

## **Committee Report**

**Item No: 8b**

**Reference:** DC/21/03600

**Case Officer:** Alex Scott

**Ward:** Chilton.

**Ward Member/s:** Cllr Oliver Amorowson. Cllr Barry Humphreys MBE.

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

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### **Description of Development**

Planning Application - Installation of 8 no. separate section solar PV carport arrays on Mid Suffolk District Council owned public use carpark. Battery storage cabinet. 5no connected electric vehicle charging points.

### **Location**

Gainsborough Road Car Park, Gainsborough Road, Stowmarket, Suffolk IP14 1LH

**Expiry Date:** 20/08/2021

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

**Development Type:** Minor All Other

**Applicant:** BMSDC

**Agent:**

**Parish:** Stowmarket

**Site Area:** 0.05215 ha

**Density of Development:**

Gross Density (Total Site): N/a.

Net Density (Developed Site, excluding open space and SuDs): N/a.

**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

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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 applicant is Mid Suffolk District Council.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF - National Planning Policy Framework  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
CS1 - Settlement Hierarchy  
CS3 - Reduce Contributions to Climate Change  
CS5 - Mid Suffolk's Environment  
GP1 - Design and layout of development  
HB1 - Protection of historic buildings  
H16 - Protecting existing residential amenity  
T9 - Parking Standards  
T10 - Highway Considerations in Development  
RT12 - Footpaths and Bridleways  
SAAP 4.1 - Presumption in favour of Sustainable Development  
SAAP 9.5 - Historic Environment  
SAAP 10.1 - Protection and Enhancement of Cultural Facilities

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

### **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)**

###### **Stowmarket Town Council - 12/07/2021:**

There is no objection from the Town Council to the grant of planning consent.

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

N/A.

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

###### **SCC - Highways - 14/07/2021:**

No objection - Subject to inclusion of parking and manoeuvring condition as part of any permission.

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

#### **MSDC - Heritage Team - 15/07/2021:**

The Heritage Team do not intend to provide comments - Proposal is not considered to cause sufficient impact to warrant Heritage Team's involvement.

#### **MSDC - Environmental Protection - Sustainability - 28/06/2021:**

No objection to the proposed application.

#### **MSDC - Environmental Protection - Other Issues - 02/07/2021 & 19/07/2021:**

Further details of plant, including noise levels from charging points, invertors, and battery storage cooling fans required - Noise impact assessment required.

#### **MSDC - Environmental Protection - Other Issues - 06/08/2021:**

No objection in principle - However, there is presently insufficient information to make an informed recommendation that the development is approved without condition at this stage - Noise Assessment and Noise Limit Conditions recommended, should permission be granted.

### **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, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Concern that proposal would result in additional parking issues along Gainsborough Road, preventing free-flow of traffic and increased impact on highway safety;
- Do not consider the proposed 8 no. solar car ports will help the existing parking problem on Gainsborough Road;
- Question: Will the installed equipment make noise audible to neighbouring properties?

(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/20/00488	Planning application - Erection of single storey extension and alterations to car park layout	<b>DECISION:</b> GTD 28.04.2020
<b>REF:</b> 4810/16	Erection of a 17.5m tall lattice mast with 3no. telecommunications antennae and 2no. dishes.	<b>DECISION:</b> GTD 20.01.2017

<b>REF:</b> 3930/14	Re-roof existing Bowls Hall and Creche and installation of Solar PV Array	<b>DECISION:</b> GTD 19.02.2015
<b>REF:</b> 1585/11	Erection of single-storey extension to form new fitness studio	<b>DECISION:</b> GTD 19.07.2011
<b>REF:</b> 4029/08	Provision of additional car parking and cycle spaces. Re-surfacing part of existing car park.	<b>DECISION:</b> GTD 20.04.2009
<b>REF:</b> 0309/86	Erection of indoor bowls hall with layout of additional car parking, and formation of two new vehicular access including one temporary access for construction traffic	<b>DECISION:</b> GTD 04.06.1986
<b>REF:</b> 0765/84	Erection of indoor swimming pools with associated car parking.	<b>DECISION:</b> GTD 08.11.1984
<b>REF:</b> 1072/79	Alterations and additions to Sports Centre	<b>DECISION:</b> GTD 21.01.1980
<b>REF:</b> 0084/94/	Erection of extension to Leisure Centre with alteration to access and car park.	<b>DECISION:</b> GTD 16.03.1994

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

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

- 1.1. The site extends to 0.05215 hectares and is located at Gainsborough Road Car Park, Stowmarket, adjacent to Mid Suffolk Leisure Centre.
- 1.2. The site comprises the north and north-east sections of the existing Car Park and 120 existing Parking Spaces.
- 1.3. The site is accessed via the existing Car Park access and egress, to and from Gainsborough Road.
- 1.4. The Leisure Centre buildings lie adjacent to the south and south-west of the site and an existing Public Footpath/Cycleway runs adjacent to the north-east, which links Gainsborough Road to Lowry Way.
- 1.5. Wood Ley Primary School lies in close proximity to the north-west and residential properties lie in close proximity, to the north, north-east, east and south-east.

- 1.6. A Grade II Listed Building at Chilton Court lies approximately 30 metres to the north-east of the site.

## **2. The Proposal**

- 2.1. The application seeks planning permission to install Photovoltaic panel arrays on-site to generate renewable electricity. The arrays proposed as part of this application would be installed on solar carport frames.
- 2.2. The application also proposes 5 no. electric vehicle (EV) charging stations for use by the public, as well as a battery electricity storage system (BESS) facility, which will store any surplus energy from the solar panels.
- 2.3. The applicant has identified the following benefits associated with the proposal:
  - (a) Direct public benefits - access to charging points, enhanced parking experience with covered bays;
  - (b) Indirect public benefits - reduction in leisure centre operational costs will enable more funds for other Vision programme projects of benefit to the local community;
  - (c) Place benefits – tangible council investments in localised microgeneration technologies, and in support of environmental objectives as a pilot learning project – for consideration of further deployment (direct or third-party support across the districts) if it delivers expected benefits;
  - (d) It is sufficiently innovative/supporting post-Covid recovery to have attracted UK Government direct investment via the capital grant scheme Getting Building Fund, administered by New Anglia LEP.
- 2.4. A total of 8 no solar PV array sections are proposed to be installed, set above 72 of the existing car park parking bays. The PV panels would be mounted on a galvanised steel frame, with support bases mounted to the ground using a screw pile anchor system. The frame work and apparatus would have a maximum height of 4.864 metres above relative ground level.
- 2.5. The mounting system ensures that no car parking spaces will be lost as a result of the proposal and the arrays can be removed easily when no longer required.
- 2.6. The application includes for 5 no. electric vehicle charging bays, located at the central group of parking bays to the north-east edge of the site.
- 2.7. The application also includes for a battery storage containment system and auxiliary equipment. This will be a self-contained area, set adjacent to the north-west rear/side of the existing leisure centre building, containing battery equipment and auxiliary equipment.

## **3. The Principle Of Development**

- 3.1. Development Plan Policy CS3 states that the Council will promote and encourage the appropriate development of stand alone renewable energy schemes to assist in reducing contributions to Climate Change.
- 3.2. The current proposal is considered to consist of such a renewable energy scheme, and as such the principle of the proposed development is considered acceptable, in accordance with the provisions of Policy CS3, subject to other material planning considerations.

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

- 4.1. Development Plan Policy T10 requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles.
- 4.2. Policy T9 requires the LPA to ensure provision of parking and manoeuvring of vehicles, on application sites, in accordance with adopted parking standards.
- 4.3. Furthermore NPPF Paragraph 110 provides that safe and suitable access should be ensured for all users. NPPF Paragraph 111 also provides that development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 4.4. The proposal would not affect existing access and egress to and from the site and would not affect existing highway visibility splays for vehicles accessing and exiting the site.
- 4.5. The proposal would also not create a significant additional parking need and would also not result in the loss of any existing parking or turning spaces.
- 4.6. SCC-Highways have been consulted on the application proposal and have not raised objection, subject to the imposition of a planning condition requiring the proposed on-site turning and parking to be provided retained.
- 4.7. The proposal is, therefore, considered acceptable in terms of highway safety and convenience.

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

- 5.1. The proposed design and layout is considered suitable for such a proposed development, and the scale of the proposal is not considered to have such an adverse impact on the character of the site to such an extent that refusal in terms of design and layout should be considered.
- 5.2. The proposal does affect the setting of a Grade II Listed Building at Chilton Court, which lies approximately 30 metres to the north-east of the site. Your Heritage Officers have been consulted on the proposal and have advised that the proposal does not cause sufficient impact in this regard to warrant your Heritage Team's involvement. As such your Heritage Officers have not provided formal comments with regards the application proposal. It is your Planning Officers advice, therefore, that the proposal would not result in demonstrable harm to the setting and significance of Chilton Court or any other Heritage Asset.

#### **6. Impact On Residential Amenity**

- 6.1. Having considered the relatively low height of the proposed arrays (4.864 metres) and the distance from existing neighbouring properties (not less than 20 metres) the proposed development is not considered to result in a significant impact on neighbouring amenity in terms of increased dominance or loss of natural sun and daylight.

- 6.2. Your Environmental Protection Officers have been consulted on the application proposal and, although they raise no objection in principle, they advise that the associated equipment which includes inverters and in some cases fans have the potential to cause a significant adverse impact on noise sensitive dwellings, particularly at night when background noise levels are lower.
- 6.3. Your Environmental Protection Officers do not consider sufficient information has been provided in order to make an informed recommendation that the development is approved without condition at this stage. As such further information with regards noise assessment, noise level limitation, and ongoing maintenance of the equipment.
- 6.4. Subject to the imposition of conditions, as advised by your Environmental Protection Officers, your officers are satisfied that the proposal would not result in significant harm to the amenities currently enjoyed by occupants of neighbouring properties.

## **7. Biodiversity And Protected Species**

- 7.1. The application site comprises an existing hardstanding car park, within an urban setting. It is not considered that the existing site provides significant habitat potential for Ecological Species.
- 7.2. The proposed development is also not considered to result in a significant impact on existing protected or priority species.
- 7.3. The proposal is not, therefore, considered to result in significant harm to protected species and is considered to be in accordance with development plan policy CL8 and the provisions of the NPPF in this regard.

## **8. Land Contamination**

- 8.1. The proposed ground floor land use would remain the same as existing, that of a car park. There is no evidence to suggest potentially contaminating materials are present on the site, and no significant excavation or ground disturbance is proposed by way of the application proposal. Future users are not, therefore, considered to be at significant increased risk from sources of land contamination, by way of the proposal. Ultimate responsibility for safe development and operation of the site, as always, lies with the developer in this regard.

## **9. Flood Risk, Drainage and Waste**

- 9.1. The site and building lie within EA Flood Zone 1, and as such are not at significant risk of flooding.
- 9.2. The proposal is not considered to significantly increase impermeable surfaces on the site and would not, therefore, result in a significant increase in surface water runoff.

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# **PART FOUR – CONCLUSION**

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## **13. Planning Balance and Conclusion**

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- 13.1. The proposal is considered to be acceptable in principle, in accordance with the provision of Development Plan Policy CS3.
- 13.2. The proposal is considered to consist of a development of an acceptable scale, design and layout appropriate to the existing character of the site and area. The proposal would also not result in demonstrable harm to the setting and significance of any heritage asset(s).
- 13.3. Should appropriate mitigation be secured by way of condition the proposal would not result in significant harm to the amenities currently enjoyed by occupants of neighbouring properties, particularly in terms of noise and disturbance.
- 13.4. The proposal is also considered acceptable in terms of issues relating to: Land Contamination; Flood Risk; Biodiversity and Highway Safety.

### **RECOMMENDATION**

**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
- Approved Plans and Documents
- Those required by MSDC Environmental Protection Officers
- Those required by SCC-Highways
- Microgeneration equipment to be removed as soon as practicable when no longer required for energy generating purposes.