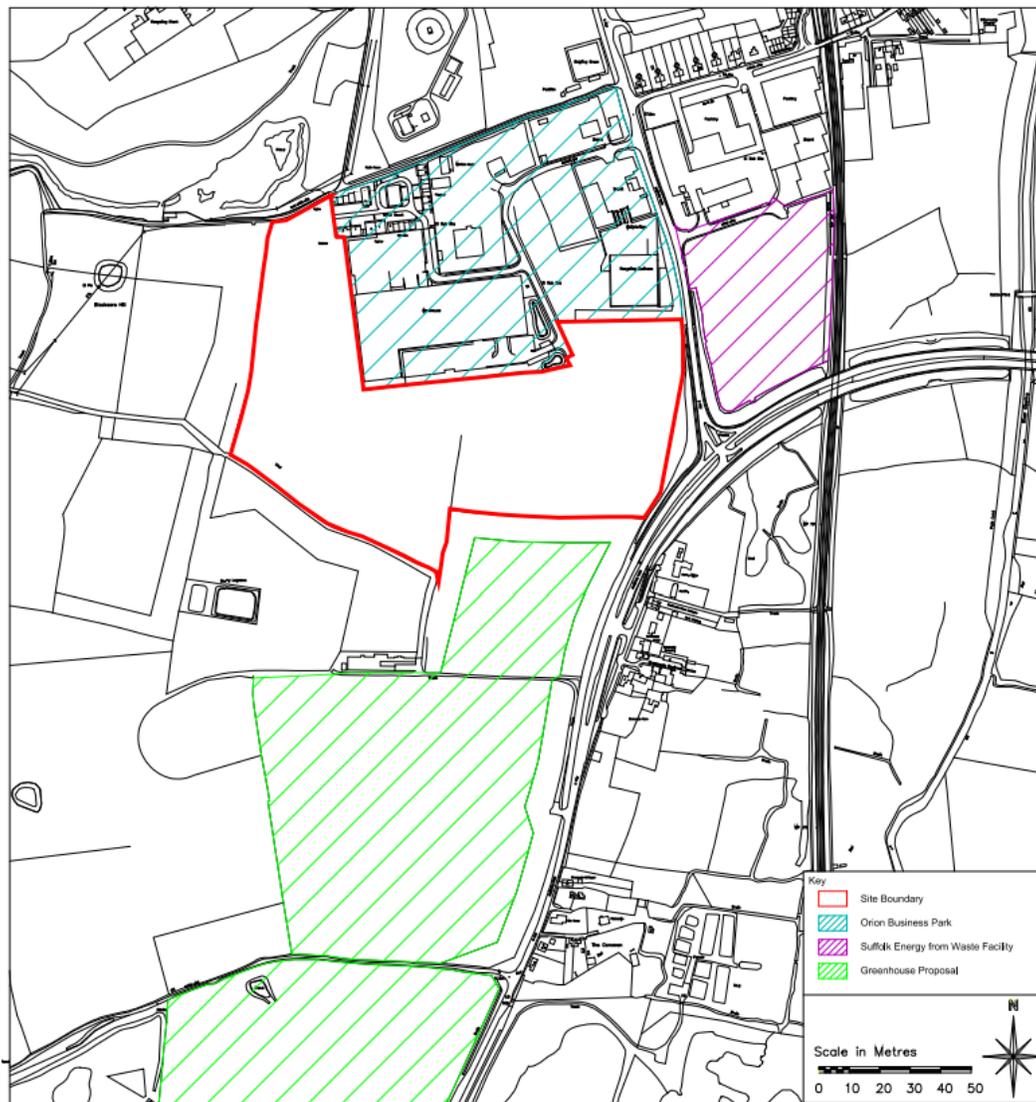




Figure 6a. Red Line Site Plan demonstrating part of the land from the northern greenhouse approved under reference 3655/13.

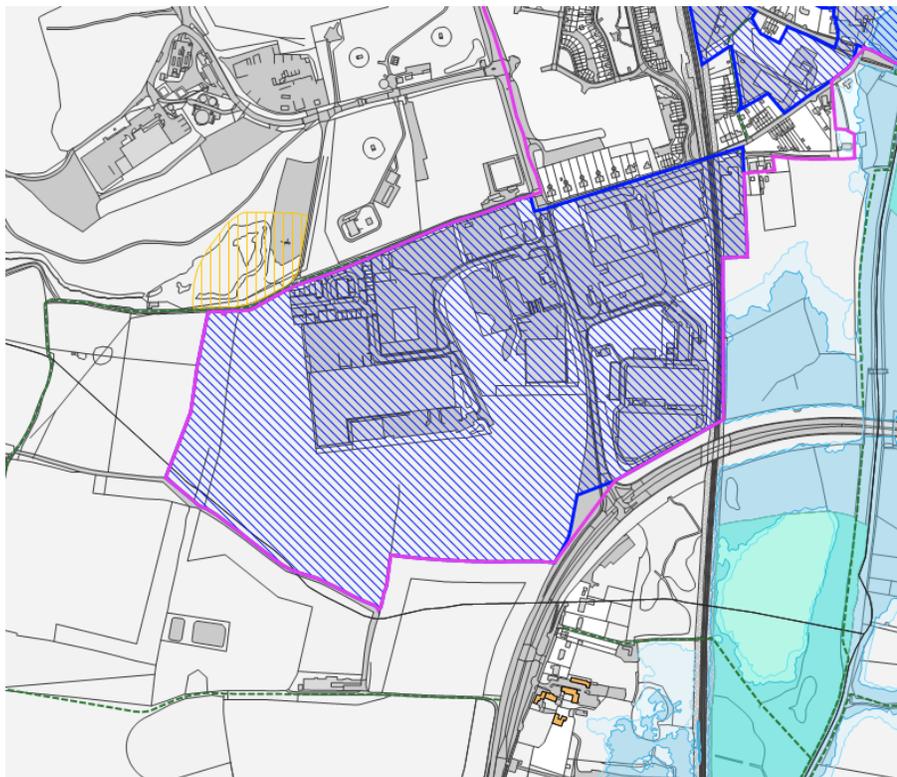
- 2.4 The proposed development would allow for 3.7 hectares of land within the red line site plan (of the additional 8 hectares overall) to be landscaped as part of the larger proposal and include a drainage lagoon, screen bunding, additional landscape planting and ecological mitigation.
- 2.5 The application is for outline planning permission only with all matters reserved save for access, however an illustrative site layout plan has been provided as part of the application which demonstrates potentially 9 units with a total floor area of approximately 69,737 square metres.
- 2.6 This proposal will infill, and round off existing, and committed, employment development and will, as with the existing Park, be contained, and screened by landscaping as discussed below.

### **3. The Principle of Development**

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

- 3.2 It is therefore the starting point for the Council when determining planning applications and so we must first consider the application in the light of relevant Development Plan policies.
- 3.3 The principle of development for a logistics park on this site has already been established in large part by the planning permission granted under application reference 2351/16 and the subsequent Section 73 and reserved matters applications.
- 3.4 The remainder of the site however is not allocated for development in the Draft Joint Local Plan – Preferred Options Document 2019 [the Emerging Local Plan 2018 – 2036], as shown below.



- 3.5 The Core Strategy 2008 supersedes a number of policies of the 1998 Local Plan. Similarly, the Focused Review 2012 supersedes a number of policies as set out in the 2008 Core Strategy the consequence of which will be drawn where appropriate.
- 3.6 The following key designations are relevant:
- Great Blakenham and Claydon Villages are designated as a Key Service Centre (Core Strategy Policy CS1). As such it is considered that development should be focused here, after towns as these Key Service Centres are considered to be capable of growth and are sustainable locations.
  - The site lies in the open countryside outside of the defined settlement limits of Great Blakenham and Claydon (1998 Local Plan Proposals Map) however it is within close proximity to the settlement boundaries and is well connected to both. It will already have been noted from the preceding references that the site actually sits amongst existing and approved commercial uses and so reference to it as countryside is perhaps now somewhat misleading from the time of the CS8 allocations.
  - The site lies adjacent to, and to the south of, an employment allocation which has subsequently been developed as the Orion Business Park (1998 Local Plan Proposals Map).
  - The site lies within the Ipswich Strategic Planning Area (formerly Ipswich Policy Area). The Ipswich Strategic Planning Area refers to an area of geography which includes the urban area of Ipswich Borough Council and the local communities that have a close functional relationship with Ipswich but fall within the administrative district boundaries of Babergh, Mid Suffolk and Suffolk Coastal.
  - SnOasis
- 3.7 In addition to the provisions of the development plan, national planning guidance, as set out in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG), will also be relevant to the determination of the application.
- 3.8 Policy FC1 confirms that the Council will take a positive approach to development proposals and grant planning permission for sustainable development, particularly where it secures, and improves, economic, social and environmental conditions in the district (Figure 7).
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## Policy FC 1

### **Presumption in favour of sustainable development**

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

Specific policies in that Framework indicate that development should be restricted.

*Figure 7. Core Strategy Focused Review Policy FC1*

- 3.9 Policy FC1.1 indicates that, important material considerations include how a proposal addresses the context and key issues of the district, which the Focused Review document prioritises as being the requirement to provide for the housing and employment needs of the district (Strategic Objective S06).
  - 3.10 The Core Strategy (as updated by the Focused Review) seeks to direct the majority of new development to the existing towns and settlements, as they are defined in the settlement hierarchy set out in Policy CS1. Claydon and Great Blakenham are, together, defined as being a Key Service Centres are second only to Towns in the Adopted spatial Hierarchy.
  - 3.11 One of the objectives of the 2012 Focused Review, was to update the employment policies of the Core Strategy in order to take into account the results of the Western Suffolk Employment Land Review 2009 (ELR) and the National Planning Policy Framework 2012 (NPPF). Statement 3 confirms that the preferred locations for employment growth are those set out in the Core Strategy. They are Stowmarket, the Ipswich Policy Area (IPA), Needham Market, Mendlesham Airfield, Eye Airfield and Woolpit Business Park. Great Blakenham, and the subject site, lie within the Ipswich Policy Area. Statement 5 also confirms that the District needs to make significant allocations of employment land,
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in appropriate locations, in order to both increase the number of jobs (in order to meet forecast need) and reduce unsustainable existing levels of out-commuting.

- 3.12 Policy FC3 commits the Council to delivering land to provide at least 8,000 additional jobs in the District by 2006 and an indicative 11,100 jobs by 2031. It identifies a 39.5 hectare site at Mill Lane, Stowmarket which, it is anticipated, will deliver an estimated 3,395 jobs by 2026. Even with this allocation, and taking into account all other existing commitments, the Focused Review (para 5.25) acknowledges that there will be a shortfall of some 1,643 jobs (against the forecast need for 8,000 jobs) by 2026 and a shortfall of 4,743 jobs (against a requirement for 11,100) by 2031. Policy FC3 provides that the land required to meet the identified shortfall (1,643 jobs - now acknowledged to be 3,113 jobs by 2026) is to be identified in subsequent development plan documents.
- 3.13 It also confirms that the new allocations should be situated:
- In or close to towns and Key Service Centres.
  - In areas with good access to the District's major transport routes.
  - In areas with good access by public transport.
  - Within the six major growth areas identified in Statement 3, which includes the Ipswich Policy Area.
- 3.14 The application site satisfies all the above criteria. It lies adjacent, and has good pedestrian and cycle links, to the Key Service Centre at Claydon and Great Blakenham. It lies within the Ipswich Policy Area. Most importantly, it has excellent, direct, access to the A14 (and from there, the main towns in the District as well as Ipswich, Felixstowe, Harwich, the Midlands and London). Given the type of uses proposed for the site (logistics and Class 88 storage and distribution), this is a key factor which will ensure the sustainability and success of the development.
- 3.15 The identification, and development, of the site is also consistent with the provisions of the Mid-Suffolk Local Plan 1998. Policy E1 of that Plan (which was subsequently superseded by Policy CS11 and, more recently, Policy FC3), identified the land to the north of the subject site for industrial and commercial development (Proposal 9). This was on the basis that this site (now developed as the Orion Business Park), was well located with respect to the settlement hierarchy, existing commercial developments, the Ipswich Policy Area and the principal communications network.
- 3.16 The proposal is also consistent with Local Plan Policy E9, which concerns the location of new employment development. Whilst this policy primarily seeks to direct new development to existing employment sites, or settlements, it provides that, and, notwithstanding the strict control of development in the countryside, where it can be demonstrated that there is a lack of sites or premises for new businesses within nearby settlements, proposals maybe acceptable on small sites closely related to existing industrial or commercial sites or the existing built up area of a town or village ...".
- 3.17 In the Draft Joint Local Plan – Preferred Options (Reg 18) July 2019 Document [the Emerging Local Plan 2018 – 2036, emerging policy SP05 states inter alia that along the strategic transport corridors development of net additional employments sites shall be supported in principle subject to:
- Highway access
  - Design and layout
  - High quality design
- 3.18 As the application is outline only with solely access to be considered, the design and layout and the high quality design cannot be ascertained at this time however the proposed access has been agreed with and is supported by SCC Highways and therefore the proposal is considered to meet Policy
-

SP05 of the Emerging Draft Joint Local Plan – Preferred Options (Reg 18) July 2019 Document although it is noted that at this time this affords limited weight in any respect (Figure 8).

**Policy SP05 – Employment Land**

In order to support and encourage sustainable economic growth and ensure a continuous range and diversity of sites and premises which are fit for purpose are available across the Districts of Babergh and Mid Suffolk through the plan period the following existing strategic employment sites shall be protected and their proposed expansion supported in principle:

- i. **Stowmarket - Charles Industrial Estate, Gipping Valley, Gipping Way Industrial estate, Mill Lane/Gateway14, Tomo Industrial estate**
- ii. **Sudbury – Churchfield Road, Northern Road, Chilton Industrial Estate, Wood Hall Business Park, Delphi Site**
- iii. **Villages around Ipswich**
  - a) **Claydon & Great Blakenham – Claydon Business Park, Addison Way, Bramford Rd/Lodge Lane Industrial Estate, Gipping Road Industrial Estate**
  - b) **Wherstead – Wherstead Business Park**
  - c) **Sproughton – Former Sugar Beet site, Farthing Road Industrial Estate, London Road A1214**
- iv. **Acton – Bull Lane**
- v. **Eye – Eye Airfield**
- vi. **Hadleigh – Lady Lane**
- vii. **Needham Market – Lion Barn**
- viii. **Woolpit – Lady’s Well, Lawn Farm, Brickworks, Woolpit Business Park**

Employment-led regeneration is supported at Brantham and at the Former Sproughton Sugar Beet regeneration sites.

Along the strategic transport corridors (A12, A14 and A140) development of net additional employment sites shall be supported in principle, subject to:

- a. **adequate highway access and off-road parking for its type, mix, use and location; and**

Figure 8. Emerging Draft Joint Local Plan Policy SP05

3.19 Similarly, Local Plan Policy E10 provides that new industrial and employment development will be permitted in the countryside where it can be demonstrated that there is an overriding need and that it will contribute to the local economy and create job opportunities for nearby communities. The proposal will deliver these objectives as it would provide for 137,441 square metres of warehousing/employment space and generate approximately 580 new jobs.

3.20 Local Plan Policy E9 sets out a similar location criteria to the more up to date, and relatively recently adopted, Core Strategy Focused Policy FC3. As with Policy FC3, the proposal is entirely consistent with the requirements of this policy, in that there is an acknowledged need for new employment development as identified in the Grow on Space Supply and Demand Analysis (2019). The site is well located next to an established employment area.

3.21 The Grow on Space Supply and Demand Analysis (2019) demonstrates that there is a pattern of insufficient space across both Mid Suffolk and Babergh, with most new developments coming onto the market being quickly taken up particularly in Ipswich and Bury St Edmunds which offer new and

high quality space where parking and broadband are key. The Grow on Space Supply and Demand Analysis (2019) identifies that the increasing pressure for more housing is shrinking the availability of land for employment spaces as such there is more need for employment land within the district. The proposal offers an additional area of land adjacent to existing employment sites in a key location both along the A14 transport corridor and given its proximity to new housing development situated along the B1113.

- 3.22 The Open for Business Strategy (2018) states that both Babergh and Mid Suffolk are “an attractive business proposition in its own right – including ‘Space to Innovate’ branded Enterprise Zones, Food Enterprise Zones, ‘greater’ Stowmarket and the A14 corridor from the Port of Felixstowe, ‘greater’ Sudbury and South Suffolk area and the Ipswich fringe/A12 gateway. BMS business can and do help to reinforce and grow the regional economy”. Point 6.3 of this document along with the case study on page 29 demonstrates the need for employment land and that there is a need to influence the creation of site-ready development.
  - 3.23 The proposal is also consistent with Local Plan Policy E3, which provides that, throughout the district, warehousing and haulage depots, including proposals for container compounds and handling areas, will be considered on their merits, with particular regard being given to the accessibility of the site to the primary route network. This site has direct, convenient and safe access to the A14. Finally, and in policy terms, the proposal is also consistent with the objectives of Local Plan Policies E4 and E6, in that the development of this site will help consolidate the existing commercial uses which surround it.
  - 3.24 The proposed site is considered to be strategically advantageous given its location within close proximity to junction 52 of the A14 transport corridor and is considered by Planning Officers to be a logical expansion to the existing commercial/logistics site in this location.
  - 3.25 Under the economic aims of Core Strategy policy, the emerging Joint Local Plan and paragraph 82 of the NPPF, the A14 corridor is identified as an area to direct significant employment growth towards given the sustainable and accessible location.
  - 3.26 The Ipswich Economic Area Sector Needs Assessment (2017) demonstrates that the site forms part of the “spill over” for the Ipswich Fringe and is one of the main economic hubs along the A14 corridor within the Mid Suffolk District (Figure 9).
  - 3.27 Manufacturing activity within Mid Suffolk is concentrated in and around the areas of Stowmarket and Great Blakenham / Claydon to the south of the District.
  - 3.28 Many of the Ipswich Economic Area’s existing industrial estates are long established, and much of the space is dated and of secondary quality. To an extent, the availability of space in these locations has historically attracted manufacturing businesses here, albeit they may not represent the ideal location for modern occupiers.
  - 3.29 For larger firms, proximity to the area’s strategic routes (most notably the A14) is key, particularly if they are operating HGV vehicles, and good accessibility is also an important factor for attracting and retaining staff.
  - 3.30 Available space for logistics uses is reported to be in short supply in the current market and this represents a particular ‘pinch point’ in terms of supply. The Ipswich Economic Area Sector Needs Assessment (2017) states that locations which attract the strongest levels of market demand for logistics and transport space extend along the A14 corridor from the Port of Felixstowe to Stowmarket.
-

3.31 As stated in the Ipswich Economic Area Sector Needs Assessment (2017) “Opportunities exist to significantly support the growth of port-based logistics activities in and around the Port of Felixstowe; availability of suitable land in close proximity to the port and the wider A14 corridor will therefore be critical to both support expansion of the Port itself as well as associated distribution centres along the study area’s key transport corridors.” As such this development is ideally located to satisfy this type of demand.

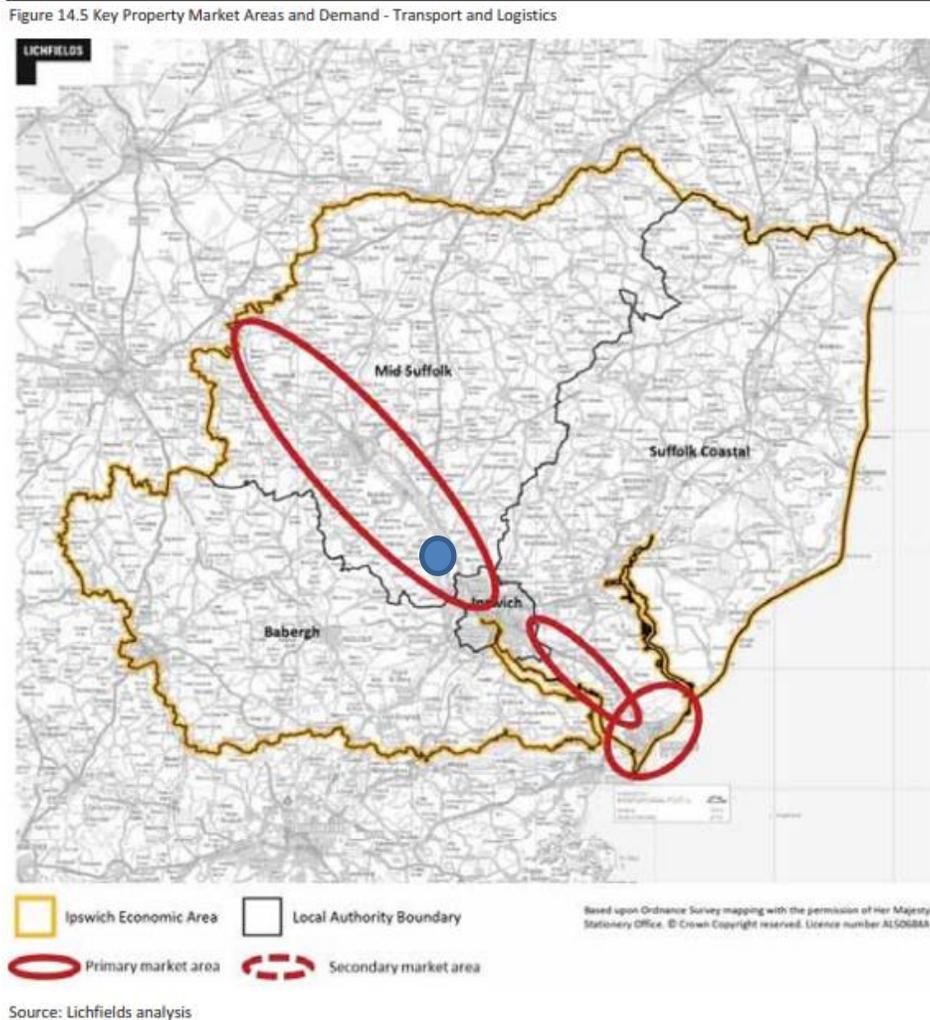


Figure 9 Ipswich Economic Area Sector Needs Assessment Transport and Logistics Corridor

- 3.32 The proposed site, is mostly within land already allocated for development for business/commercial units and benefits from the existing permission which is already underway.
- 3.33 An additional section of the site, again, has had the principle of development established on it by way of the application for the erection of two greenhouses under reference 3655/13 (Figure 11). The area of land which therefore is unallocated is considered to be quite small, in only the southwestern corner of the site and therefore due to its size it’s considered immaterial in terms of the overall impact the proposed larger commercial area would have.



Figure 10 Existing red line site plan approved under /16 and the current proposed red line site plan



Figure 11 Proposed site in context with both approved applications 2351/16 and 3655/13

3.34 As such given the existing extant permissions and area of land already allocated for development together with the strategic location on both the Ipswich Fringe but also the A14 corridor, the additional employment opportunities created and the natural expansion of the existing employment side/area and the considered need for employment sites, the principle of development is considered acceptable when assessed against the aforementioned policies.

#### **4. Nearby Services and Connections Assessment Of Proposal**

- 4.1 The application site is situated outside any settlement boundary however it is well connected due to its proximity to the A14 which provides a dual carriage link direct to Felixstowe which is the largest container port in the United Kingdom (handling over 42% of all the country's containerised trade). It is the sixth busiest port in Europe and the A14 links it directly to the M1, M6, M42 'golden triangle', where many of the main logistic companies in the country are based.
- 4.2 There are existing employment uses to the north and east of the site and this area is considered to be an established employment location, with good access to a large, skilled, workforce living in Stowmarket, Needham Market and the Ipswich Policy Area. There is also the Sroughton Enterprise Park nearby together with SnOasis although this has not yet been developed.

## **5. Site Access, Parking And Highway Safety Considerations**

- 5.1 The application seeks outline planning permission with access to be considered. The access would be off the new junction from the B1113 Bramford Road, Addison Way (in-only) and the new estate road, for which detailed planning permission has already been granted (outline permission 1755/17 and reserved matters approvals DC/19/01827 and DC/01793).
  - 5.2 The approved access from Bramford Road consists of a new priority junction arrangement which only permits left turn in and right turn out movements. The site provides a secondary access from Addison Way allowing cars, vans and emergency vehicles to enter and exit the site in both directions on Bramford Road. The junction geometry has been designed to physically prevent HGV movements to ensure all HGVs enter and exit the site from the A14 direction and the main site access.
  - 5.3 SCC previously advised that there should be no increase in HGV movements on minor roads in the area and that development traffic should be encouraged to use the A14. The approved access has therefore been designed to ban left turn movements from the development northbound on Bramford Road. The B1113 Signal Junction south of the site only permits left turn movements towards the A14. Therefore, any HGV traffic exiting the proposed site will be directed to the A14 Interchange junction to the east. Local car traffic wishing to travel towards Great Blakenham can exit the site via Addison Way and turn left to Bramford Road. Therefore, cars and LGVs can enter and exit the site in both northbound and southbound directions on Bramford Road; allowing freedom of movement for local light traffic.
  - 5.4 The Suffolk County Transport Model (SCTM) has been used to assess the car and HGV traffic distribution to and from the development during the AM and PM peak hours with the Snoasis development traffic flows included in the model. Addison Way/Bramford Road junction, B1113/Bramford Road signal junction and the A14 Claydon Interchange roundabout all operate within capacity. The site access operated above capacity during the peak hour periods therefore there is a proposal to introduce a signalised junction so the junction operates with spare capacity.
  - 5.5 As part of the previously approved development Port One is currently implementing a number of S106 pedestrian / cycle improvements including a 3m shared pedestrian / cycleway along Addison Way between Port One and Bramford Road. The S106 contribution also includes a footway along the western side of Bramford Road between Addison Way and the entrance to Gipping Valley Bowls Club just north of Blue Barn Lane. In addition, a signalised pedestrian crossing is proposed just north of Blue Barn Lane to connect the footway to the recently implemented footway on the eastern side of Bramford Road. The approved site access arrangements also include a footway on the western side of Bramford Road between the site access and Addison Way, including an informal crossing to the north of the site access to the existing footway on the eastern side of Bramford Road. There will be a footway network throughout the Port One site and an off-road shared used pedestrian / cycleway on one side of the main access road from the junction with Bramford Road. All units within the site will be provided with high quality and sustainable access to the surrounding area.
  - 5.6 The proposals will retain the previously approved free minibus service which will be provided by Port One between the hours of 0730-0930 during the AM peak period and 1600-1800 during the PM peak period to improve staff access to public transport facilities and the local area. The timing of the service will be reviewed as part of the Travel Plan and will be adjusted or extended if required to best serve the needs of the site as it is occupied.
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- 5.7 SCC Highways have been consulted and initially requested further clarification and information which was provided by the Agent, as such the Highways Authority have no objection to the proposal given the proposed mitigation and contributions for highway improvements together with appropriate conditions.
- 5.8 Both Planning Officers and the SCC Highways Authority note the request made by the Parish Council with regards to a reduced speed limit from 40mph down to 30mph be introduced along Bramford Road. SCC Highways have consulted the Traffic Management Officer from the Police who have indicated that the existing speed limit, 40mph, is appropriate for the surroundings and the police would not support a lower speed limit here as it is unlikely to be followed without further traffic calming measures being introduced.
- 5.9 It is noted that there are two Public Footpaths within close proximity to the site, one which runs adjacent to the north of the site and along the north of Orion Business Park and one which runs adjacent to the southern boundary of the site. Neither of these Public Footpaths would be affected by the proposed development and no objections have been received by the Public Rights of Way Team.

## **6. Design And Layout [Impact On Street Scene]**

- 6.1 The proposal seeks outline planning permission with access to be considered but all other matters reserved. As such the detailed design and final layout is not up for consideration at this stage however, the submitted plans provide an indication of the possible building heights together with their orientation on the site.
- 6.2 The indicative site plan demonstrates the possible ridge heights of the proposed buildings which are largely set by the prescribed use, the indicative plans demonstrate the proposed buildings to be no higher than 50m ridge height.
- 6.3 Whilst the proposed heights if allowed will be physically prominent within the wider landscape, it is noted that there are a number of taller structures nearby which compromise the wider industrial/commercial area. For instance:-
- to the east of the site is the Great Blakenham Energy from Waste building which has a height of 37.5m with the flue having a height of 81m.
  - the approved development known as SnOasis which is to the northwest of the site will, as presently approved have a ski-run with a height of 94m.
  - the industrial buildings under construction immediately to the north with Phase 1 of the Port One Development have approved heights of 47m.
  - immediately to the south the greenhouses have ridge heights of 11.3m at their highest but a combined approved floor area of 165.52 square metres.
- 6.4 The proposed ridge height of 50.5m is therefore considered, on balance proportionate given the nature of their intended use for distribution and the surrounding built form and proposed future developments.
- 6.5 The proposed development is considered to infill, and round off existing, and committed, employment development and will, as with the existing Park, be contained, and screened, by appropriate landscaping.
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Figure 12. Sketch of the Proposed SnOasis building at 94m high.

## **7. Landscape Impact, Trees, Ecology, Biodiversity And Protected Species**

- 7.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.
  - 7.2 The NPPF provides that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
  - 7.3 The NPPF requires planning authorities, when determining planning applications, to seek the conservation and enhancement of biodiversity by ensuring significant harm resulting from a development is avoided (through locating on an alternative site with less harmful impacts), or where not possible to be adequately mitigated, or, as a last resort, compensated for, and if this cannot be secured then planning permission should be refused.
  - 7.4 The topography of the surrounding area is relatively low-lying with a mixture of industrial, commercial and agricultural uses surrounding the site.
  - 7.5 Whilst the application is outline only with all matters reserved saved for access, an indicative site plan and landscaping plan has been submitted to demonstrate the proposed boundary treatment. The indicative plan demonstrates a number of areas of additional planting and additional screening, this proposed landscaping comprises 3.7 hectares of the site which is equivalent to 46% as a percentage of the area.
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- 7.6 Place Services Landscaping have been consulted and raise no objection to the proposal subject to conditions in relation to planting prior to any works and a landscape management plan. The indicative site plan demonstrates the potential landscaping scheme, it is noted that whilst the scheme includes the removal of trees, sufficient effort has been made to retain trees and remnants of good quality and appropriate replacement planning across the site will be provided to help mitigate landscape and visual impacts.
- 7.7 Place Services Ecology have also been consulted and whilst initially had a holding objection, this has since been removed as the Agent has now submitted appropriate surveys and reports to address the previous concerns raised by Ecology. Place Services Ecology have no objection subject to securing biodiversity mitigation, compensation and enhancements.
- 7.8 The letter from Abrehart Ecology Ltd (24 Sept 2020) relating to the Tree (Bat) Roost Assessment confirms that planned mitigation for the overall phased development includes sensitive lighting along retained and created commuting corridors. This will minimise risk of disturbance to bats roosting within retained trees or commuting across the local landscape from the nearby SSSI at Little Blakenham. Furthermore, bat boxes will be installed on retained trees and a dedicated 'bat house' will be created within wildlife areas. These are proposed to not only offset any loss of roosting opportunities, but to enhance roosting opportunities for bats in the local area – particularly through the increase in hibernating potential.
- 7.9 The further Great Crested Newt (*Triturus cristatus*) Outline Mitigation Strategy (August 2020), demonstrates how mitigation and compensation measures will be delivered for the excellent population of Great Crested Newts contained within the site. Ecology Place Services are therefore satisfied that the LPA will have regard to Conservation of Habitats and Species Regulations 2017 (as amended) when issuing a decision for this European Protected Species, by having certainty that an European Protected Species Mitigation (EPSM) licence will likely be granted for this application. This EPSM Licence will need to be secured as a prior to commencement condition, should Members be minded to approve the application.

## **8. Land Contamination, Flood Risk, Drainage and Waste**

- 8.1 Environmental Health confirm that there is no objection to the proposal in this regard.
- 8.2 SCC Flood & Water Management originally objected to the proposal due to insufficient information however this has been addressed through additional reports and technical notes. It is also noted that the proposal is outline only and therefore the layout, levels, appearance and specific development areas are not fixed by the grant of outline permission. The layout and levels that are put forward will be informed by the drainage FRA/Strategy. As such SCC Flood & Water Management no longer raise an objection subject to condition in relation to surface water drainage strategy.

## **9. Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]**

- 9.1 The proposed development site does not lie within a Special Landscape Area or a Conservation Area and there are no listed buildings nearby. The proposed development would therefore not have any detrimental impact in this regard and is considered acceptable.

## **10. Impact On Residential Amenity**

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- 10.1 The proposed site is situated within an existing industrial/commercial area. The proposed development is not considered to cause a significant detrimental impact on residential amenity.
- 10.2 It is noted that third party representations have been received in relation to the number of vehicle movements and traffic generated as a result of the scheme both during construction and once built. Whilst the proposal will create more vehicle movements and some traffic, this has been mitigated as per SCC Highways recommendations and SCC Highways do not consider there to be a detrimental impact to warrant refusal in relation to highways matters.
- 10.3 The proposal is not considered to cause unacceptable harm to existing neighbouring residential amenity, or to result in unacceptable levels of privacy and amenity to the proposed dwellings as to consider refusal in this respect.

### **11. Planning Obligations / CIL**

- 11.1 A Deed of Variation will be required to link this development to benefits arising from a previous S106 Agreement on the earlier phases of development at Port One and extend them to include additional space within the latest phase.
  - 11.2 All the other infrastructure impacts of the proposal would be subject to funding via CIL, if and where applicable.
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## **PART FOUR – CONCLUSION**

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### **12. Planning Balance and Conclusion**

- 12.1 At the heart of the balancing exercise to be undertaken by decision makers is Section 38(6) of the Planning and Compulsory Purchase Act 2004; which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise. That said Members will now be familiar with the fact that here in Mid Suffolk regard needs to be given to the NPPF because in taking decisions the '*tilted balance*' [paragraph 11[d] NPPF] comes into play because certain of the Council's Development Plan policies relevant to the matter under consideration here have been held to be 'out-of-date'.
  - 12.2 As set out in this report, it is clear that the majority of the site falls within existing allocated land for employment development, and the majority of the site already benefits from permission for commercial use, with only the southwestern corner considered to still be agricultural land with no established principle of development. In terms of the immediate context it is difficult to read the parts of the application that are currently outside of the employment allocation and/or not the subject of existing planning permissions for commercial development as countryside.
  - 12.3 Just to the north is the former quarry that is the subject of the 'SnOasis' proposal which now benefits from a Reserved Matters approval. That vast site will be transformed with a ground-breaking recreational centre which will transform the immediate setting of the application site as it brings significant economic benefits into the District.
  - 12.4 The proposed development would create approximately 580 jobs as well as bring about enhanced highway improvements for the existing commercial units to the north of the site. The local highway authority is satisfied with the proposal and the mitigation measures included and has stated that the
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proposed development accords with paragraph 109 of the NPPF. This must be given significant weight. The site sitting as it does alongside the A14 with an excellent interchange connection is located on the all-important A14 that is set to underpin the Council's economic planning strategy until 2036. Even if the Council's strategy did not identify the A14 corridor as a focus for growth it is inevitable that the market would look for sites such as this because the logistics industry needs sustainable, well located, easily accessible sites such as this in order to thrive.

- 12.5 The fact that the site and its neighbouring business centres sit within close proximity to the A14 which is a major transport corridor means that this site and scheme is at a strategic local advantage that would provide substantial economic benefits within Min Suffolk.
- 12.6 The present covid-19 emergency has transformed how much of business is being conducted particularly in the retail sector. On-line commerce has grown substantially as a result of customers having until recently to 'stay home' and the ability of the logistics industry to adapt to that situation has helped drive that transformation. The Office of National Statistics [ONS] reported that in April 2020 online shopping as a proportion of all retail sales reached a record 30.7%<sup>1</sup>. In July 2020 this percentage remained significant at 28.9%<sup>2</sup>, compared to previous years which have seen online sales be at a steady 18.1%. This trend is likely to continue as people have now adjusted to the process and as working from home becomes a familiar part of working life.
- 12.7 Substantial weight needs to be attributed to the employment generation aspects of this proposal and the jobs it will stimulate particularly as the country emerges from the Coiv-19 emergency. These jobs fall into three main categories:
1. Temporary construction jobs associated with the erection and fitting out of the buildings and site;
  2. New jobs within the businesses that locate onto this part of the business park; and,
  3. Tertiary jobs associated with supporting those businesses. [e.g. local suppliers and services]
- 12.8 Within the context of the NPPF and the presumption in favour of sustainable development it certainly would deliver economic sustainability.
- 12.9 The proposed development would have a number of significant benefits including the delivery of a major quantum of employment land in a sustainable location. The proposed development would be located in an existing industrial/commercial area and would represent a sustainable form of development given the existing surroundings and wider area.
- 12.10 New jobs are likely to open up opportunities for local people which will result in an additional stimulus within the wider local economy if more people have the security of a job and a regular income. As a Local Service Centre Great Blakenham is expected to be the focus of development growth because it offers a sustainable location and a range of existing facilities to support that growth.
- 12.11 A buoyant employment sector will also help to deliver business rates which in turn can be invested in delivering local services thereby supporting communities.
- 12.12 Delivery of these units at the larger unit end of the spectrum will also ensure that facilities are provided within the District that cater for successful businesses that need largescale facilities to

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<sup>1</sup> Office for National Statistics, Retail sales, Great Britain; April 2020 [[www.ons.gov.uk](http://www.ons.gov.uk)]

<sup>2</sup> Office for National Statistics Retail sales, Great Britain: July 2020 [[www.ons.gov.uk](http://www.ons.gov.uk)]

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continue expanding. In this way the Council will be supporting the entire business sector from the smallest start-up units through to grow on space and up to the largest requirements from businesses. Being able to do this is likely to encourage businesses not just to come to Mid Suffolk but also stay in Mid Suffolk as their premises requirements change with success.

- 12.13 The proposed development will also deliver a package of highway improvements that will help to enhance accessibility not just from a vehicular perspective but also a pedestrian and cycle point of view.
- 12.14 Mid Suffolk's 'Open for Business Strategy' and the Council's collaborative approach continues to send a powerful message to the business community and developers of commercial floorspace that Mid Suffolk is a place worth investing in. This is essential if balanced sustainable communities are to evolve. A local economy that is driven by residential development alone will not deliver the life opportunities necessary to create places where people can live and work in a more sustainable way than is associated with high levels of out-commuting for jobs. By reducing the need for long distance commuting the Council will also be supporting greener travel.
- 12.15 The site will be able to accommodate buildings with a significant ridge height that reflect those previously agreed not just on this site but also within the immediate vicinity. At this stage however it is not appropriate to accept illustrative drawing with a notional height of 50m without first being able to assess size scale form and design.
- 12.16 If permission were to be granted there would be a small loss of agricultural land but this would not undermine the strategic aim of retaining good quality farmland. A loss of 3.7ha will not prejudice the structural ability of farmers to maintain production across the District.
- 12.17 It is also noted that whilst some existing habitat will be lost to accommodate this development some 46% of the site will be set aside for new landscaping which will bring about new opportunities to boost biodiversity.
- 12.18 In light of all of the above the proposal is considered to deliver a range and scale of public benefits and so the recommendation is for approval.

## **RECOMMENDATION**

**(1) Subject to the prior completion of a Deed of Variation to link this development to benefits arising from a previous S106 Agreement on the earlier phases of development at Port One and extend them to include additional space within the latest phase to the satisfaction of the Chief Planning Officer**

Then:

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

- Standard time limit
  - Reserved Matters
  - Approved Plans (Plans submitted that form this application)
  - Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
  - Construction Management Statement
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- Phasing of highway improvements to link delivery to completion of a specified number of units or two years from the date of commencement whichever is the earlier [to allow time to better understand and co-ordinate delivery with SnOasis works] and reference to S278.
- Condition stating that whilst layout at RM shall substantially accord with illustrative layout building heights will be a matter for detailed consideration at the time of RM and the reference to 50m ridge height is not approved as part of this outline pp.
- Specify uses approved
- Restrict permitted development and CoU options
- Once approved no mezzanine floors to be created within voidspace unless the subject of a fresh pp. {to ensure parking and servicing is delivered to match the intensification of use}
- No outside storage
- All external Lighting to be subject to submission of details
- Landscaping details and management plan
- Means of enclosure
- Waste collection details
- Hours of operation – Plot 9
- Construction hours
- Details including all external plant. Extracts, chimneys, exhaust ducting, fuel tanks, silos, apparatus and other such equipment to be provided at RM and no other shall be implemented without the written approval of the lpa
- EV charging points
- Showers and cycle parking
- Travel plan
- Swift boxes installation scheme to be agreed
- Hedgehog fencing scheme to be agreed
- SuDs conditions
- Energy and renewable integration scheme to be agreed
- Rainwater harvesting to be agreed
- Construction Management Plan to be agreed.

**(3) And the following informative notes as summarised and those as may be deemed necessary:**

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles

**(4) That in the event of the Deed of Variation referred to in Resolution (1) above not being secured and/or not secured within 6 months the Chief Planning Officer be authorised to refuse the application on appropriate ground**