

## **Committee Report**

**Item 6E**

**Reference:** DC/21/02577

**Case Officer:** Katherine Hale

**Ward:** Hadleigh South.

**Ward Member/s:** Cllr Kathryn Grandon. Cllr Mick Fraser.

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

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### **Description of Development**

Planning Application - Siting 3 No Storage Containers (following demolition of an existing building).

### **Location**

Calais Street Depot, Pykenham Way, Hadleigh, Suffolk IP7 5ER

**Expiry Date:** 19/07/2021

**Application Type:** FUL - Full Planning Application

**Development Type:** Minor All Other

**Applicant:** Mr John Buckingham On Behalf Of BMS Public Realm Team

**Agent:**

**Parish:** Hadleigh

**Site Area:** 0.076 hectares

**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:** Informal advice with regards to the demolition of the existing building was given in order to ascertain whether it was permitted development or required planning permission.

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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:

- The District Council is the owner of the site
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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

The Adopted Development Plan for Babergh District Council comprises the Babergh Local Plan [alteration no2] 2006 Witten Statement with associated Proposals Maps and Babergh Core Strategy 2014.

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

#### **Babergh Local Plan (Alteration No.2) 2006**

CN01 - Design Standards

CN08 - Development in/near conservation areas

#### **Babergh Core Strategy 2014**

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh

CS06 - Hadleigh

CS12 - Design and Construction Standards

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

Policy LP26 - Design and Residential Amenity

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) 2021 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 15: Conserving and Enhancing the Natural Environment

### **Neighbourhood Plan Status**

This application site is within a Neighbourhood Plan Area.

The Hadleigh Neighbourhood Plan is however at a very early stage with little progress since Area Designation in 2015. There appears to have been little consultation and there is currently no draft plan. There is therefore nothing of relevance or of any weight in respect of the determination of the application currently before Members

## **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**

##### **Hadleigh Town Council**

“The Planning Advisory Committee met on 8<sup>th</sup> June 2021 and agreed to support this application.”

#### **National Consultee**

None

#### **County Council Responses**

##### **SCC Fire and Rescue Service**

“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), 2019 Edition, 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, 2019 Edition.

Water Supplies

No additional water supply for fire-fighting purposes is required in respect of this planning application.”

#### **Internal Consultee Responses**

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

“Environmental Protection have no objections in principle to the application. I note this is to replace a dilapidated building which is not currently suitable for storage. The containers would be within 10 metres of the nearest property boundary and therefore there is some potential for loss of amenity, particularly if the improved facilities afforded by the container would result in an intensity of use.

The proposed containers would store items which are used on a regular basis and given that they will be located in close proximity to housing I would suggest it would be advisable to limit the hours of operation by means of condition in terms of minimising noise from the opening and closing of metal doors, vehicular movements and general activity. This could be done by negotiation with the applicant but I would strongly advise that operation should start no earlier than 07.00hrs.

I understand that welfare facilities will be included and that this will be connected to the existing drainage arrangements – it is unclear whether this refers to a mains sewerage connection and I would recommend that this matter be clarified.

Finally I would suggest that a condition be attached to any permission to the effect that no external lighting shall be installed until such time as full details, to include type of luminaires, hours of operation, locations and angling points are submitted to the LPA in order to protect residential amenity.”

## **B: Representations**

At the time of writing this report at least 2 letters/emails/online comments have been received. It is the officer opinion that this represents 2 objections. A verbal update shall be provided as necessary.

Views are summarised below:-

- Loss of privacy
- Inappropriate location for commercial development
- Highway safety (including access, parking, traffic issues etc)
- Noise impact
- Drainage issues
- Storage of hazardous materials
- Containers to be painted
- Containers in an inappropriate position

(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:** B/1046/81/FUL      Use of land as a Council store, the **DECISION:** GRA  
construction of a workshop and the formation      19.02.1982  
of a vehicular access.

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

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### **1.0 The Site and Surroundings**

- 1.1. Calais Street Depot is located within the centre of Hadleigh off Pykenham Way. There are residential dwellings to the north, east and south-west and a playground to the south. There is currently a modest-sized outbuilding on the site that is used for storage purposes.
- 1.2. The site lies within the Hadleigh Conservation Area.

### **2.0 The Proposal**

- 2.1. The proposal seeks to demolish the existing building and erect three containers on the site.
- 2.2. Two of the containers would be used for storage of ground maintenance equipment, whilst the third container would be used for welfare facilities and include a WC.

- 2.3. As the site is located within a Conservation Area and the building is greater than 115 cubic metres planning permission is required for its demolition.
- 2.4. The storage containers would be placed within the footprint of the demolished building.

### **3.0 The Principle Of Development**

- 3.1 As a full application for the siting of three storage containers following demolition of the existing building, the application is assessed against Local Plan policies CN01 and CN08, Core Strategy policies CS01 and CS12 and the NPPF.
- 3.2 The site is located within a Conservation Area and the building is over the threshold of 115 cubic metres wherein planning permission is required for its demolition; as such a formal planning application has been made
- 3.3 The proposed containers are temporary structures which normally do not require permanent consent. However, permanent permission for the use of land for the siting of the containers is considered appropriate. In that way, conditioning the removal of the containers can be considered and will be assessed accordingly. If this is considered appropriate in other respects then conditioning the removal of the containers should BMSDC cease to operate from this site would be appropriate in order to ensure that the containers are not retained unnecessarily.
- 3.4 The proposal complies with the aforementioned policies and therefore the principle of development is considered acceptable.

### **4.0 Site Access, Parking And Highway Safety Considerations**

- 4.1. The site is accessed off Pykenham Way. The proposal would have no impact on the existing access or parking arrangements. The proposal would not have a detrimental impact on the existing highway and is therefore acceptable in this regard.

### **5.0 Design And Layout [Impact On Street Scene]**

- 5.1. The proposal seeks to demolish the existing building and erect three containers on the site.
- 5.2. Two of the containers would be used for storage of ground maintenance equipment, whilst the third container would be used for welfare facilities and include a WC.
- 5.3. Each of the containers would measure 2.43 by 6.05. The storage containers would be placed within the footprint of the demolished building.
- 5.4. The site is set back from the highway and well screened by the residential dwellings which surround the site, as such the proposal is not considered to have an impact on the street-scene or the character of the surrounding area.
- 5.5. The storage containers would provide storage space without the need to erect a permanent structure/building which would likely have more impact. The proposal is considered acceptable in terms of its design and layout.

## **6.0 Landscape Impact, Trees, Ecology, Biodiversity And Protected Species**

- 6.1. The site has no landscape amenity value. Given the proposal and intended use of the site the proposal is not considered to risk harm to biodiversity or protected species and no enhancement measures are required.

## **7.0 Land Contamination, Flood Risk, Drainage and Waste**

- 7.1. The proposal does not give rise to any land contamination issues.
- 7.2. The site is situated within Flood Zone 1 and is therefore at low risk from flooding.

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

- 8.1. There are no listed buildings within close proximity; however, the site does lie within a Conservation Area
- 8.2. The application has gone through the Heritage Triage procedure and the Heritage team does not wish to comment on the application.
- 8.3. The proposal is not considered to have a detrimental impact on the Conservation Area. In addition, the proposed storage containers are not considered as a fixed (permanent) structure and are therefore moveable. As noted above, a condition to ensure their removal would also provide certainty in this respect.

## **9.0 Impact On Residential Amenity**

- 9.1. The site is already in use and the proposal does not change the intended use of the site; however it is noted that residents have raised concern with regards to noise.
- 9.2. Environmental Health -Noise/Odour/Light have been consulted and have no objection to the proposal however they have recommended that a condition is attached with regards to hours of operation given the close proximity of the neighbouring dwellings.
- 9.3. Whilst there are a number of residential dwellings within the immediate area, the vehicle movements into and off of the site are not likely to alter due to the proposal. In addition, the site has already been in use and operation for some time, this application simply seeks to alter the storage facilities available and provide a welfare unit.
- 9.4. The proposal is not considered to give rise to a significant detrimental impact on residential amenity so as to warrant refusal in this regard.

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## **PART FOUR – CONCLUSION**

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### **10.0 Planning Balance and Conclusion**

10.1 The proposal accords with the relevant development management policies, and the NPPF. The proposal would have no significant detrimental impact on highway safety, residential amenity, nor would it impact on the character of the surrounding area, including the Conservation Area.

10.2. It is, therefore, recommended that permission be granted.

### **RECOMMENDATION**

**(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)
- Approved Plans (Plans submitted that form this application)
- Removal of containers should BMSDC no longer require the site/storage
- Operating hours

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

- Proactive working statement
- SCC Highways notes
- Support for sustainable development principles