

Committee Report

Item 7B

Reference: DC/21/02067

Case Officer: Katherine Hale

Ward: Blakenham.

Ward Member/s: Cllr John Field.

RECOMMENDATION – APPROVE RESERVED MATTERS WITH CONDITIONS

Description of Development

Submission of details (Reserved Matters) following Permission DC/20/03891 dated 17/02/2021 - Appearance, Landscaping, Layout and Scale for Construction of Phase 3 / Unit 3 Class B8 Warehouse building including ancillary office space, with car parking and loading / unloading areas, boundary landscaping and continuation of estate road

Location

Land at Blackacre Hill, Bramford Road, Great Blakenham, Suffolk

Expiry Date: 13/07/2021

Application Type: RES - Reserved Matters

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

Applicant: Curzon de Vere

Agent: The JTS Partnership LLP

Parish: Great Blakenham

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

It is a “Major” application for: industrial floorspace in excess of 3,750 sq metres.

PART TWO – POLICIES AND CONSULTATION SUMMARY

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

NPPF - National Planning Policy Framework

Adopted Mid Suffolk Core Strategy (2008)

- 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)

- FC01 - Presumption In Favour Of Sustainable Development
- FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
- FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
- FC03 - Supply Of Employment Land

Adopted Mid Suffolk Local Plan (1998)

- 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 - Re-use and adaption of agricultural and other rural buildings
- 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)

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.

Members are reminded however that this is a Reserved Matters application and therefore the policies in the Adopted Development Plan that deal with the principle of development and its location are less relevant to the consideration of the proposal.

Draft Joint Local Plan Submission Document. 2021 [Reg 22]

Policy SP09 – Enhancement and Management of the Environment

Policy SP10 – Climate Change

Policy LP12 - Employment Development

Policy LP17 - Environmental Protection

Policy LP19 – Landscape

Policy LP25 - Sustainable Construction and Design

Policy LP26 - Design and Residential Amenity

Policy LP27 - Energy Sources, Storage and Distribution

Policy LP28– Water resources and infrastructure

Now that the Draft Joint Local Plan has reached Reg 22 stage (Submission) it begins to carry some weight as a material planning consideration. In part that weight depends upon the nature of and degree of conflict over issues that are to be explored at the Examination.

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
- 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 within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:

Stage 2: Preparing a draft neighbourhood plan

Accordingly, the Neighbourhood Plan has little to no weight at this time.

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

“At the May meeting of the Council, Councillors unanimously agreed that they had no objections to this application. However, they are concerned that the external cladding of the new buildings should be installed 'the right way up' i.e. with the lighter area of cladding at the top of the buildings against the skyline, rather than at the bottom as is the case with the first building on the site. This has the light cladding at the bottom and the dark cladding at the top, resulting in the building becoming more, rather than less, dominant in the landscape. Numerous residents have queried this and complained about it.”

Officer comment: *The support of the Parish Council is noted. Whilst it is possible through the addition of a suitable condition to ensure that the horizontal bands of cladding colours follow the format of the darkest layer being at the bottom and the lightest layer being at the top this would conflict with the rationale behind the 'reversed' colour patterning – that being having the darker bands towards the top provides a sympathetic colour match to the band of trees [plantation] that run along the crest of the slope rather than the sky.*

The applicant has provided cross sections of the site and Officers now consider that, in this instance, the previous rationale no longer remains valid. The cross sections suggest that from Bramford Road the backdrop would be Unit 4 and the sky, as such the colour of the cladding would be best with dark at the bottom and light at the top as set out by the Parish Council, this can be secured by condition.

National Consultee (Appendix 4)

Highways England

“Referring to the planning application referenced above, dated 19 April 2021. Application Submitting of details (reserved Matters) following permission DC/20/03891 dated 17/02/2021 Appearance, Landscaping, layout and scale for construction of phase 3 Unit 3 Class B8 warehouse including ancillary office space with carparking and loading unloading areas, boundary landscaping and continuation of estate road. Land at Blackacre Hill, Bamford Road Great Blakenham Suffolk. Notice is hereby given that Highways England’s formal recommendation is that we:

a) offer no objection;

Highways Act Section 175B is not relevant to this application.”

Historic England

“Thank you for your letter dated 19th April 2021 regarding the above application. On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions, details of which are attached. If you consider that this application does fall within one of the relevant categories, or you have other reasons for seeking our advice, please contact us to discuss your request.”

Natural England

“No comments”

County Council Responses (Appendix 5)

SCC Archaeology

“We have looked at this proposal. In our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.”

SCC Contributions

“I refer to the proposal: Submission of details (Reserved Matters) following Permission DC/20/03891 dated 17/02/2021 - Appearance, Landscaping, Layout and Scale for Construction of Phase 3 / Unit 3 Class B8 Warehouse building including ancillary office space, with car parking and loading / unloading areas, boundary landscaping and continuation of estate road The outline planning application under reference DC/20/03891 has a S106A which SCC is a party to. The planning obligations previously secured under the first planning permission must be retained in respect of this application if Mid Suffolk District Council make a resolution to approve I have copied to county council colleagues who deal with highways, flood planning and archaeological matters.”

SCC Flood and Water Management

“I have reviewed the following documents and a holding objection is required:

- 2152-DE-10-003 section
- 2152 DE 30-001 elevation
- 2152 DE 20-001 general arrangement
- 2152 DE 20-001
- 2152 DE 10-005 site location
- 2152 DE 10-002 site location
- 2152 DE 10-001 overall site location

A holding objection is necessary because the submission does not demonstrate there is sufficient space in appropriate locations for a drainage system that meets national and local 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 No drainage information is included with this application.

We have also raised a standing objection to application DC/21/02011 which included drainage proposals together with more detailed comments (attached) Drainage needs to be shown on the submitted plans. The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required in order to overcome the objection(s). This Holding Objection will remain the LLFA's formal position until the local planning authority (LPA) is advised to the contrary. If the LLFA position remains as a Holding Objection at the point the LPA wishes to determine the application, the LPA should treat the Holding Objection as a Formal Objection and recommendation for Refusal to the proposed development. The LPA should provide at least 2 weeks prior notice of the publication of the committee report so that the LLFA can review matters and provide suggested planning conditions, even if the LLFA position is a Formal Objection."

Officer comment: *The application before Members is reserved matters for Phase 3/Unit 3 within the wider context of the Port One Logistics Park. Whilst SCC Floods concerns are noted there is sufficient space within the wider site, owned by the applicant to accommodate the appropriate drainage basins and necessary surface water drainage. This has previously been conditioned (Condition 6) of approval DC/20/03891 which is being discharged under DC/21/02010.*

Members are advised that a suitable condition for this reserved matters application would ensure than the drainage is resolved prior to commencement of Phase 3. Members will be reminded of the wider drainage strategy as part of the officer presentation at the meeting because it was an issue that was explored at the meeting that considered the merits of the outline application.

SCC Highways

"Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

Parking Condition: The use shall not commence until the area(s) within the site shown on Drawing No. 2152-DE-10-002E for the purposes of manoeuvring and parking of vehicles and electric vehicle charging points has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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

Cycle Condition: The areas to be provided for secure covered storage cycle parking as shown on Drawing No. 2152-DE-10-002E shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that the provision for cycle parking is provided in line with sustainable transport policies."

SCC Fire and Rescue

"Thank you for your letter regarding the consultation of planning application DC/21/02067 (originally 2351/16) which the Suffolk Fire & Rescue Service did comment on, requesting Fire Hydrants. We note that the original letter was published but we are unable to find the Condition this relates to. If this has been

missed, please include the Condition for planning application DC/21/02067. If you have any queries, please let us know.”

Internal Consultee Responses (Appendix 6)

Heritage Team

“I do not wish to offer comment on behalf of Heritage team on this application.”

Place Services Ecology

“We have reassessed the Protected Species Survey Report (Abrehart Ecology Ltd May 2016), submitted by the applicant at outline stage, relating to the likely impacts of the development upon designated sites, protected and Priority species & habitats.

Furthermore, the following documents were reviewed as part of this application:

- Site Plan (Dwg ref: 2152 DE 10-002 Rev.E)
- Overall Site/Location Plan (Dwg ref: 2152 DE 10-002 Rev.F)
- Site Section A-A (Dwg ref: 2152 DE 10-003 Rev.A)

We note that no specific details of the soft landscaping have been provided to support this application, in line with the requirements of condition 34 of the outline decision. Therefore, it is recommended that an appropriate soft landscape scheme should be provided to support this application. This should include correspondence with the applicant’s ecologist to demonstrate how biodiversity net gains can be achieved for this scheme. This could include the provision of native tree species and flowering lawns / meadows mixtures. The soft landscape measures should then be managed via a Landscape and Ecological Management Plan, which could be secured via a condition of any consent prior to first use or occupation.

The Landscape and Ecological Management Plan should include bespoke enhancement measures for protected and Priority Species. This could include a range of bat and bird boxes and log piles for invertebrates, reptiles and amphibians to be incorporated within the soft landscaping of the site. Alternatively, this could be secured via a separate Biodiversity Enhancement Strategy, which is delivered by a suitably qualified ecologist prior to first use or occupation. Furthermore, A wildlife friendly lighting scheme must also be provided prior to occupation for this development, as required under condition 8 of the outline consent. This should follow ILP Guidance¹ and a professional ecologist should be consulted to advise the lighting strategy for this scheme.

In addition, the following measures should preferably be indicated to avoid impacts to foraging and commuting bats:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Environmentally Sensitive Zones should be established within the development, where lighting could potentially impact important foraging and commuting routes for bats.
- Lux levels and horizontal lighting should be directed away from boundary edges and Environmentally Sensitive Zones and kept as low as possible.

This should preferably demonstrate that the boundary features and Environmentally Sensitive Zones are not exposed to lighting levels of approximately 1 lux. This is necessary to ensure that light sensitive bat species, will not be affected by the development.

- Warm White lights should be used preferably at 2700k – 3000k within Environmentally Sensitive Zones. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- Light columns should be as short as possible as light at a low level reduces the ecological impact.

- The use of cowls, hoods, reflector skirts or shields could be used to prevent horizontal spill in Environmentally Sensitive Zones. The proposal will be acceptable subject to the conditions below based on BS42020:2013. Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended Conditions

PRIOR TO FIRST USE OR OCCUPATION: 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 to first use or occupation of the development. 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 longterm 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)

PRIOR TO FIRST USE OR OCCUPATION: BIODIVERSITY ENHANCEMENT STRATEGY “A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following: a) Purpose and conservation objectives for the proposed enhancement measures; b) detailed designs to achieve stated objectives; c) locations of proposed enhancement measures by appropriate maps and plans; d) persons responsible for implementing the enhancement measures; e) details of initial aftercare and long-term maintenance (where relevant). The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”

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

Officer comment: *The application before Members is reserved matters for Phase 3/Unit 3 within the wider context of the Port One Logistics Park. These two ecology conditions have already been secured on the wider site area under DC/20/03891.*

Environmental Health – Sustainability

“Many thanks for your request to comment on the Sustainability/Climate Change mitigation aspects of this proposal. I have already commented in relation to Condition 13 (Sustainability) of the original application and have no further comments to make.”

Place Services Landscape

“Following our review and assessment of the above documents, we would advise the following recommendations are taken into consideration prior to determination:

- Proposed trees should ideally be a minimum of 10-12cm girth and should be managed and maintained, for a minimum of 5 years.
- Where large areas of dense planting are proposed, such as site boundaries, we would advise that rabbit-proof mesh fencing/netting is used around the planting area, rather than individual shrub shelter guards.
- Any grass areas should be established as flowering lawn rather than amenity grass. Flowering lawns provide visual interest, improve biodiversity value, establish quickly and are easy to maintain long-term.
- Radius kerbs to HGV turning areas should be raised to avoid wheels running over onto 'soft areas' and carparking bays should also be recessed to provide protection from large manoeuvring vehicles.
- Provision of outdoor areas for staff breaks and a smoking area away from the main building should be considered.

If minded for approval we would also suggest the following conditions be applied.

Submission of Landscaping Details

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site. Any scheme of landscaping details shall show the existing trees, shrubs, and hedgerows on the site where to be retained and shall include details of:

- A specification of soft landscape works, include a schedule of species, size, density and spacing of all trees, shrubs and hedgerows to be planted.
- areas to be grass seeded or turfed, including cultivation and other operations associated with plant and grass establishment.
- paved or otherwise hard surfaced areas including the extent and specification for footways and kerbing, together with the type and specification of all permeable paving and asphalt surfaces.
- existing and finished levels shown as contours with cross-sections, if appropriate.
- All means of enclosure and all boundary treatments
- Details relating to the protection and enhancement of the existing hedgerow forming the east boundary of the site and its ongoing management over the lifetime of the proposed use.

Such details as may be agreed, shall be implemented in their entirety during the first planting season (October to March inclusive) following approval, or in any other such phased arrangement as may be agreed in writing by the Local Planning Authority. Any tree, shrub or hedge plant (including replacement plants) removed, uprooted, destroyed, or be caused to die, or become seriously damaged or defective, within five years of planting, shall be replaced by the developer(s) or their successors in title, with species of the same type, size and in an agreed location, in the first available planting season following removal. REASON: To ensure adequate control over design and to ensure a satisfactory appearance in the interests of visual amenity in compliance with policy CS5 of the Mid Suffolk Local Plan.

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 5 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 (i.e. street furniture).

REASON: To ensure a satisfactory appearance in the interests of visual amenity in compliance with Policy CS5 of the Mid Suffolk Local Plan.”

Environmental Health – Air Quality

“Many thanks for your request for comments in relation to the above submission. I can confirm that I have no comments relating to local air quality management.”

Environmental Health – Land Contamination

“Many thanks for your request for comments in relation to the above submission. I can confirm that I have no comments to make with respect to Land Contamination.”

Environmental Health – Noise/Odour/Light/Smoke

“Thank you for re consulting me on this application following my conversation with the acoustic consultant Mr King and the submission of the noise impact assessment, Ref: R2(final)-21.5.21-Unit 3 Port One 2019420-GJK I have the following comments to make.

The report indicates that the representative background noise levels are:

Daytime 50dBA
Evening 42dBA
Night time 38dBA

Taking this into account I would recommend the following condition for plant rating levels.

The rating level of sound emitted from any fixed plant and/or machinery associated with the development hereby approved shall not exceed background sound levels determined by the report submitted to support this application, to be : Daytime 50dBA, Evening 42dBA, Night time 38dBA. This shall be taken as a 15 minute LAeq at the nearest noise sensitive premises.

All measurements shall be made in accordance with the methodology of BS4142 (2014) (Methods for rating and assessing industrial and commercial sound) and/or its subsequent amendments. Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Despite the results of the assessment for the external activity noise there is still some residual concerns about the potential for beeper style reversing alarms to cause sleep disturbance overnight. This is primarily due to the nature of the noise as well as its overall volume. These reversing alarms emit a 1000Hz tone impulsively. The tone is designed at this frequency because it is the optimal human hearing frequency and as such designed to catch attention in a busy working area.

The report R2(final)-21.5.21-Unit 3 Port One Blakenham-2019420-GJK, makes some acknowledgement in section 4.18 to this.

I would therefore request that the following is added as a condition to any permissions granted:

Prior to the first occupation/use of the development hereby permitted a detailed noise management plan shall be submitted to the local planning authority for approval. The noise management plan shall include consideration to all loading and unloading operations and the management of audible proximity/reversing alarms.”

MSDC Waste Services

“Thank you for your email re-consultation on the reserved matters application DC/21/02067. Waste services do not have no objection to this application.”

B: Representations

At the time of writing this report no letters/emails/online comments have been received. A verbal update shall be provided as necessary.

(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

REF: DC/21/02697	Full Planning Application - Extension of estate road and construction of part of carpark and service yard, with related landscaping to service unit 3.	DECISION: PCO
REF: DC/20/01175	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	DECISION: GTD 15.04.2021
REF: DC/20/03891	Application under Section 73 of the Town and Country Planning Act relating to Planning Permission 2351/16 previously varied by 1755/17 for the variation of Conditions 20 (Proposed access road details) and 26 (Off road cycle route improvements)	DECISION: GTD 17.02.2021
REF: DC/19/01793	Submission of details under Outline Planning Permission 2351/16 (Varied by Section 73 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.	DECISION: GTD 23.10.2019
REF: 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	DECISION: GTD 10.07.2019
REF: 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	DECISION: GTD 29.10.2018

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

REF: 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.

DECISION:
GTD
17.11.2016

PART THREE – ASSESSMENT OF APPLICATION

1.0 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.
- 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.
- 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 the drainage lagoon; and
 - Phase 4 – Plot 4 (refs DC/19/01827 (DoC) and DC/19/01793) 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. Accordingly, work commenced on-site at the end of 2019.

- 1.5 Subsequent submission of details for Phase 4 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 respectively.
- 1.6 In February 2021 an additional Section 73 application was approved to vary Conditions 20 (Proposed access road details) and Condition 26 (Off road cycle route improvements).
- 1.7 The current application before Members represents Phase 3 of the original site which was granted under 2351/16 and subsequent 1755/17.

2.0 The Proposal

- 2.1 The proposal seeks approval of reserved matters which includes the appearance, landscaping, layout and scale for Phase 3 (Unit 3) following permission DC/20/03891 dated 17/02/2021 (Section 73) and the original outline permission 2351/16)
- 2.2 Phase 3 would see the erection of a warehouse building (Use Class B8) including ancillary office space with car parking and loading / unloading areas, boundary landscaping and continuation of estate road.
- 2.3 Unit 3 is mainly located within the site covered by outline planning permission DC/20/03891. A small part, however, comprising an extension of the existing estate road and parts of the car park and service yard, lies within that area covered by DC/20/01175.
- 2.4 Illustrative drawing 2152 DE 10-004B below shows the areas covered by the two consents (DC/20/03891 edged in green and DC/20/01175 in orange). There is an overlap in the western part of the site.
- 2.5 Unit 3 would provide 27,665 square metres of logistic warehouse with a ridge height of 19m above the finished ground floor level. The topography of the land is such that it rises from the road and therefore Unit 3 would appear part way down this sloping land. The proposed Unit 3 would sit lower than the existing Unit 4 which would forms the current backdrop to this proposed development as Unit 4 which has already been built out sites on higher ground beyond the proposed Unit 3.



Figure 1: Plan showing the position of Unit 3 and Unit 4 and the area covered by the two planning consent

3.0 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 by the planning permission granted under application reference 2351/16, the subsequent Section 73 which varied the original scheme under reference 1755/17, the reserved matters applications (DC/19/01827 and DC/01793) and the most recent Section 73 (under reference DC/20/03891) which varied Conditions 20 and 26 of the original scheme under reference 1755/17.

3.4 In addition, the site lies within the emerging Joint Local Plan as a site allocated for employment, as such the principle is considered acceptable in this regard and conforms with Policy SP05.

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**

4.0 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. Policy SP05 in the Emerging Joint Local Plan supports and encourages sustainable economic growth as well as the protection and proposed expansion in principle of a number of existing sites such as this within Great Blakenham.
- 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 Sproughton Enterprise Park nearby together with SnOasis although this has not yet been developed.

5.0 Site Access, Parking And Highway Safety Considerations (Access is not a Reserved Matter)

- 5.1 The site access would be off Bramford Road/Addison Way and has already been previously approved under the outline planning permission 2351/16 (subsequently varied by Section 73 permission 1755/17).
- 5.2 Furthermore, all issues in relation to the safety of the proposed access were considered at the time the discharge of condition application was assessed by the Council (ref. DC/18/01897).
- 5.3 SCC Highways have been consulted and have no objection to the proposal subject to conditions in relation to parking and securing covered storage cycle parking areas.
- 5.4 Members are reminded that all the proposed works relating to the existing and new junctions on the wider site have already been agreed and that the junction delivery is secured by way of existing conditions and S106 Agreement on the existing schemes that have previously been before Members last year. The access has already been agreed and is to 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).
- 5.5 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. HGV access is to be restricted between the early phase of the development and the new access via Addison Way.
- 5.6 The junction geometry has been designed to physically prevent HGV movements in certain directions to ensure all HGVs enter and exit the site from the A14 direction and the main site access.
- 5.7 As per the recent approval DC/20/03891 the proposed works relating to the existing and new junctions on the wider site have a trigger to bring forwards the previously approved access either within 12 months of occupation of the first unit, or, if earlier, before the occupation of the third unit. The first unit was occupied in December and therefore the timeframe for this trigger has already begun and the works shall need to be carried out by the end of 2021.
- 5.8 Members will have noted from the 'Planning History' section of this report that there is a currently undetermined full planning application (reference DC/21/0297) that relates to the site.
- 5.9 This application is for "Extension of estate road and construction of part of car park and service yard, with related landscaping to service unit 3"
- 5.10 Members may recall that the outline planning application reference DC/19/01827 approved 10 July 2019 provided for an estate road to the north of what is now described in the Reserved Matters application as Unit 3. The Reserved Matters submission presently before Members relates to an earlier outline planning permission that preceded the later approval.
- 5.11 The applicant has submitted a full application for the estate road connection to the south as this is the preferred point of entry and one that is supported by both the local highway authority and planning officers. Approval of the estate road connection is expected to be a formality under delegated authority as it will be consistent with DC/20/03891 and DC/20/01175.
- 5.12 Members will note that the recommended conditions include a restriction on Unit 3 coming into beneficial use until such time as the estate road connection described in DC/21/02697 has been approved and provided.

5.13 The short section of link estate road in question is shown below:

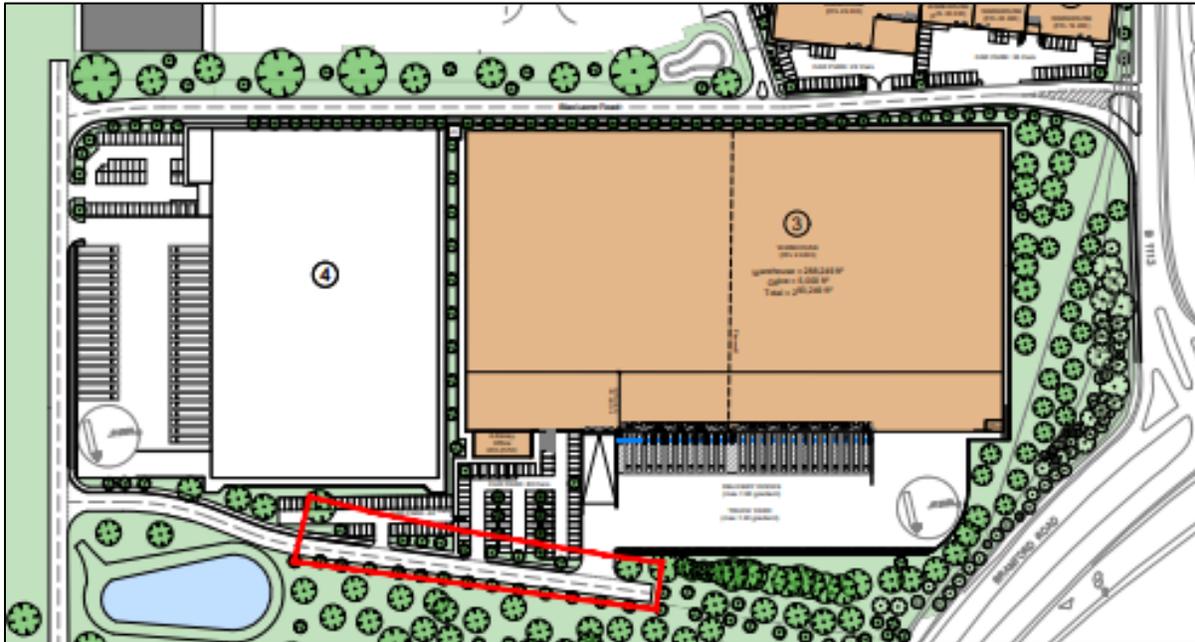


Figure 2. The estate road connection under reference DC/21/02697

6.0 Design And Layout [Impact On Street Scene]

- 6.1 Unit 3 would have a floor space of 27,665 square metres and would be situated towards the entrance of the Port One logistics site. The Unit will front the new internal estate road (known as Blackacre Road) with the office, service yard and car park to the rear (south).
- 6.2 The proposed siting, layout and design of Unit 3 closely follows the indicative detail which has considered by Committee at the initial outline stage. The proposed design of Unit 3 also closely follows that of the existing built out warehouses and other approved Phases within the wider site.
- 6.3 The proposed ridge height for Unit 3 would be 19m above the finished floor level. Due to the existing topography of the site whilst Unit 3 will sit closer to the road (Bramford Road) the Unit will appear to sit lower than Unit 4. The proposed Unit 3 will sit 8.76m lower than that of the built out Unit 4.
- 6.4 The design, materials and appearance of the building 'mirror' that of Unit 4 and are consistent with the key design approach agreed with the Council, which is to develop a family of warehouse buildings on the Park that are clad in materials that are lighter at the bottom and are darker at the top. This was previously agreed and considered appropriate as it was considered that the buildings would not be seen against the sky but against the tree belts that border the site on higher ground to the west and north.
- 6.5 However, given the location of Phase 3/Unit 3 which is situated both lower down and also closer to Bramford Road, this is approach is not considered appropriate for this Unit. Instead it is suggested that the cladding should be in reverse with the darker at the bottom and lighter at the top. This can be secured by way of condition.

7.0 Commentary On Outline Conditions

- 7.1 Members are reminded that this application before them is for the Reserved Matters of Phase 3/Unit 3 and a number of other aspects of the development have previously been agreed and secured by condition relating to either DC/20/03891 or DC/20/01175 and are required to be discharged accordingly.
- 7.2 In addition a S106 and Deed of Variation also secure a number of obligations for the wider site under either DC/20/03891 or DC/20/01175.

8.0 Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

- 8.1 The proposal would include a small buffer of landscaped area which would include new tree planting along the eastern edge.
- 8.2 Within the wider site and surrounding area there is to be additional tree planting and landscaping to ensure that the whole site is suitably screened and the overall development, as a whole, is softened.
- 8.3 Place Services Landscaping have been consulted and raise no objection to the proposal subject to conditions in relation to planting and a landscape management plan.
- 8.4 Place Services Ecology have no objection subject to securing biodiversity mitigation, compensation and enhancements.

9.0 Land Contamination, Flood Risk, Drainage and Waste

- 9.1 Environmental Health confirm that there is no objection to the proposal in this regard.
- 9.2 SCC Flood & Water Management currently object to the application as it is considered that there is insufficient space within the red line site plan to accommodate the necessary drainage. Whilst these concerns are noted, this Phase 3 is being brought about in conjunction with the development of the wider site (DC/20/03891) and also the further extended site to the south (DC/20/01175).
- 9.3 However, drainage issues are not material to this reserved matters application, which solely concerns the siting, layout, appearance and landscaping of Phase 3/Unit 3. The drainage for the whole site is subject to a separate condition (Condition 6), in respect of which details have already been submitted under Discharge of Condition reference DC/21/02011.
- 9.4 Phase 3/Unit 3 is being brought forward under outline planning permission DC/20/03891. Within the site covered by this existing consent, there is ample space to accommodate the required drainage system(s) for all phases of the development and as mentioned above this is being dealt with under the appropriate condition for the approved permission DC/20/03891.
- 9.5 It is suggested that should Members be minded to approve this reserved matters application then a condition should be included as part of the decision to ensure that the drainage currently dealt with under Condition 6 of DC/20/03891 needs to be agreed prior to the commencement of works of Phase 3.

10.0 Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

- 10.1 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.

11.0 Impact On Residential Amenity

- 11.1 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.
- 11.2 It is noted that Environmental Health – Noise/Odour/Smoke initially raised concerns with the proposal and requested a Noise Impact Assessment given the proximity to existing residential dwellings.
- 11.3 Subsequently a Noise Impact Assessment has been submitted and Environmental Health – Noise/Odour/Smoke accept the findings within the report and recommend conditions relating to plant rating levels and that a noise management plan is submitted in order to address any residual concerns over the external activity noise identified within the Noise Impact Assessment.
- 11.4 In addition, the existing extant outline permission DC/20/01175 which sees the extension of the site and the erection of a number of Units which would sit closer to residential dwellings, the impact from this proposed Unit 3 is not considered to have a significant detrimental impact in this instance.
- 11.5 The proposal would not have a significant adverse impact on residential amenity of any nearby neighbours. The proposal would not affect the privacy of the nearby properties nor their visual amenity. The proposal is acceptable in this regard.

12.0 Planning Obligations / CIL

- 12.1 Whilst the Reserved Matters for Unit 3 does not bring about any new planning obligations, the wider site area benefits from an existing agreed S106 and appropriate Deed of Variation which secures a number of benefits such as the shuttle mini-bus, junction improvements and pedestrian/cycle improvements.
- 12.2 All the other infrastructure impacts of the proposal would be subject to funding via CIL, if and where applicable.
- 12.3 This Reserved Matters application does not generate the requirement for a new S106 Agreement or a further Deed of Variation because the obligations which have been secured under outline planning permission (DC/20/01175 and 2351/16) and the subsequent Section 73 (DC/20/03891) permission are not altered by the approval of this Reserved Matters application.

13.0 Parish Council Comments

- 13.1 The Parish Council comments are noted in relation to the proposed colour of the Unit however the design approach in terms of the colour palette and the way that this fades has previously been agreed so as the top of the buildings will not be seen against the sky but against the tree belts that border the site on higher ground to the west and north. The design solution is, therefore, that the top of the buildings should fade out against the dark background of trees. If the colour grading was reversed, the lighter top part would stand out against the trees.

- 13.2 As set out above, it is considered appropriate that the colour grading for Unit 3 be reversed, this is to be secured by way of condition.

PART FOUR – CONCLUSION

14.0 Planning Balance and Conclusion

- 14.1 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'.
- 14.2 The principle of development has already been established by the existing extant outline and Section 73 consents and therefore this application is made for the reserved matters of Phase 3/Unit 3.
- 14.3 The proposal is considered to conform to both Local and National policy and would generate approximately 250 jobs. The Council is of the understanding that the applicant already has a tenant lined up for the Unit which would subsequently pave the way for the next stage of expansion of Port One. The Council seeks to support appropriately located sustainable employment opportunities creating development in suitable locations, particularly within close proximity to the A14 trunk road.
- 14.4 The proposal is not considered to cause any harm to designated heritage assets, residential amenity, ecology or the landscape and character of the surrounding area.
- 14.5 The design complements the established character of the Port One development and can be seen as a cohesive part of the overall modern functional approach to providing warehouse style units.
- 14.6 The wider site is going to be well landscaped and this will soften the overall impact of the built form from public views but Port One is what it is – a major warehouse style complex close to the A14 in line with the Council's emerging policy SP05 to direct growth towards the A14 corridor.
- 14.7 On this basis, the proposal is considered to satisfactorily achieve a well-designed sympathetic unit with the design in line to the previously approved and built out units on the site and those within the wider area.
- 14.8 It is therefore considered appropriate in planning terms.

RECOMMENDATION

That the Reserved Matters details be APPROVED with conditions:-

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

- Standard time limit (3yrs for implementation of scheme)
- Approved Plans (Plans submitted that form this application) except notwithstanding the detail of external cladding colours and pattern shown on the submitted and approved drawings this reserved matter approval specifically excludes approval for cladding panels that have horizontal bands that run from light colours at the bottom to dark colours at the top. The Council requires the pattern of colour bands to be reversed so that the top of the building has the lightest panels as the building will be seen against the sky from key public vantage points
- Construction Plan to be agreed.
- Level access to enable wheelchair access for all buildings.
- No occupation before approved drainage provided
- Environmental Health (Noise) conditions
- Estate road provision – the hereby approved Unit 3 shall not be brought into beneficial use until the estate road access within DC/21/02691 has been approved and subsequently provided.

(2) 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