

Sent: 18 January 2022 15:10

Subject Elmswell Parish Council Comments - DC/21/06333 - Petrol station and drive-thru

DC/21/06333 Development of a petrol station...

Elmswell Parish Council urges rejection of this application for the following reasons:

- 1 SCC objections on the basis of highway safety included measures to reduce the likelihood of right turns into the site from the A1088. These have been removed from the current proposal. However, whilst the previous pre-application advice does not mention this issue, it does not state that the concern is no longer relevant. It should be agreed and reinstated as there is a risk of this manoeuvre being attempted or carried out due to the contrived route from the westbound A14 and non-standard access arrangements of the proposal.
- 2 The previous application was refused for reasons which included an unacceptable highway egress arrangement. Previous pre-application advice (DC/19/05865) states: *According to DMRB Vol 6 Section 2, figure 4.14, 'Weaving length diagram for Urban Roads' gives an absolute minimum measurement of 100m for 50km (30mph). at present, there is approximately only 40m which includes a merge lane'*. Therefore, evidence would be required to allow the acceptance of lower standards with regard to the merging between the exit point of the site and the roundabout. DMRB TD 22/06 has been withdrawn but there are also requirements in CD 122 relating to this and any departure from standard from that will need to be fully justified in order for the Highway Authority to change their position. It is noted that Currently CD 122 is also currently withdrawn.
- 3 The Transport Assessment does not address the shortcomings in the weaving length. The Summary & Conclusions on pages 30 & 31 contain an unacceptable level of conjecture, with references such as "modelling suggests" instead of clear, unequivocal statements.
- 4 The potential for vehicles queueing on the A14 at the eastbound and westbound diverge slip roads has been ignored. This is a very real possibility at peak times.
- 5 **NPPF paragraph 112 states that** applications for development should:
 - (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas;
 - (b) facilitate access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - (c) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - (d) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;The application signally fails to satisfy all of these requirements.

6 The Transport Assessment relies upon the 'understanding' that this application will benefit from the 'proposed' Elmswell-Woolpit footway/cycle link (Community Path). This aspirational scheme is un-costed and remains as an extremely problematic project meaning it would, if progressed, be something to be delivered many years hence. It has no relevance in mitigating the harm that this application proposes.

7 The Applicant's own Assessment is for 224 extra vehicles per hour at the roundabout during peak periods and accepts that the traffic load would exceed capacity on the west-bound slip junction. Given the failure to take into account the local developments since the TA was commissioned including the new HGV-based businesses at Lawn Farm Business Park (Bacton Transport / Precon Products), the substantial and growing number of houses at both Woolpit and Elmswell and the outline Planning permission for a new primary school serving both Woolpit and Elmswell, the Assessment in no way serves to reflect the true position with regard to highway safety.

8 Included in the developments which have secured Planning permission in the interim is the requirement for 2 roundabouts. One at Woolpit immediately off A14 to serve the large housing estate and primary school and one at Church Hill, Elmswell to mitigate the problems attending access to the new development at School Road. Both of these impediments to traffic flows need to be taken into account when assessing this proposal and this is, clearly, not the case.

9 It is impractical to suggest that, merely by not signing the facility for HGV use, this will mean that large lorries will not pull in for refreshment and comfort breaks. The difficulties in leaving the site, as already highlighted, will be compounded to a hazardous degree when the site becomes accepted as a truck-stop facility.

Peter Dow
Clerk to Elmswell Parish Council
21.12.2021

Woolpit Parish Council strongly objects to the proposals.

The exit from the site is extremely hazardous. The slip from the A14 eastbound and the roundabout are not of a sufficient standard to accommodate the increase in traffic. There will be the potential for queueing traffic to tail back onto the A14 eastbound and also blocking the roundabout access for vehicles coming from Ixworth and Elmswell trying to cross the A14 to go westbound.

There are no changes to the plans for this application which mitigate the highway safety issues for which the previous application 17/02349 was refused.

With the substantial amount of development both in Elmswell and Woolpit and surrounding villages the volume of local traffic will be double, exacerbating current concerns regarding road safety.

Considerable litter will ensue from this type of development which will be detrimental to the environment.

The proposals will create unacceptable and unnecessary light pollution.

This development will contaminate a further site which with phasing out of the use of petrol and diesel will only be used for 20-30 years.

The road between Woolpit and Elmswell will be made more dangerous for pedestrians and cyclists.

This route is taken by Woolpit residents using Elmswell station.

The harm to the land and surrounding area far outweighs any gains from this development.

If the Officer is minded to approve the application we request that goes to committee for a decision.

Contrary to Policies E9, E10, T6, T10, NPPF 108 & 109.

Councillors find it incredible that National Highways state "A Transport Assessment (TA) has been prepared for the development by Dynamic Transport Planning, and this includes a **road safety audit (RSA) of the site egress (the audit scope was limited to the egress). The RSA raised concerns with regards to the safety of the egress arrangements, and it is not clear how these concerns have been addressed. The main concern is in regards to the short distance between the egress and the A1088/Church Road roundabout, where at present there is only around 60m separation. In this distance there will be a large number of lane changes required which is likely to cause conflict between drivers. The egress proposals shorten this distance slightly, and provide additional signage and road markings to attempt to further slow drivers to minimise the risk of collisions. This weaving section is on the Local Road Network, although it is located immediately downstream of, and forms a continuation of the A14 eastbound off-slip**" and yet do not object to the application.

Councillors fully endorse the concerns of Suffolk Police which objects to the proposal.

Consultee Comments for Planning Application DC/21/06333

Application Summary

Application Number: DC/21/06333

Address: Land Off A14 Elmswell Suffolk

Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

Case Officer: Alex Scott

Consultee Details

Name: Mrs Peggy Fuller

Address: 86 Forest Road, Onehouse, Stowmarket, Suffolk IP14 3HJ

Email: Not Available

On Behalf Of: Woolpit Parish Clerk

Comments

Woolpit Parish Council strongly objects to the proposals.

The exit from the site is extremely hazardous. The slip from the A14 eastbound and the roundabout are not of a sufficient standard to accommodate the increase in traffic. There will be the potential for queueing traffic to tail back onto the A14 eastbound and also blocking the roundabout access for vehicles coming from Ixworth and Elmswell trying to cross the A14 to go westbound.

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Councillors find it incredible that National Highways state A Transport Assessment (TA) has been prepared for the development by Dynamic Transport Planning, and this includes a road safety

audit (RSA) of the site egress (the audit scope was limited to the egress). The RSA raised concerns with regards to the safety of the egress arrangements, and it is not clear how these concerns have been addressed. The main concern is in regards to the short distance between the egress and the A1088/Church Road roundabout, where at present there is only around 60m separation. In this distance there will be a large number of lane changes required which is likely to cause conflict between drivers. The egress proposals shorten this distance slightly, and provide additional signage and road markings to attempt to further slow drivers to minimise the risk of collisions. This weaving section is on the Local Road Network, although it is located immediately downstream of, and forms a continuation of the A14 eastbound off-slip AND YET DO NOT OBJECT TO THE APPLICATION. This conclusion is both contradictory and perverse. Councillors fully endorse the concerns of Suffolk Police which objects to the proposal.

Consultee Comments for Planning Application DC/21/06333

Application Summary

Application Number: DC/21/06333

Address: Land Off A14 Elmswell Suffolk

Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

Case Officer: Alex Scott

Consultee Details

Name: Mrs Jillian rowland

Address: Willow Brook Cottage, Ashfield Road, Norton Bury St Edmunds, Suffolk IP31 3NN

Email: Not Available

On Behalf Of: Norton Parish Clerk

Comments

The Council strongly reject this application.

1. It is felt the area in question is too small for a petrol station, drive-thru restaurant, and café together with the required car park, infrastructure and landscape works.
2. It is considered access and egress from the site would present a grave concern. The surrounding roads are not of a sufficient standard for the likely increased traffic flow.
3. Traffic management of the site gives further rise for concern. There are likely to be queuing vehicles tail-backing onto the A14 or to hinder road users of the roundabout.
4. There are road safety concerns about the volume of traffic this application will generate, given the increased development in surrounding villages which is already impacting on road use.
5. It is extremely likely the proposal will affect local services in surrounding villages
6. Litter associated with fast food, drive thru restaurants and coffee shops would be an inherent problem for the surrounding area and the local environment

Consultee Comments for Planning Application DC/21/06333

Application Summary

Application Number: DC/21/06333

Address: Land Off A14 Elmswell Suffolk

Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

Case Officer: Alex Scott

Consultee Details

Name: Mrs Jillian rowland

Address: Willow Brook Cottage, Ashfield Road, Norton, Suffolk IP31 3NN

Email: Not Available

On Behalf Of: Norton Parish Clerk

Comments

The Council's previous objections still apply to this application.

The Council strongly reject this application.

1. It is felt the area in question is too small for a petrol station, drive-thru restaurant, and café together with the required car park, infrastructure and landscape works.
2. It is considered access and egress from the site would present a grave concern. The surrounding roads are not of a sufficient standard for the likely increased traffic flow.
3. Traffic management of the site gives further rise for concern. There are likely to be queuing vehicles tail-backing onto the A14 or to hinder road users of the roundabout.
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5. It is extremely likely the proposal will affect local services in surrounding villages
6. Litter associated with fast food, drive thru restaurants and coffee shops would be an inherent problem for the surrounding area and the local environment.

From: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Sent: 26 Nov 2021 12:51:11
To:
Cc:
Subject: FW: MSDC Planning Consultation Request - DC/21/06333
Attachments:

From: Planning Liaison <planningliaison@anglianwater.co.uk>
Sent: 26 November 2021 12:42
To: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>
Subject: FW: MSDC Planning Consultation Request - DC/21/06333

Dear Planning Team,

Thank you for your consultation. Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments.

If this is to change, please re-consult with us.

Kind regards,
Minu
Planning & Capacity Team
Development Services

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Alex Scott
Babergh District Council
Development Control
Endeavour House Russell Road
Ipswich
Suffolk
IP1 2BX

Our ref: AE/2021/126686/01-L01
Your ref: DC/41/06333
Date: 22 December 2021

Dear Mr. Scott

FULL PLANNING APPLICATION FOR DEVELOPMENT OF A PETROL FILLING STATION, A DRIVE-THRU RESTAURANT AND COFFEE SHOP, TOGETHER WITH VARIOUS INFRASTRUCTURE AND LANDSCAPING WORKS.

LAND OFF KILN LANE, ELMSWELL, SUFFOLK.

Thank you for your consultation dated 23 November 2021. We have inspected the application and object to the proposed development as submitted because there is insufficient information to demonstrate that the risk of pollution to controlled waters is acceptable:

1. We consider the level of risk posed by this proposal to be unacceptable.
2. The application fails to provide assurance that the risks of pollution are understood.

It should be noted that if this objection is removed by satisfying the aforementioned points, planning conditions may be recommended, specifically relating to contaminated land and tank design.

Reason for Objection

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF 2021), paragraphs 174, 183 and 184 and Environment Agency Groundwater Protection website.

Overcoming Our Objection

The applicant should provide:

Environment Agency
Iceni House Cobham Road, Ipswich, IP3 9JD.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

1. A comprehensive and balanced options appraisal fairly comparing above and below ground storage, with appropriate mitigation measures to demonstrate best available technique, including above the normal practice measures described in the Association for Petroleum and Explosives Administration document: Guidance for Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (Revised June 2011) where necessary. The requirements of our Groundwater Protection Position Statements D1 to D4 need to be met. This assessment should consider the underlying sensitive groundwater bodies, the nearby abstractions and associated source protection zone, and the peak seasonal depth to groundwater at the site.

We have included further information for the applicant which should assist them to overcome our objection at the end of this letter.

We trust this information is useful.

Yours Sincerely



Mr. Pat Abbott
Planning Advisor

Direct dial 0208 4748011

Direct e-mail pat.abbott@environment-agency.gov.uk

Advice to LPA / Applicant

The site is underlain by superficial Head Deposits designated as a Secondary (undifferentiated) Aquifer, this is then underlain by Chalk, which is designated as a Principal aquifer. The site is located within a Groundwater Source Protection Zone (SPZ), namely SPZ 3 (Total Catchment) designated for the protection of Public Water Supply (PWS) Abstraction at Elmswell, located 1.4km northeast of the proposed development. The depth to groundwater is not known, nor is the nature of the underlying soils as they can be variable based on nearby scanned BGS borehole logs. The location of the site is therefore considered to be of medium environmental sensitivity.

We always recommend pre-application discussions relating to these applications. We are happy to outline our requirements prior to an application being made. This will in future help avoid objections to planning applications. This has been discussed with Eurogarages in the past, so are surprised that we were not approached beforehand and that no consideration of the risk to groundwater resources has been made with the application, in relation to above vs below ground tanks.

We have reviewed the documents submitted with the application as part of our response and have the associated comments detailed below.

There is no indication as to whether tanks for the development will be below or above ground. Given the site is located within SPZ3 and overlies a principal aquifer, any spills or leaks have the potential to derogate the Elmswell groundwater PWS abstractions. We consider that the risk from the development, as proposed, is likely to be incompatible with the environmental sensitivity of the site. In line with our Groundwater Protection Position Statements D1 and D2, we only agree to underground storage outside of an SPZ1 where the:

- 1) activity cannot take place within unproductive strata.
- 2) storage must be underground (for example public safety), in which case it is expected that the risks are appropriately mitigated

Furthermore, due to the local geology, there is a possibility of shallow groundwater at the site (be it perched or otherwise). In line with our Groundwater Protection Position Statement D3, we would also object on these grounds. We would require a detailed assessment of groundwater levels at the site, to include seasonal fluctuations and different strata. It should be noted that this monitoring may take a full year to determine peak groundwater levels, and should have been undertaken prior to submitting the planning application. If groundwater appears to be significantly deeper than the proposed underground tanks, we may consider conditioning the application if the other grounds for objection are satisfied.

We adopt the precautionary principle to protecting groundwater because of:

- the difficulties associated with observing and remediating leaks from underground storage and transmission facilities;
- the previous history of pollution from such facilities.

Any proposals for fuel storage at this location would need to be accompanied by a detailed risk assessment carefully considering the risk to the SPZ3 and PWS

abstractions. The risk assessment should be based on site-specific data regarding site specific geology, the hydrogeological setting of the site, groundwater flow direction and hydraulic continuity between different aquifer units. We would only agree to the development if it could be shown that there is no pathway connecting groundwater at the site to the PWS abstractions.

The proposal would also have to comply with the remaining Groundwater Protection Position Statements and include adequate pollution prevention / risk mitigation measures as underpinned by the risk assessment.

It should be noted that in environmentally sensitive locations, we expect standards to be in excess of those in the Blue Book, and the double skinned tank with leak detection proposed is not considered sufficiently robust protection to controlled waters.

We would favour above ground tanks with very robust pollution prevention measures instead of underground storage tanks. It is possible to design above ground tanks to satisfy the requirements of the petroleum officer and we have examples of where this has been successfully implemented in the past. The nature of above ground tanks allows any leaks to be observed, contained and remediated with much greater ease than with below ground tanks where leaks can go undetected and clean up can be troublesome and potentially very disruptive and expensive.

The preliminary risk assessment supplied has not been fully reviewed due to this objection, and we understand that the site has not been previously developed and as such, not brownfield.

We recommend that developers should:

- 1) Refer to our [‘Groundwater Protection’](#) website;
- 2) Refer to our [Land Contamination: Risk Management website when dealing with land affected by contamination. This is based on CLR11 which is archived within CL:AIRE Water and Land Library \(WALL\)](#), and also includes the [Guiding Principles for Land Contamination](#) for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, for example human health;
- 3) Refer to our [Land Contamination Technical Guidance](#);
- 4) Refer to [‘Position Statement on the Definition of Waste: Development Industry Code of Practice’](#);
- 5) Refer to British Standards BS 5930:1999 A2:2010 *Code of practice for site investigations* and BS10175:2011 A1: 2013 *Investigation of potentially contaminated sites – code of practice*
- 6) Refer to our [‘Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination’](#) National Groundwater & Contaminated Land Centre Project NC/99/73. The selected method, including environmental mitigation measures, should be presented in a ‘Foundation Works Risk Assessment Report’, guidance on producing this can be found in Table 3 of [‘Piling Into Contaminated Sites’](#);
- 7) Refer to our [‘Good Practice for Decommissioning Boreholes and Wells’](#).

8) Refer to our ['Dewatering building sites and other excavations: environmental permits'](#) guidance when temporary dewatering is proposed



Mr. Alex Scott
Babergh District Council
Development Control
Endeavour House Russell Road
Ipswich
Suffolk
IP1 2BX

Our ref: AE/2021/126686/02-L01
Your ref: DC/21/06333
Date: 18 February 2022

Dear Mr. Scott

FULL PLANNING APPLICATION FOR DEVELOPMENT OF A PETROL FILLING STATION, A DRIVE-THRU RESTAURANT AND COFFEE SHOP, TOGETHER WITH VARIOUS INFRASTRUCTURE AND LANDSCAPING WORKS.

LAND OFF KILN LANE, ELMSWELL, SUFFOLK

Thank you for your consultation dated 25 January 2022. We have reviewed the EPS Fuel Storage Feasibility Assessment of 24 January 2022 (ref: UK20.5132c). Overall we agree with the conclusion of this report and can recommend lifting our previous objection to the proposal.

Apart from the report missing that was referred to in this assessment, which is: EPS Ground Investigation Report of December 2020 (ref: UK20.5132), which for completeness should also be uploaded to the Babergh District Council planning website, we make no further comments on this application provided the measures suggested are implemented as approved.

We trust this information is useful.

Yours Sincerely



Mr. Pat Abbott
Planning Advisor





Historic England

Mr Alex Scott
Babergh Mid Suffolk
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

Direct Dial: 01223 582740

Our ref: P01447239

15 December 2021

Dear Mr Scott

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND OFF A14 ELMSWELL SUFFOLK
Application No. DC/21/06333**

Thank you for your letter of 23 November 2021 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Historic England has previously provided advise on a similar scheme in 2017 (ref: DC/17/02349) which was subsequently refused. The proposed development site is situated within the road junction system at the A14 trunk road and has already seen considerable development. However, the Landscape Assessment included with the application notes how the spire and tower of the historic parish churches in Woolpit and Elmswell can be seen in the landscape around the site. These medieval buildings are listed at a high grade in recognition of their historic and architectural importance. In particular they reflect the historic centre of these settlements and their intervisibility in the landscape emphasises the relationship of the buildings to that landscape and the settlements to each other. Development within this setting therefore has the potential to diminish the visual evidence of these aspects of their significance.

Given the existing development on the site and the scale of the proposed buildings we do not consider the development would necessarily result in harm to the churches' historic significance, but the addition of prominent signage and lighting could make the site more visible in the landscape.

The National Planning Policy Framework sets out the desirability of preserving and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, paragraph 197. It continues that great weight should be given to the conservation of heritage assets, and the more important the asset, the greater that weight should be, paragraph 199. It states that any harm should require a clear and convincing justification, paragraph 200. Where a proposal would result in harm, this should be weighed against the public benefit the proposal would deliver, paragraph 202.



Historic England, Brooklands, 24 Brooklands Avenue, Cambridge CB2 8BU
Telephone 01223 58 2749 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.

Correspondence or information which you send us may therefore become publicly available.





We would not object to the proposed development but consider it could increase the prominence of modern development in the setting of the historic parish churches at Woolpit and Elmswell. The Council should therefore consider this matter and if any impact is identified seek ways of reducing or mitigating it, including design of signage and lighting.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 197, 199 and 200 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely

Sophie Cattier

Assistant Inspector of Historic Buildings and Areas
E-mail: sophie.cattier@HistoricEngland.org.uk



Direct Dial: 01223 582740
Our ref: **W:** P01447239

Babergh Mid Suffolk
Endeavour House
8 Russell Road
Ipswich Suffolk
IP1 2BX

7 March 2022

Dear Sir/Madam Scott

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND OFF A14 ELMSWELL SUFFOLK
Application No. DC/21/06333**

Thank you for your letter of 2 March 2022 regarding the above application for planning permission.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Yours sincerely

Sophie Cattier

Assistant Inspector of Historic Buildings and Areas
E-mail: sophie.cattier@HistoricEngland.org.uk



**National Highways Planning Response (NHPR 21-09)
Formal Recommendation to an Application for Planning Permission**

From: Martin Fellows (Regional Director)
Operations Directorate
East Region
National Highways
PlanningEE@highwaysengland.co.uk

To: Babergh District Council

CC: transportplanning@dft.gov.uk
spatialplanning@highwaysengland.co.uk

Council's Reference: DC/21/06333

Location Land Off A14, Elmswell, Suffolk

Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

Referring to the consultation on a planning application dated 14 January 2022, referenced above, in the vicinity of the A14, that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) offer no objection (see reasons at Annex A);
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A - National Highways recommended Planning Conditions & reasons);~~
- ~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

Highways Act 1980 Section 175B is/is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Signature 	Date: 2 February 2022
Name: Mark Norman	Position: Spatial Planner
National Highways Highways England Woodlands Manton Lane Bedford MK41 7LW	

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have reviewed the technical information provided in support of this planning application.

The proposed site is a greenfield site, lying between the A14 trunk road and an existing DVSA facility. The proposed development consists of an 8 pump petrol filling station (PFS) along with 6 Electric Vehicle charging points, a fast-food drive thru and a coffee shop drive thru. Access and egress to the site is via existing connections to the external road network currently used only for the DVSA facility. The access and egress are not directly connected to the SRN, being on Suffolk County Council roads, however, these roads both form a part of the overall layout of Junction 47.

This site has been subject to a previous planning application in 2017, which was refused on highway safety grounds following a recommendation from Suffolk County Council. In response to the 2017 application, Highways England offered no

objection to the proposals. The current proposal has only 8 pumps compared with 12 in the previous submission, and is calculated as generating fewer trips to the site (gross) than from the previously refused application. In view of this, we have not carried out a detailed review of the Transport Assessment, on the basis that this is a more modest proposal than the previous one on this site that Highways England have already chosen not to object to.

SCC have responded to the current proposal stating that they have removed their advice to refuse the application on the basis of the safety of the egress arrangements, following modifications to the layout to address previously-raised concerns. However, SCC have also stated that there are concerns regarding the impact on queuing on the westbound A14 exit slip road, that currently ends as a T-junction with priority given to the A1088. The modelling shows that the A14 westbound off-slip road will exceed its design capacity by 2022 and that the addition of traffic associated with this site will increase the queue in the offside lane of the slip road from 8 PCUs to 14 PCUs (17 PCUs in the 2031 Assessment Year). The slip road is just under 200m long and 2 lanes wide, and therefore capable of accommodating up to about 35 PCUs per lane. This is therefore unlikely to become a 'severe impact' before 2031. SCC mention that there is a future proposal to upgrade this junction to a roundabout, linked to an approved residential development (DC/21/01132). The roundabout would assist people exiting the A14 by giving them priority over northbound vehicles on the A1088 and would bring queueing back to minimal levels. There is therefore the prospect that this issue could be resolved. However, there is no guarantee that the roundabout will be delivered before queueing starts to become problematic.

A Transport Assessment (TA) has been prepared for the development by Dynamic Transport Planning, and this includes a road safety audit (RSA) of the site egress (the audit scope was limited to the egress). The RSA raised concerns with regards to the safety of the egress arrangements, and it is not clear how these concerns have been addressed. The main concern is in regards to the short distance between the egress and the A1088/Church Road roundabout, where at present there is only around 60m separation. In this distance there will be a large number of lane changes required which is likely to cause conflict between drivers. The egress proposals shorten this distance slightly, and provide additional signage and road markings to attempt to further slow drivers to minimise the risk of collisions. This weaving section is on the Local Road Network, although it is located immediately downstream of, and forms a continuation of the A14 eastbound off-slip. As mentioned previously, SCC have removed their recommendation to refuse the application on highway grounds.

Therefore, our recommendation is "no objection" largely on the basis of this being the response to the previous application on the same site. However, in view of the queuing predicted on the A14 westbound off-slip road, it would be advantageous if a condition could be imposed that the site cannot be opened to trading until the proposed roundabout as part of planning application DC/21/01132 is constructed and opened to traffic.



Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Martin Fellows
Operations (East)
planningee@highwaysengland.co.uk

To: Babergh Mid Suffolk Council

CC: transportplanning@dft.gsi.gov.uk
growthandplanning@highwaysengland.co.uk

Council's Reference: DC/21/0633/Ful

National Highways ref 94233

Location Land off of A14 Elmswell Suffolk

Proposal Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works


Referring to the planning application referenced above, dated 02 March 2022 ,
Notice is hereby given that Highways England's formal recommendation is that we:

- a) offer no objection;
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – Highways England recommended Planning Conditions);
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);~~
- ~~d) recommend that the application be refused (see Annex A – Reasons for recommending Refusal).~~

Highways Act Section 175B is / is not relevant to this application.¹

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gsi.gov.uk.

Signature: 	Date: 17 March 2022
Name: Mark Norman	Position: Spatial Planning Manager
Highways England: Woodlands, Manton Lane Bedford MK41 7LW	
Mark.norman@highwaysengland.co.uk	

¹ Where relevant, further information will be provided within Annex A.

Annex A Highways England recommended further assessment required

HIGHWAYS ENGLAND has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regard DC/21/0633/full and has been prepared by Mark Norman

The proposed site is a greenfield site, lying between the A14 trunk road and an existing DVSA facility. The proposed development consists of an 8 pump petrol filling station (PFS) along with 6 Electric Vehicle charging points, a fast-food drive thru and a coffee shop drive thru. Access and egress to the site is via existing connections to the external road network currently used only for the DVSA facility. The access and egress are not directly connected to the SRN, being on Suffolk County Council roads, however, these roads both form a part of the overall layout of Junction 47. This site has been subject to a previous planning application in 2017, which was refused on highway safety grounds following a recommendation from Suffolk County Council. In response to the 2017 application, Highways England offered no objection to the proposals. The current proposal has only 8 pumps compared with 12 in the previous submission, and is calculated as generating fewer trips to the site (gross) than from the previously refused application. In view of this, we have not carried out a detailed review of the Transport Assessment, on the basis that this is a more modest proposal than the previous one on this site that Highways England have already chosen not to object to.

SCC have responded to the current proposal stating that they have removed their advice to refuse the application on the basis of the safety of the egress arrangements, following modifications to the layout to address previously-raised concerns. However, SCC have also stated that there are concerns regarding the impact on queuing on the westbound A14 exit slip road, that currently ends as a T-junction with priority given to the A1088. The modelling shows that the A14 westbound off-slip road will exceed its design capacity by 2022 and that the addition of traffic associated with this site will increase the queue in the offside lane of the slip road from 8 PCUs to 14 PCUs (17 PCUs in the 2031 Assessment Year). The slip road is just under 200m long and 2 lanes wide, and therefore capable of accommodating up to about 35 PCUs per lane. This is therefore unlikely to become a 'severe impact' before 2031. SCC mention that there is a future proposal to upgrade this junction to a roundabout, linked to an approved residential development (DC/21/01132). The roundabout would assist people exiting the A14 by giving them priority over northbound vehicles on the A1088 and would bring queueing back to minimal levels. There is therefore the prospect that this issue could be resolved.

However, there is no guarantee that the roundabout will be delivered before queueing starts to become problematic.

A Transport Assessment (TA) has been prepared for the development by Dynamic Transport Planning, and this includes a road safety audit (RSA) of the site egress (the audit scope was limited to the egress). The RSA raised concerns with regards to the safety of the egress arrangements, and it is not clear how these concerns have been addressed. The main concern is in regards to the short distance between the egress and the A1088/Church Road roundabout, where at present there is only around 60m separation. In this distance there will be a large number of lane changes required which is likely to cause conflict between drivers. The egress proposals shorten this distance slightly, and provide additional signage and road markings to attempt to further slow drivers to minimise the risk of collisions. This weaving section is on the Local Road Network, although it is located immediately downstream of, and forms a continuation of the A14 eastbound off-slip. As mentioned previously, SCC have removed their recommendation to refuse the application on highway grounds. Therefore, our recommendation is “no objection” largely on the basis of this being the response to the previous application on the same site. However, in view of the queuing predicted on the A14 westbound off-slip road, it would be advantageous if a condition could be imposed that the site cannot be opened to trading until the proposed roundabout as part of planning application DC/21/01132 is constructed and open to traffic

Developments Affecting Trunk Roads and Special Roads**Highways England Planning Response (HEPR 16-01)
Formal Recommendation to an Application for Planning Permission**

From: Martin Fellows
Operations (East)
planningee@nationalhighways.co.uk

To: Babergh District Council

CC: transportplanning@dft.gsi.gov.uk
growthandplanning@nationalhighways.co.uk

Council's Reference: DC/21/06333/Ful

National Highways ref 94233

Location Land off of A14 Elmswell Suffolk

Proposal Full planning application- Development of a petrol filling station, a drive thru Restaurant and coffee shop, together with various infrastructure and landscaping works

Referring to the planning application referenced above, dated 02 March 22, notice is hereby given that Highways England's formal recommendation is that we:


- a) offer no objection;
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A — Highways England recommended Planning Conditions);~~
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A — further assessment required);~~
- ~~d) recommend that the application be refused (see Annex A — Reasons for recommending Refusal).~~

Highways Act Section 175B ~~is~~ is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gsi.gov.uk.

Signature: 	Date: 5 August 22
Name: Mark Norman	Position: Spatial Planning Manager
Highways England: Woodlands, Manton Lane Bedford MK41 7LW mark.norman@nationalhighways.co.uk	

Annex A National Highways recommended further assessment required

National Highways has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regard DC/21/0633/full and has been prepared by Mark Norman

The proposed site is a greenfield site, lying between the A14 trunk road and an existing DVSA facility. The proposed development consists of an 8 pump petrol filling station (PFS) along with 6 Electric Vehicle charging points, a fast-food drive thru and a coffee shop drive thru. Access and egress to the site is via existing connections to the external road network currently used only for the DVSA facility. The access and egress are not directly connected to the SRN, being on Suffolk County Council roads, however, these roads both form a part of the overall layout of Junction 47. This site has been subject to a previous planning application in 2017, which was refused on highway safety grounds following a recommendation from Suffolk County Council. In response to the 2017 application, Highways England offered no objection to the proposals. The current proposal has only 8 pumps compared with 12 in the previous submission, and is calculated as generating fewer trips to the site (gross) than from the previously refused application. In view of this, we have not carried out a detailed review of the Transport Assessment, on the basis that this is a more modest proposal than the previous one on this site that Highways England have already chosen not to object to.

SCC have responded to the current proposal stating that they have removed their advice to refuse the application on the basis of the safety of the egress arrangements, following modifications to the layout to address previously-raised concerns. However, SCC have also stated that there are concerns regarding the impact on queuing on the westbound A14 exit slip road, that currently ends as a Tjunction with priority given to the A1088. The modelling shows that the A14 westbound off-slip road will exceed its design capacity by 2022 and that the addition of traffic associated with this site will increase the queue in the offside lane of the slip road from 8 PCUs to 14 PCUs (17 PCUs in the 2031 Assessment Year). The slip road is just under 200m long and 2 lanes wide, and therefore capable of accommodating up to about 35 PCUs per lane. This is therefore unlikely to become a 'severe impact' before 2031. SCC mention that there is a future proposal to upgrade this junction to a roundabout, linked to an approved residential development (DC/21/01132). The roundabout would assist people exiting the A14 by giving them priority over northbound vehicles on the A1088 and would bring queueing back to minimal levels. There is therefore the prospect that this issue could be resolved. However, there is no guarantee that the roundabout will be delivered before queueing starts to become problematic.

A Transport Assessment (TA) has been prepared for the development by Dynamic

Transport Planning, and this includes a road safety audit (RSA) of the site egress (the audit scope was limited to the egress). The RSA raised concerns with regards to the safety of the egress arrangements, and it is not clear how these concerns have been addressed. The main concern is in regards to the short distance between the egress and the A1088/Church Road roundabout, where at present there is only around 60m separation. In this distance there will be a large number of lane changes required which is likely to cause conflict between drivers. The egress proposals shorten this distance slightly, and provide additional signage and road markings to attempt to further slow drivers to minimise the risk of collisions. This weaving section is on the Local Road Network, although it is located immediately downstream of, and forms a continuation of the A14 eastbound off-slip. As mentioned previously, SCC have removed their recommendation to refuse the application on highway grounds. Therefore, our recommendation is “no objection” largely on the basis of this being the response to the previous application on the same site. However, in view of the queuing predicted on the A14 westbound off-slip road, it would be advantageous if a condition could be imposed that the site cannot be opened to trading until the proposed roundabout as part of planning application DC/21/01132 is constructed and open to traffic

Your Ref: DC/21/06333
Our Ref: SCC/CON/5342/21
Date: 6 January 2022
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Alex Scott - MSDC

Dear Alex

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/06333

PROPOSAL: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

LOCATION: Land Off A14, Elmswell, Suffolk,

Notice is hereby given that the County Council as Highway Authority make the following comments:

It is noted that amendments have been made to the proposed development exit arrangement, plus the submission of a stage 1 road safety audit, vehicle speed data and supporting information. Subsequently, whilst we maintain some concerns about this type of layout accommodating significantly increased vehicular movements, we are no longer in a position to maintain the previous recommendation for refusal on this matter.

However, we do not accept the significant increase in queue lengths on the A14 J47 westbound off-slip road as a result of this proposal, which if operational prior to the proposed roundabout upgrade to the A1088/ off-slip junction (associated with the permitted residential development in this location) could extend into the area where vehicles from the A14 are entering the existing bend with limited forward visibility at high speeds, resulting in sudden braking on the bend, or conflicts with vehicles queuing on the road. Subsequently, we do not consider this proposal acceptable with the above junction in its current form and consider that it would result in an unacceptable impact upon highway safety (NPPF 111).

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

Your Ref: DC/21/06333
Our Ref: SCC/CON/0783/22
Date: 14 March 2022
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning@babberghmidsuffolk.gov.uk

The Planning Department
MidSuffolk District Council
Planning Section
1st Floor, Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

For the attention of: Alex Scott - MSDC

Dear Alex

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/21/06333

PROPOSAL: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works

LOCATION: Land Off A14, Elmswell, Suffolk,

Notice is hereby given that the County Council as Highway Authority make the following comments:

Further to the latest submitted documents and discussions, we are now in a position to remove our previous objection (as detailed in the points below), subject to the planning conditions and contributions listed overleaf.

Site Egress: Since the Local Highway Authority objected to the previous application at this location over concerns regarding the site egress layout, the applicant has provided a stage 1 road safety audit, evidence of vehicle speeds in this location, made amendments to the proposed layout and provided satisfactory justification regarding any departures from standards. Subsequently, the Highway Authority, although not generally supportive of the means of site egress, are no longer in a position to object on this basis in accordance with para. 111 of the NPPF.

Site Access: Our concerns regarding right turns into the site from the A1088 have been addressed by the proposal to provide physical measures on the A1088 to prevent this movement.

Queuing on the A14 westbound slip-road: Our concerns about this potential issue (that is dependent on the delivery of the proposed new roundabout at this location) is addressed by a recommended planning condition overleaf preventing the operation of this proposal before the roundabout is completed.

Pedestrian access from future footway route: The proposed development funded Elmswell - Woolpit pedestrian and cycle link will pass the location of this site on the opposite side of the A1088. Our concern regarding pedestrians using this proposed route to access the proposal and subsequently needing to cross the A1088, is addressed by a Section 106 contribution request to provide a pedestrian refuge and associated connections from the route. The conditioned works to the site access area will also need to facilitate the future delivery of these facilities.

Recommended conditions:

Condition: The development hereby permitted shall not be brought into use until measures at the existing vehicular access and carriageway to prevent access misuse have been provided as indicatively shown on drawing no. 64352 - CUR -00 - XX - DR - TP - 75002 P01. The measures shall include a minimum 2 metre wide centrally hatched area to accommodate potential future crossing facilities.

Reason: To ensure that the layout of the existing access is improved to an appropriate specification at an appropriate time in the interests of the safety of persons using the access and users of the highway.

Condition: The development hereby permitted shall not be brought into use until improvements at the existing vehicular egress and adjoining carriageway have been provided as indicatively shown on drawing no. 64352 - CUR -00 - XX - DR - TP - 75005 P04.

Reason: To ensure that the layout of the existing egress is improved to an appropriate specification at an appropriate time in the interests of the safety of persons using the egress and users of the highway.

Condition: The development hereby permitted shall not be brought into use until works to upgrade the existing A1088/ A14 westbound slip-road priority-controlled junction to a roundabout have been substantially completed and brought into use (as part of the highway improvements secured for planning application reference DC/18/04247).

Reason: To ensure that the layout of the existing junction is improved to an appropriate specification at an appropriate time in the interests of the safety of persons using the slip road and junction.

Condition: Before the egress is first used forward visibility splays shall be provided as shown on Drawing No. 64352 - CUR -00 - XX - DR - TP - 75005 P04 and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

Condition: The use shall not commence until the area(s) within the site shown on drawing no. 18a for the purposes of loading, unloading, manoeuvring and parking of vehicles and electric vehicle charging points have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking 2019 where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

Condition: Before the development is commenced details of the areas and infrastructure to be provided for parking powered two-wheeled vehicles and secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In accordance with the current Suffolk Guidance for Parking.

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:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.

Reason: In the interest of 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.

Condition: Before the development is commenced, details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

Notes:

Note: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

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. For further information please visit:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

S106 Contribution Requirement:

The Elmswell to Woolpit community footway scheme is a developer funded pedestrian and cycle improvement scheme included in the emerging BMSDC Joint Local Plan that will provide an essential sustainable link between these two settlements. The route will pass this site but on the opposite side of the A1088 - this may result in users of the route crossing the road to access the proposed amenities that the site will provide. This crossing movement could be significantly improved (with regard to highway safety) by the provision of a pedestrian refuge and paved connections required to place the crossing in a suitable location. Therefore, we require a **Section 106 contribution of £75,000** to cover the above works and any under-spend (if applicable) used to contribute towards the wider scheme.

The proposal is not acceptable to the Highway Authority without this contribution.

Yours sincerely,

Ben Chester
Senior Transport Planning Engineer
Growth, Highways and Infrastructure

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 25 Nov 2021 09:24:44

To:

Cc:

Subject: FW: 2021-11-25 JS Reply Land Off A14, Elmswell Ref DC/21/06333

Attachments:

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Sent: 25 November 2021 07:18

To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: 2021-11-25 JS Reply Land Off A14, Elmswell Ref DC/21/06333

Dear Alex Scott,

Subject: Land Off A14, Elmswell Ref DC/21/06333

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06333

The following submitted documents have been reviewed and we recommend a **holding objection** at this time:

- Site Location Plan Ref 1453-9
- Existing site layout Ref 1453-17
- Proposed site layout ref 1453-18
- Flood Risk Assessment Ref NS_0124_45 V1
- Drainage Strategy Report (No Ref) rev 0

A holding objection is necessary because the applicant is proposing to utilise conventional below ground surface water drainage system, without demonstrating why they cannot utilise an above ground open SuDs system, which provide the four pillars of SuDs i.e. quality, quantity, biodiversity and amenity.

There also needs to be clarification on the disposal of the any foul water as if the treated water is going to the watercourse, this discharge volume will be combined with the surface water discharge and shall not exceed Qbar for both combined.

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.

The points below detail the action required in order to overcome our current objection:-

1. Submit a revised surface water drainage strategy utilising an above ground open SuDs system or demonstrate why this is not appropriate
2. Demonstate that the combined discharge rate for the surface water and the treated water will not exceed Qbar
3. Submit cross sectional drawings of surface water drainage assets
4. Submit a flood flow exceedance plan

Further information maybe required

Kind Regards

Jason Skilton

Flood & Water Engineer

Suffolk County Council

Growth, Highway & Infrastructure

Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>
Sent: 26 January 2022 11:08
To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>
Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>
Subject: 2022-01-26 JS Reply Land Off A14, Elmswell Ref DC/21/06333

Dear Alex Scott,

Subject: Land Off A14, Elmswell Ref DC/21/06333

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06333.

The following submitted documents have been reviewed and we recommend maintaining our **holding objection** at this time

- Site Location Plan Ref 1453-9
- Existing site layout Ref 1453-17
- Proposed site layout ref 1453-18a
- Flood Risk Assessment Ref NS_0124_45 V1
- Drainage Strategy Report (No Ref) rev 0

A holding objection is necessary because the applicant has not addressed the previous consultation reply comments dated the 25th November 2021

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required 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.

The points below detail the action required to overcome our current objection:-

1. Address the points of the previous consultation reply.

Kind Regards

Jason Skilton
Flood & Water Engineer
Suffolk County Council
Growth, Highway & Infrastructure
Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

-----Original Message-----

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>
Sent: 25 January 2022 16:44

To: GHI Floods Planning <floods.planning@suffolk.gov.uk>
Subject: MSDC Planning Re-consultation Request - DC/21/06333 - FUL

Please find attached planning re-consultation request letter relating to planning application - DC/21/06333 - Land Off A14, Elmswell, Suffolk,

Kind Regards

Planning Support Team

Emails sent to and from this organisation will be monitored in accordance with the law to ensure compliance with policies and to minimize any security risks. The information contained in this email or any of its attachments may be privileged or confidential and is intended for the exclusive use of the addressee. Any unauthorised use may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your email software. Opinions, conclusions and other information in this email that do not relate to the official business of Babergh District Council and/or Mid Suffolk District Council shall be understood as neither given nor endorsed by Babergh District Council and/or Mid Suffolk District Council.

Babergh District Council and Mid Suffolk District Council (BMSDC) will be Data Controllers of the information you are providing. As required by the Data Protection Act 2018 the information will be kept safe, secure, processed and only shared for those purposes or where it is allowed by law. In some circumstances however we may need to disclose your personal details to a third party so that they can provide a service you have requested, or fulfil a request for information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 20 Jun 2022 11:51:34

To:

Cc:

Subject: FW: 2022-06-20 JS reply Land Off A14, Elmswell, Suffolk Ref DC/21/06333 - FUL

Attachments:

From: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Sent: 20 June 2022 08:24

To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Cc: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Subject: 2022-06-20 JS reply Land Off A14, Elmswell, Suffolk Ref DC/21/06333 - FUL

Dear Alex Scott,

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06333.

The following submitted documents have been reviewed and we recommend **maintaining our holding objection** at this time.

- Site Location Plan Ref 1453-9
- Existing site layout Ref 1453-17
- Proposed site layout ref 1453-18a
- Flood Risk Assessment Ref NS_0124_45 V1
- Drainage Strategy Report (No Ref) Rev 0 Dated 13/6/2022
- EG site, Elmswell Responses to LLFA comments

A holding objection is necessary because whilst the applicant has addressed the previous consultation reply comments, the drainage strategy needs updating as the climate change have been increased nationally.

The holding objection is a temporary position to allow reasonable time for the applicant and the LLFA to discuss what additional information is required 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.

The point below detail the action required to overcome our current objection:-

1. Resubmit the drainage strategy with the climate change allowance increased to 45%.
 - a. <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances#peak-rainfall-intensityallowance>

Kind Regards

Jason Skilton

Flood & Water Engineer

Suffolk County Council

Growth, Highway & Infrastructure

Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

-----Original Message-----

From: planningyellow@baberghmidsuffolk.gov.uk <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 17 June 2022 10:00

To: GHI Floods Planning <floods.planning@suffolk.gov.uk>

Subject: MSDC Planning Re-consultation Request - DC/21/06333 - FUL

Please find attached planning re-consultation request letter relating to planning application - DC/21/06333 - Land Off A14, Elmswell, Suffolk,

Kind Regards

Planning Support Team

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From: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>

Sent: 29 Jun 2022 10:16:30

To:

Cc:

Subject: FW: 2022-06-29 JS Reply Land Off A14, Elmswell, Suffolk, Ref DC/21/06333

Attachments:

From: GHI Floods Planning

Sent: 29 June 2022 09:30

To: BMSDC Planning Area Team Yellow

Cc: Alex Scott

Subject: 2022-06-29 JS Reply Land Off A14, Elmswell, Suffolk, Ref DC/21/06333

Dear Alex Scott,

Subject: Land Off A14, Elmswell, Suffolk, Ref DC/21/06333

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06333.

The following submitted documents have been reviewed and we recommend **approval subject to conditions**.

- Site Location Plan Ref 1453-9
- Existing site layout Ref 1453-17
- Proposed site layout ref 1453-18a
- Flood Risk Assessment Ref NS_0124_45 V1
- Drainage Strategy Report (No Ref) Rev 0 Dated 13/6/2022
- EG site, Elmswell Responses to LLFA comments Rev 1
- Proposed Site Layout and Porous Paving Area Ref 26565-006 Rev B
- Proposed Site Layout Petrol Station & Drive Thru Offer Proposed Drainage Ref 26565-006 Rev C

We propose the following condition in relation to surface water drainage for this application.

1. The strategy for the disposal of surface water (Drainage Strategy Report (No Ref) Rev 0 Dated 13/6/2022, EG site, Elmswell Responses to LLFA comments Rev 1, Proposed Site Layout and Porous Paving Area Ref 26565-006 Rev B & Proposed Site Layout Petrol Station & Drive Thru Offer Proposed Drainage Ref 26565-006 Rev C) and the Flood Risk Assessment (FRA) (dated Oct 2021, ref: NS_0124_45 V1) shall be implemented as approved in writing by the local planning authority (LPA). The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained

2. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing, and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and 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 required under 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/>

3. No development shall commence until 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 LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:

Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
- iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater
<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

Informatives

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act
- Any works to a main river may require an environmental permit

Kind Regards

Jason Skilton
Flood & Water Engineer
Suffolk County Council
Growth, Highway & Infrastructure
Endeavour House, 8 Russell Rd, Ipswich , Suffolk IP1 2BX

-----Original Message-----

From:
Sent: 27 June 2022 17:17
To: GHI Floods Planning
Subject: MSDC Planning Re-consultation Request - DC/21/06333 - FUL

Please find attached planning re-consultation request letter relating to planning application - DC/21/06333 - Land Off A14, Elmswell, Suffolk,

Kind Regards

Planning Support Team

From: RM Archaeology Mailbox

Sent: 23 December 2021 13:02

Subject: RE: ACTION: Outstanding Consultee Responses - DC/21/06333 - Land Off A14, Elmswell

Dear James,

Thank you for your email. I couldn't find an external consult— apologies for a late response. It is likely that the team reviewed the application from the weekly planning list.

In terms of below ground remains, the Desk-based Assessment submitted by Allen Archaeology presents an informed assessment of the potential of the site, noting that the possibility for remains of Prehistoric and Roman date, whilst it cannot be discounted, is considered to be low. The report also highlights the earthworks and visibility of the road that pre-dates the A14, with an assessment that they are of local significance. As noted in the report, evaluation of the northern part of the site recorded one post-medieval ditch, which appears to line up with a boundary shown on the historic maps. This report showed some truncation and some build up and made ground, and the same deposit sequence may be anticipated on the site.

On balance, I would reiterate for this current scheme the advice that we gave on the site in 2017 (DC/17/02349) - that we had no objection to development on the site, and that we did not believe that any mitigation is required.

We would highlight, however, the advice of heritage advisors and Historic England in relation to the historic landscape.

If you would like further details or would like to discuss further, please do get in touch,

With best wishes,

Abby

Dr Abby Antrobus

Archaeological Planning Services Manager

Suffolk County Council Archaeological Service (Growth, Highways and Infrastructure)

Mid Suffolk District Council
Planning Department
Endeavour House
Russell Road
Ipswich
IP1 2BX

Fire Business Support Team
Floor 3, Block 2
Endeavour House
8 Russell Road
Ipswich, Suffolk
IP1 2BX

Your Ref:
Our Ref: FS/F310973
Enquiries to: Water Officer
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

Date: 25/11/2021

Dear Sirs,

LAND OFF A14 ELMSWELL, IP30 9RU
Planning Application No: DC/21/06333/FUL
A CONDITION IS REQUIRED FOR FIRE HYDRANTS
(see our required conditions)

I refer to the above application.

The plans have been inspected by the Water Officer who has the following comments to make.

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

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.

/continued

OFFICIAL

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.

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 or appointed Approved Inspector in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.

Yours faithfully

Water Officer

Suffolk Fire and Rescue Service

Enc: Hydrant requirement letter

Copy: james@jamesbaileyplanning.com

Enc: Sprinkler information

Mid Suffolk District Council
Planning Department
Endeavour House
Russell Road
Ipswich
IP1 2BX

Fire Business Support Team
Floor 3, Block 2
Endeavour House
8 Russell Road
Ipswich, Suffolk
IP1 2BX

Your Ref:
Our Ref: ENG/AK
Enquiries to: Water Officer
Direct Line: 01473 260486
E-mail: Angela.Kempen@suffolk.gov.uk
Web Address: www.suffolk.gov.uk

Date: 25 November 2021

Planning Ref: DC/21/06333/FUL

Dear Sirs

**RE: PROVISION OF WATER FOR FIRE FIGHTING
ADDRESS:
DESCRIPTION:
HYDRANTS REQUIRED**

If the Planning Authority is minded to grant approval, the Fire Authority require adequate provision is made for fire hydrants, by the imposition of a suitable planning condition at the planning application stage.

If the Fire Authority is not consulted at the planning stage, or consulted and the conditions not applied, the Fire Authority will require that fire hydrants be installed retrospectively by the developer if the Planning Authority has not submitted a reason for the non-implementation of the required condition in the first instance.

The planning condition will carry a life term for the said development and the initiating agent/developer applying for planning approval and must be transferred to new ownership through land transfer or sale should this take place.

Fire hydrant provision will be agreed upon when the water authorities submit water plans to the Water Officer for Suffolk Fire and Rescue Service.

Where a planning condition has been imposed, the provision of fire hydrants will be fully funded by the developer and invoiced accordingly by Suffolk County Council.

Until Suffolk Fire and Rescue Service receive confirmation from the water authority that the installation of the fire hydrant has taken place, the planning condition will not be discharged.

Continued/

OFFICIAL

Should you require any further information or assistance I will be pleased to help.

Yours faithfully

Water Officer

Suffolk Fire and Rescue Service

OFFICIAL

Created: September 2015

Enquiries to: Fire Business Support Team
Tel: 01473 260588
Email: Fire.BusinessSupport@suffolk.gov.uk



Dear Sir/Madam

Suffolk Fire and Rescue Service – Automatic Fire Sprinklers in your Building Development

We understand from local Council planning you are considering undertaking building work.

The purpose of this letter is to encourage you to consider the benefits of installing automatic fire sprinklers in your house or commercial premises.

In the event of a fire in your premises an automatic fire sprinkler system is proven to save lives, help you to recover from the effects of a fire sooner and help get businesses back on their feet faster.

Many different features can be included within building design to enhance safety and security and promote business continuity. Too often consideration to incorporate such features is too late to for them to be easily incorporated into building work.

Dispelling the Myths of Automatic Fire Sprinklers

- Automatic fire sprinklers are relatively inexpensive to install, accounting for approximately 1-3% of the cost of a new build.
- Fire sprinkler heads will only operate in the vicinity of a fire, they do not all operate at once.
- An automatic fire sprinkler head discharges between 40-60 litres of water per minute and will cause considerably less water damage than would be necessary for Firefighters tackling a fully developed fire.
- Statistics show that the likelihood of automatic fire sprinklers activating accidentally is negligible – they operate differently to smoke alarms.

Promoting the Benefits of Automatic Fire Sprinklers

- They detect a fire in its incipient stage – this will potentially save lives in your premises.
- Sprinklers will control if not extinguish a fire reducing building damage.
- Automatic sprinklers protect the environment; reducing water damage and airborne pollution from smoke and toxic fumes.
- They potentially allow design freedoms in building plans, such as increased compartment size and travel distances.
- They may reduce insurance premiums.
- Automatic fire sprinklers enhance Firefighter safety.

OFFICIAL

- Domestic sprinkler heads are recessed into ceilings and pipe work concealed so you won't even know they're there.
- They support business continuity – insurers report 80% of businesses experiencing a fire will not recover.
- Properly installed and maintained automatic fire sprinklers can provide the safest of environments for you, your family or your employees.
- A desirable safety feature, they may enhance the value of your property and provide an additional sales feature.

The Next Step

Suffolk Fire and Rescue Service is working to make Suffolk a safer place to live. Part of this ambition is as champion for the increased installation of automatic fire sprinklers in commercial and domestic premises.

Any information you require to assist you to decide can be found on the following web pages:

Suffolk Fire and Rescue Service

<http://www.suffolk.gov.uk/emergency-and-rescue/>

Residential Sprinkler Association

<http://www.firesprinklers.info/>

British Automatic Fire Sprinkler Association

<http://www.bafsa.org.uk/>

Fire Protection Association

<http://www.thefpa.co.uk/>

Business Sprinkler Alliance

<http://www.business-sprinkler-alliance.org/>

I hope adopting automatic fire sprinklers in your build can help our aim of making 'Suffolk a safer place to live'.

Yours faithfully

Chief Fire Officer

Suffolk Fire and Rescue Service

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 24 Nov 2021 10:32:25

To:

Cc:

Subject: FW: MSDC Planning Consultation Request - DC/21/06333

Attachments:

From: Chris Ward <Chris.Ward@suffolk.gov.uk>

Sent: 24 November 2021 10:11

To: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>

Cc: Ben Chester <Ben.Chester@suffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Subject: RE: MSDC Planning Consultation Request - DC/21/06333

Dear Alex,

Thank you for consulting me about the proposed roadside service area development off the A14 in Elmswell. On reviewing the planning documents submitted, I have no comment to make, as the development does not meet the threshold that requires a Travel Plan.

Kind regards

Chris Ward

Active Travel Officer

Transport Strategy

Strategic Development - Growth, Highways and Infrastructure

Suffolk County Council

Endeavour House, 8 Russell Road, Ipswich, IP1 2BX

web : <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/>

Planning Application (DC/21/06333/Ful App).

Site: Erection of Petrol Filling station, drive-thru restaurant and Coffee shop, off A14 by A1088 at Elmswell, IP30 9RH

Applicant/Agent: Mr James BAILEY, Stirling House, Bury St Edmunds, for Euro Garages

Planning Officer: Mr Alex SCOTT

The crime prevention advice is given without the intention of creating a contract. Neither the Home Office nor Police Service accepts any legal responsibility for the advice given. Fire Prevention advice, Fire Safety certificate conditions, Health & Safety Regulations and safe working practices will always take precedence over any crime prevention issue. Recommendations included in this document have been provided specifically for this site and take account of the information available to the Police or supplied by you. Where recommendations have been made for additional security, it is assumed that products are compliant with the appropriate standard and competent installers will carry out the installation as per manufacturer guidelines. (Suppliers of suitably accepted products can be obtained by visiting www.securedbydesign.com.)

Dear **Mr SCOTT**

Thank you for allowing me to provide an input for the above Planning Application.

On behalf of Suffolk Constabulary I have viewed the available plans and would like to register the following comments with regards to Section 17 of the Crime and Disorder Act.

It is a known fact that petrol stations increase crime in areas, either through offenders failing to pay for petrol, shoplifting, or robbing these locations to obtain larger quantities of items, such as cigarettes, or alcohol.

Paragraph 4, provides a list of crimes within the area over a 6-month period from June to November 2021. Information is also provided on five random local petrol stations (details withheld). It can be seen from one particular petrol station that since the beginning of January 2019 to January 2022 there have been 106 offences recorded, most relating to the theft of petrol, classed as “Making Off Without Payment”, totalling 80 offences. It should also be noted some petrol stations report these types of thefts and some do not, as they have their own procedures on recovering money owed.

In view of the historical and current evidence of the rise in crime at similar locations, Suffolk Police regrettably cannot support this application.

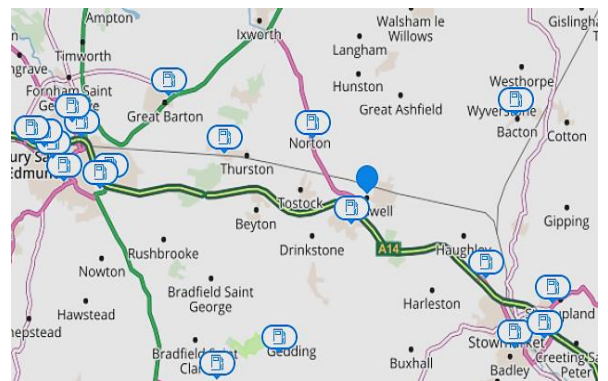
Whenever a petrol station planning application is made it usually accompanies a request for at least one or both a fast-food outlet/ restaurant and coffee shop.

Such installations as they are twenty-four opening outlets attract various crime either from the petrol station, or these type of businesses. The layout also heightens additional offences, mainly various forms of antisocial behaviour that include loud vehicle music, vehicle wheel spinning, hand brake turns and drivers using the area as a start or finishing point to race one another.

A twenty-four-hour petrol station and fast-food restaurant location around 7.5 miles away at Stowmarket is one example and further afield a petrol station at Martlesham onto the A12 is another, to name but a few.

It should be noted that there are currently eight petrol stations around the nearby Bury St Edmunds area and within a seven-mile radius of this location there are a further eleven petrol stations, with one already a few hundred metres away. There are no shortage of other petrol stations nearby as pictured right. Full details available at the following link:

[Petrol stations - service stations in Elmswell - ViaMichelin](#)



The role of a Design Out Crime Officer (DOCO) within Suffolk Police is to ensure that new developments are designed to minimise the opportunity for crime to occur which in the main is through the analysis method of Crime Prevention Through Environmental Design (CPTED) which is an analysis that is adopted for every proposed planning application no matter what the scheme. Further

information on CPTED can be found at [Crime prevention through environmental design - Wikipedia](#) or [Crime Prevention Through Environmental Design – Design For Security](#) Which is backed up by further security principles through the national Police Secure By Design (SBD) methodology. Further information on Secure By Design can be found at [Secured By Design](#)

Further information can be found at www.securedbydesign.com and for this type of development through 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_Commercial_2015_V2.pdf)

Secured by Design is a national crime prevention initiative based upon the principles of "*designing out crime*" and incorporates the latest security standards to address emerging criminal methods of attack. Secured by Design has been proven to reduce the opportunity for crime and the fear of crime, creating safer, more secure and sustainable environments.

1.0 GENERAL COMMENTS ON PROPOSED RESIDENTIAL AREA PLAN IN BRIEF

1.1 The proposed business is located around an arterial road network area, where offenders have a number of easy and fast access routes out of the area. It is essential that good security is implemented to reduce the risk of crime and assist in identifying offenders.

1.2 This proposed location is also a main route should the A14 suffer traffic delays and there is a concern if there are ever any further announcements that petrol may be in short supply, queuing drivers would cause a major disruption to this area, that would doubtless lead to incidents of antisocial behaviour and other criminal acts that have most recently included assaults around other areas of the UK.

1.3 As stated the nearby area at junction 50 suffers from bouts of antisocial behaviour and if this application is granted it is strongly requested to assist police that the following signs which relates to police powers under the Police Reform Act 2002 are prominently placed within the parking area:

"Section 59 of the Police Reform Act 2002"

**"Any person using their vehicle within this area
So as to cause alarm, distress or annoyance
to any member of the public may have
their vehicle seized or removed."**

1.4 Staff should have a clear view of all pumps, backed up with CCTV that covers the whole area and in particular within the shop, the shop entrance, the fuel pumps, the entrance and exit, along with the main parking area.

1.5 CCTV should be of a good high-definition quality, able to store images for at least 28 days and be easily transferable to assist in any police identification or evidence gathering cases. CCTV systems should be installed to BSEN 50132-7:2012+A1:2013. Further information on CCTV can be obtained in SBD Commercial 2015 V2 at pages 38-40, para 49.1 – 49.10).

1.6 CCTV systems should be registered with the Information Commission Office (ICO) <https://ico.org.uk/for-organisations/>

1.7 It is presumed the business will have sufficient Automatic Number Plate Readers (ANPR) to assist with identifying vehicle registrations. Further information on ANPR cameras can be found at the national police web site at: <https://www.police.uk/information-and-advice/automatic-number-plate-recognition/>

1.8 The petrol station should have a NACOSS gold monitored alarm, with a panic button installed behind the counter and the main entrance door should have remote operation to allow employees to secure the door should the need arise. The alarm should conform to recognised intruder alarm standards including BS4737 BS6799 DD243 and EN50131 (PD662:2004 – Scheme for the application of European standards for intruder and hold up alarm systems) and ACPO SSG requirements. I would like to see all fire doors alarmed too, so that if anyone leaves a door open staff will be able to close them as soon as possible. For further security the alarm system could be linked to a fogging device, which should conform to BSEN 50131-8:2009. Further information on types of police approved secure fogging devices can be found using the following link: <https://www.securedbydesign.com/member-companies/accredited-product-search?view=category&category=Fogging+Device> Further information on alarms can be found at SBD Commercial 2015 (V2), paras 64.1-64.3, page 49).

1.9 For information on how the police respond to alarms along with details on the role of the Two

regulatory bodies that govern the CCTV and Alarm industry:

<http://www.suffolk.police.uk/safetyadvice/businesssafety/crimeprevention/alarmsystems.aspx> (Further details can be obtained in SBD Commercial 2015 V2 at page 49 Sec 64 Para 64.1–64.2).

- 1.10** The counter area should be at a higher level on the staff side to provide protection for staff. It is recommended that the counter on the external customer side is around 1200mm high and 600mm deep and the floor area on the staff side raised by 150mm to allow a psychological advantage.
- 1.11** It is acknowledged that bank cards instead of cash is a more regular way of paying for goods, however, some people will still use cash and so their needs to be secure measures in place to move cash from the till, be it via a drop safe, or other measure and should meet LPS1183 or EN1143 security standards.
- 1.12** It is advisable that a protective retreat zone is incorporated in case staff are threatened, which could be an adjoining rest room or stock room area. This room should have an outward opening solid core door (if possible) which is at least 44mm thick, with heavy duty butt hinges and a kite marked 5 lever mortise lock to BS3621 security standards. Composite panels and profiled metal cladding are more vulnerable to attack, the first 2m of all walls externally, or internally should comprise brickwork or materials similar in strength.
- 1.13** There should be only one customer entrance and doors should comply with enhanced security to LPS 1175 SR 3 security standards. Hinge bolts should be used in any outward opening doors.
- 1.14 Security glazing:** All ground floor and easily accessible glazing should incorporate laminated glass to a minimum thickness of 7.5mm or glass successfully tested to BS EN 356:2000 *Glass in building. Security glazing - resistance to manual attack* to category P1A unless protected by a roller shutter or grille. The Secured by Design requirement for all laminated glass in commercial premises is certification to BS EN 356 2000 rating P1A unless it is protected by a roller shutter or grille. (Further details can be obtained in SBD Commercial 2015 V2 at page 45 Sec 58 Para 58.1 – 58.5 and page 46 Section 60 refer to guidance).
- 1.15** It is advisable that in order to further protect staff on site that roller shutters are installed on the outside of the windows, which can again be electronically shut from the counter area. The shutters should meet at least LPS1175, Grade 3 security standards. (Further details can be obtained in SBD Commercial 2015 V2, at pages 41, para 52.1-52.4).
- 1.16** The application does not state whether an ATM cash machine is likely to be added, as is often the case at service stations also catering for other businesses. It is hoped that as debit or credit card cards are a main point of cash usage that an ATM will not be installed. The inclusion of ATMs at petrol stations can make them more vulnerable to attack, including ram raiding. It is strongly advised that this area is well lit and covered by good quality CCTV. If an ATM is included it should be installed to the guidelines set down in “Best Practice guide for Physical ATM Security”, provided by the ATM Security Working Group, further information can be found using the following link: https://www.link.co.uk/media/1181/best_practice_for_physical_atm_security.pdf
- 1.17** With regard to any toilet facilities, all service pipes and fittings should be fully enclosed to prevent vandalism. Ideally, anti-vandal light fittings should be fitted, together with non-return screws and hidden fixings. The use of an anti-graffiti coating will aid the removal any drawing or lettering.
- 1.18** The parking area needs to be well-lit with strategically placed white LED column lighting. Note Bollard lighting is not recommended within any area of the development as it is not compliant with Secure By Design principles and BS5489:2013 standards, in that it does not give sufficient light at the right height to aid the reduction of the fear of crime as they do not light people’s faces sufficiently. Further details can be obtained in SBD Commercial 2015 V2, at page 28, paras 39.1-39.7 and pages 19-20, paras 21.1-21.5 refer).
- 1.19** It is strongly recommended that the car park is designed to principles laid down in the police owned “ParkMark” initiative at <http://www.parkmark.co.uk/> (Further details can be obtained in SBD Commercial 2015 V2, at pages 18-19, para 20.1-20.11).
- 1.20** It is presumed that the restaurant and coffee shop will be 24 hour opening too? Will there be specific times that the staff will close the shop and only allow payment/obtaining of goods through a serving hatch? Will any of the pumps be automated and will these allocated pumps be 24-hour payment pumps? Automated pumps reduce the problem of theft of fuel, as the payment has to be made in

advance prior to obtaining fuel.

1.21 It's presumed the shop will sell cigarettes? It should be noted a number of crimes have occurred within Suffolk where offenders have broken into petrol stations to obtain cigarettes. Cigarettes should be situated behind the counter of a business and placed in securable roller shutter cabinets.

1.22 In line with Suffolk Guidance for Parking and Secure by Design principles secure cycle, motorcycle, moped and scooter parking should be available for staff. Such parking provision should benefit from surveillance from within the complex and through formal CCTV coverage.

1.23 In particular the detailed design should take account of the following principles:

- **Access and movement:** *Places with well-defined and well used routes with spaces and entrances that provide for convenient movement without compromising security.*
- **Structure:** *Places should be structured so that different uses do not cause conflict with no recesses, or obstacles for an offender to hide.*
- **Surveillance:** *In places where all publicly accessible spaces are overlooked CCTV should be co-ordinated within the lighting and landscape design. Lighting design should be co-ordinated with a CCTV installation and the landscape design to avoid any conflicts and to ensure that the lighting is sufficient to support a CCTV system.*
- **Lighting:** *Lighting should be designed to conform to BS 5489-1:2013 and light fittings should be protected where vulnerable to vandalism. The colour rendering qualities of all lamps should be to SBD standard of a minimum of at least 60Ra on the colour rendering index.*
- **Ownership:** *Places that promote a sense of ownership, respect, territorial responsibility and community.*
- **Physical protection:** *Places that include necessary, well-designed security features.*
- **Activity:** *Places where the level of human activity is appropriate to the location and creates a reduced risk of crime and a sense of safety at all times.*
- **Management and maintenance:** *Places that are designed with management and maintenance in mind, to discourage crime in the present and the future, encouraging businesses and legitimate business users to feel a sense of ownership and responsibility for their surroundings can make an important contribution to community safety and crime prevention. Clarity in defining the use of space can help to achieve a feeling of wellbeing and limit opportunities for crime.*

2.0 SECURE BY DESIGN (SBD)

Experience shows that incorporating security measures during a new build or a refurbishment project reduces crime, fear of crime and disorder.

The role of a Design Out Crime Officer within Suffolk Police is to assist in the design process to achieve a safe and secure environment for residents and visitors without creating a 'fortress environment'.

It would be good to see the development, or at least the Social Housing element built to Secured by Design SBD Homes 2019 accreditation. Further information on SBD can be found at www.securedbydesign.com

A further downloadable document can be obtained using the following link: https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019_NEW_version_2.pdf

3.0 REFERRALS

Section 17 of the Crime and Dis-Order Act outlines the responsibilities placed on local authorities to prevent crime and dis-order.

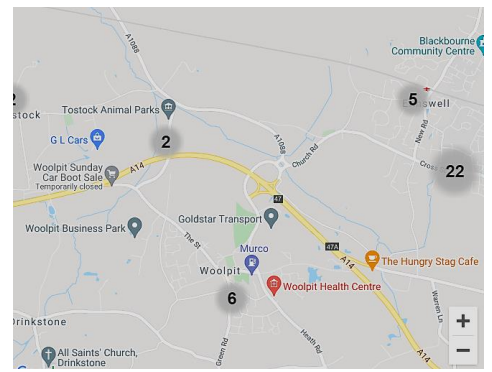
3.1 The National Planning Policy Framework on planning policies and decisions to create safe and accessible environments, laid out in chapter 8, para 91b and chapter 12, para 127f, in that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

3.2 The Suffolk Design Guide for Residential Areas- Shape of Development – (Design Principles Security) Looking at careful design of a new development in regard to landscaping, planting and footpaths.

3.3 Department for Transport – Manual for Streets (Crime Prevention) The layout of a residential area can have a significant impact on crime against property and pedestrians

4.0 CRIME STATISTICS FOR POST CODE AREA AROUND IP30 9RH

The crime figures have been obtained from the Suffolk Police Crime computer base and the National Police Crime Mapper web site. The Police Crime Mapper Web site is available for any member of the public to view using the following link: [Stowmarket | Police.uk \(www.police.uk\)](https://www.police.uk) and [Suffolk - Overview - Ward | Elmswell & Woolpit | InstantAtlas Reports \(suffolkobservatory.info\)](https://www.suffolkpolice.co.uk)



4.1 The graph right indicates a breakdown of the offences committed around this area between June-November 2021, totalling 168 offences. The majority relating to Violent and Sexual offences, which totalled 84 offences. Followed Antisocial behaviour/Public Order offences which totalled 26 offences.

Offence	June 2021	July 2021	Aug 2021	Sept 2021	Oct 2021	Nov 2021
Burglary/Theft	2	4	2	1	3	5
Robbery						
Vehicle Crime			1			
Criminal 12 Damage/Arson	2	3	3	4	5	1
ASB/Public 18 Order/Harrassmt	1	4	6	3	3	9
Violent & Sexual Offences 15	14	10	7	14	23	16
Shoplifting				2		
Drugs						
Other Offences	7	2	1	1	3	6
Grand Totals	26	23	20	25	37	37

4.2 A search of crimes occurring between January 2019 to date at surrounding petrol stations showed as follows:

- One petrol station **reported 106 offences** that included **80 x Making off**, of these 21 occurred in 2021, with 22 in 2020 and 38 in 2019 ; 6 x poss drugs; 9 x theft from shop; 1 x theft from vehicle; 2 x mental health incidents; 1 x Poss offensive weapon; 1 x Passing counterfeit money; 1 x Public Order; 2 x thefts and 2 x drink drive.
- One petrol station **reported 28 offences**, that include 6 offences of making off without payment; 3 theft/Frauds; 6 shoplifting; 2 Domestic incidents; 1 Criminal Damage; 1 GBH and 2 Assaults; 2 Possession of Drugs; 4 Public Order; 1 Mental Health case and 2 Armed Robberies, where the cashier was threatened with a knife.
- One petrol station **reported 14 offences**, that included 6 offences of making off without payment; 2 shoplifting offences; 2 cases of criminal damages to cars; 1 Rape and one Assault. There was also intelligence given to the police that at one station a male was seen handing over on payment a dog to another male, which was deemed suspicious.
- One petrol station **reported 11 offences** that included 4 Theft from shop; 1 x theft from motor; 2 x Making off, with police called to one and police assaulted. 1 theft of bike; 3x Public Order when a person with no money was aggressive to staff wanting to be served fuel. On another occasion a male who appeared to have consumed too much alcohol demanded to be served more alcohol and became aggressive when staff refused. On another occasion three males walked into the shop and picked up some alcohol, the staff member asked for ID and was then verbally abused and the males left all but one can of alcohol, where they picked it up opened it and began drinking it and left without paying.
- One petrol station **reported 4 offences** that included the attempted theft of the ATM; 1 Drugs offence; 1 Making off without payment and 1 Domestic.
- At one area where there is a fast-food outlet and coffee shop there were **28 offences** that included; 6 x Assaults; 1 x wounding (GBH); 4 x Pub Ord; 3 x drugs offences; 3 x domestic disputes; 2 x thefts; 1 x Passing counterfeit cash; 2 x Racially aggravated assault; 3 x Drink drive; 2 x other offences and 1 arrest for money laundering where a male was stopped and found in possession of over £500 in cash.

5.0 FINAL CONCLUSION

As initially stated it is a known fact that petrol stations increase crime in areas, either through offenders failing to pay for petrol, shoplifting, or robbing these locations to obtain larger quantities of items, such as cigarettes, or alcohol.

This report highlights how such establishments, especially when combined with fast food outlets, coffee shops and extra parking, increases crime and in particular antisocial behaviour. As a result Suffolk Police cannot support this application.

Police nationally promote Secured by Design (SBD) principles, aimed at achieving a good overall standard of security for buildings and the immediate environment. It attempts to deter criminal and anti-social behaviour

within developments by appropriate design features that enable natural surveillance and create a sense of ownership and responsibility for every part of the development.

5.1 To reiterate, concerns around this development are:

- a) **The proposed business is located around an arterial road network area, where offenders have a number of easy and fast access routes out of the area. It is essential that good security is implemented to reduce the risk of crime and assist in identifying offenders.**
- b) **This proposed location is also a main route should the A14 suffer traffic delays and if there are ever any further announcements petrol may be in short supply, queuing drivers would cause a major disruption to this area, that would doubtless lead to incidents of antisocial behaviour.**
- c) **Staff should have a clear view of all pumps, backed up with CCTV that covers the whole area. The CCTV should be of a good high-definition quality, be able to store images for at least 28 days and be easily transferable to assist in any police identification and registered with the Information Commission Office (ICO), (page 2, paras 1.4-1.7 refer).**
- d) **The petrol station should have a NACOSS gold monitored alarm, with a panic button installed behind the counter and the main entrance door should have remote operation to allow employees to secure the door should the need arise, (page 2, paras 1.8-1.9 refer).**
- e) **The counter area should be at a higher level on the staff side to provide protection for staff and should be able to secure money away, either through a drop safe or secure room. There should also be a retreat room in case of attack, (page 3, paras 1.10-1.12 refer).**
- f) **The first 2m of all walls externally or internally should comprise brickwork or materials similar in strength, with one customer entrance and the doors should comply with enhanced security doors to LPS 1175 SR 3 security standards (page 3, paras 1.13-1.14 refer).**
- g) **Security glazing:** All ground floor and easily accessible glazing should incorporate laminated glass to a minimum thickness of 7.5mm or glass successfully tested to BS EN 356:2000. **To further protect staff roller shutters should be installed on the outside of the windows, which can again be electronically shut from by the counter area (page 3, paras 1.15-1.16 refer).**
- h) **Security bollards are currently around the current ATM, it is recommended that security bollards are placed strategically around the shop too. It is also strongly advised that this area is well lit and covered by good quality CCTV. The ATM's should be installed to the guidelines set down in "Best Practice guide for Physical ATM Security", provided by the ATM Security Working Group (pages 3, paras 1.17-1.18 refer).**
- i) **All service pipes and fittings should be fully enclosed to prevent vandalism within the toilet facilities with an anti-graffiti paint coating. Ideally, anti-vandal light fittings should be fitted, together with non-return screws and hidden fixings (pages 3- 4, para 1.19 refers).**
- j) **The perimeter around the current petrol station is dense and high, so it is strongly recommended the whole area, especially the parking area is well lit with strategically placed white LED column lighting. It is strongly recommended the parking area is designed to the police owned "ParkMark" initiative (page 4, paras 1.20-1.21 refer).**

I would be pleased to work with the agent and/or the developer to ensure the proposed development incorporates preferred crime reduction elements. This is the most efficient way to proceed with residential developments and is a partnership approach to reduce the opportunity for crime and the fear of crime.

If you wish to discuss anything further or need assistance with the SBD application, please contact me on 01284 774141.

Yours sincerely

Phil Kemp



Designing Out Crime Officer, Western and Southern Areas,
Suffolk Constabulary, Raingate Street,
Bury St Edmunds, Suffolk, IP33 2AP



Consultation Response Pro forma

1	Application Number	DC/21/06333 Land Off A14, Elmswell	
2	Date of Response	17/12/2021	
3	Responding Officer	Name:	Thomas Pinner
		Job Title:	Heritage and Design Officer
		Responding on behalf of...	Heritage Team
4	Summary and Recommendation	<p>1. I consider that the proposal would probably cause:</p> <ul style="list-style-type: none"> • A very low to low level of less than substantial harm to designated heritage assets because the proposed development is likely to be a somewhat noticeable unsympathetic intrusion into the settings of the churches of St John and St Mary, and Crossways, thus detracting from their significance, subject to some extent to further details, which could potentially also further increase the harm. 	
5	Discussion	<p>The application proposes the development of a petrol filling station, drive-thru restaurant, coffee shop and associated infrastructure. The heritage concern relates to the potential impact of the works on the significance of:</p> <ul style="list-style-type: none"> - The Church of St John, Elmswell, a Grade II* Listed medieval parish church, restored in the C19, to the north - The Church of St Mary, Woolpit, a Grade I Listed medieval parish church, to the south - Crossways, a Grade II Listed early C19 farmhouse, including associated potentially curtilage listed structures, to the east. <p>The current application follows a similar application, under DC/17/02349, which was refused. There are some changes in the current application, but I consider the Heritage impacts of both schemes would be roughly similar, so my comments are based on those submitted by the Heritage Team for DC/17/02349.</p> <p>The churches of St John and St Mary are important, visually prominent, landmark features, due to their towers/spires, identifying the location of the two historic rural villages of Elmswell and Woolpit. This is considered to make an important positive contribution to the significance of both churches. The many views</p>	

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	<p>afforded of the churches, both short and long range, add to this character and thus their significance.</p> <p>I consider that the proposed development would likely be experienced in the context of both churches to some extent, being seen in some of the views to, from and including the churches. This includes the development likely being seen within views between the two churches, which may well be possible, particularly from their towers/spires, assuming these are accessible (I am not sure to what extent this is the case). The A14 and VOSA site are likely already an intrusion into many of these views, but this does not mean the proposal could not cause additional, cumulative harm. These viewpoints do not have to be accessible to the general public to still make a positive contribution to their significance, particularly as degrees of public access can change over time, as long as they are still physically possible to experience – see Historic England’s <i>The Setting of Heritage Assets</i> guidance (2017) - https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/.</p> <p>Due to the form of the development, which would be of an urban, commercial/industrial type, it is likely to appear out of keeping with the rural settings of the churches, where they are experienced together, and thus cause harm to their significance. Furthermore, the proposed development may also directly block certain views of the churches. The submitted Archaeological Assessment does indicate at least some views of the churches from within or around the development site thus likely to be impacted. Most views relating to the churches would probably not be impacted, but it seems likely that some would.</p> <p>In addition, lighting and signage associated with the development could further exaggerate the harmful affects on the significance of the churches, particularly intensive lighting with 24-hour operation, and large, totem style signage, which are often associated with such developments. It is difficult to assess from the submitted information exactly from how far the proposed lighting would be visible, and there is little detail on the heights and designs of signage proposed, as it is intended to be covered by another application, so it is a little difficult to assess at this stage exactly what their impact would be.</p> <p>As with the churches, I consider that part of the significance of Crossways is its rural setting, which</p>
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	<p>despite having been somewhat eroded by the A14 and the VOSA site, is still reasonably preserved. Crossways is not currently as prominent within the landscape, though intervening vegetation could be lost in the future, beyond Planning control, increasing this, and thus its intervisibility with the site. Furthermore, the proposed development would still be in close proximity to this listed building and thus I consider that even at present a sense of the development being within the setting of Crossways may still be apparent when moving towards or away from the listed building. Furthermore, even with currently vegetation levels, lighting and tall signage may still be visible in close proximity to Crossways.</p> <p>A more comprehensive assessment of viewpoints from which the above listed buildings are experienced, both static and dynamic views, would assist with assessing the exact level of harm.</p> <p>If the LPA is minded to approve the current application and is satisfied that heritage impacts relating to lighting and signage can be suitably mitigated without compromising the viability of the scheme, then I would request these are conditioned/dealt with under a separate application. However, if not, then I request further information on these aspects are provided up front, in this application, to include visualizations of lighting spill from the heritage assets and detailed plans of proposed signage heights and designs, including any lighting affixed to them.</p> <p>Mitigation conditions regarding planting would also be requested if the LPA are minded to approve. These may go some way towards reducing the harm. This includes securing more tree planting than is shown on the current proposed Landscaping Plan if possible.</p> <p>The less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal, as per para.202 of the NPPF.</p> <p><i>Decision-takers should be mindful of the specific legal duties of the local planning authority with respect to the special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, as set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</i></p> <p><i>Decision-takers should be mindful of the specific legal duties of the local planning authority with respect to the</i></p>
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		<i>special attention which shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area, as set out in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</i>
6	Amendments, Clarification or Additional Information Required	<ul style="list-style-type: none"> - More comprehensive assessment of current experience of the relevant listed buildings and how the proposed development would be experienced within this, as above. - Further details on proposed lighting spill and signage, as above, or as conditions, as appropriate.
7	Recommended conditions	<p>If the LPA are minded to approve the application, the following conditions would be requested:</p> <ul style="list-style-type: none"> - Prior to the installation of any signage not currently detailed, detailed elevation drawings at appropriate scales/manufacturer's literature, as appropriate, of all proposed signage, and confirmation of proposed locations on site. - Suitable restrictions on intensity and hours of operation of external lighting, including part night dimming, in line with the condition requested by BMSDC Environmental Health (Noise/Odour/Light/Smoke) or as considered appropriate. - Notwithstanding the submitted Landscaping Plan, a proposed Landscaping Plan showing additional tree planting (or other mitigation measures), to obscure the proposed development from nearby heritage assets as far as possible. - Restriction to ensure proposed trees are planted within a reasonable timeframe, and measures to ensure their protection, and replacement should they die, as far and for as long as is possible.

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Consultation Response Pro forma

1	Application Number	DC/21/06333 Amended Land off A14, Elmswell	
2	Date of Response	16/03/2022	
3	Responding Officer	Name:	Thomas Pinner
		Job Title:	Acting Senior Heritage Officer
		Responding on behalf of...	Heritage Team
4	Summary and Recommendation	<p>1. I consider that the proposal would probably cause:</p> <ul style="list-style-type: none"> • A very low to low level of less than substantial harm to designated heritage assets because the proposed development is likely to be a somewhat noticeable unsympathetic intrusion into the wider settings of the churches of St John and St Mary, as experienced through long distance views of/from their towers/spires, thus detracting from their significance to some extent. • A very low level of less than substantial harm to the significance of a designated heritage asset, as the proposal may slightly be experienced as a negative intrusion into the setting of Crossways, probably primarily if intervening vegetation cover was reduced in the future, which would largely be beyond the Heritage Team's control. 	
5	Discussion	<p>The application proposes the development of a petrol filling station, drive-thru restaurant, coffee shop and associated infrastructure. The heritage concern relates to the potential impact of the works on the significance of:</p> <ul style="list-style-type: none"> - The Church of St John, Elmswell, a Grade II* Listed medieval parish church, restored in the C19, to the north - The Church of St Mary, Woolpit, a Grade I Listed medieval parish church, to the south - Crossways, a Grade II Listed early C19 farmhouse, including associated potentially curtilage listed structures, to the east. <p>Subsequent to my previous comments, additional information and amendments have been submitted, including a Landscape Appraisal. This is useful in further illustrating the extent of views currently afforded of the above heritage assets that may be impacted by the proposed development. They do indicate a number of views of the churches towers/spires which would likely be altered by the proposed development, and I</p>	

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	<p>would consider this alteration is likely to be negative, but many of these views appear to be quite slight, and/or are already somewhat impinged upon by the A14 and VOSA Site. This additional information does not particularly change my assessment of the impact of the physical presents of the structures on the significance of the two churches – the Landscape Assessment identifies the same level of very low to low level of less than substantial harm (p.25) - but does provide some additional clarity.</p> <p>This appraisal (p.23) also states that the maximum height of any new signage (to be agreed separately), would not need to be higher than 4 metres. Consequently, I consider it is unlikely to discernibly add to any harm, and this has addressed my concern in this regard at this stage.</p> <p>Additional information regarding lighting has also been submitted. It is somewhat beyond my remit to assess the technical details of this, but I note the comments from BMSDC Environmental Health – Noise/Odour/Light/Smoke, including that the lighting scheme should give minimum light spill. Consequently, while I consider that, given the amount of lighting still required, this could still discernibly add to a sense of the proposal being a negative intrusion into the setting of the heritage assets, this provides some reassurance that attempts to minimise this harm have been undertaken.</p> <p>Upon reflection, given the above, I consider that any harm to Crossways is likely to be less than to the churches, so this is revised to a lower level.</p> <p>Amendments have also been made to the design and layout of the proposed site. However, I consider that these would not change the impact of the proposal on any heritage assets. The revised Planting Plan does not appear to propose changes to planting in a way that would further mitigate harm, or state that this would not be possible, but I shall leave the LPA to conclude whether securing additional vegetation screening through a condition would be possible/reasonable.</p> <p>The less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal, as per para.202 of the NPPF.</p> <p><i>Decision-takers should be mindful of the specific legal duties of the local planning authority with respect to the special regard to the desirability of preserving the listed</i></p>
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		<i>building or its setting or any features of special architectural or historic interest which it possesses, as set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</i>
6	Amendments, Clarification or Additional Information Required	
7	Recommended conditions	<p>If the LPA are minded to approve the application, the following conditions would be requested:</p> <ul style="list-style-type: none"> - Suitable restriction on hours of lighting operation, including part night dimming, as deemed appropriate by the LPA. - Notwithstanding the submitted Landscaping Plan, a proposed Landscaping Plan showing additional tree planting (or other mitigation measures), to obscure the proposed development from nearby heritage assets as far as reasonable, as deemed appropriate by the LPA. - Restriction to ensure proposed vegetation is planted within a reasonable timeframe, and measures to ensure their protection, and replacement should they die, as far and for as long as is deemed reasonable.

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05 January 2022

Alex Scott
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: DC/21/06333
Location: Land Off A14 Elmswell Suffolk
Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

Dear Alex,

Thank you for consulting Place Services on the above application.

No objection subject to ecological mitigation and enhancement measures

Summary

We have reviewed the Extended Phase 1 Habitat Survey (Rachel Hacking Ltd, October 2021), supplied by the applicant, relating to the likely impacts of development on designated sites, protected and Priority species & habitats.

In addition, we have assessed the Planting Plan (DEP Landscape Architecture LTD, October 2021), the Planting Plan (DEP Landscape Architecture LTD, October 2021) and the external lighting plan (Kingfisher Lighting Ltd, October 2021)

We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority Species/ Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Extended Phase 1 Habitat Survey (Rachel Hacking Ltd, October 2021) should be secured and implemented in full. This is necessary to conserve protected and Priority Species.

In addition, we note that the external lighting plan will result in relatively high lux levels on the boundary habitat for this development. However, given that the location of the development and that the habitats



on site have relatively low foraging and commuting value for bats, it is indicated that we also support the proposed external lighting scheme for this application.

Furthermore, we approve of the details contained within the Planting Plan (DEP Landscape Architecture LTD, October 2021) and the Planting Plan (DEP Landscape Architecture LTD, October 2021). This outlines suitable planting for native species hedgerow, scrub and wildflower meadows, as well as appropriate aftercare and management for these features.

However, we note that additional reasonable biodiversity enhancements have been recommended within the Extended Phase 1 Habitat Survey (Rachel Hacking Ltd, October 2021) to secure net gains for biodiversity, as outlined under Paragraph 174 [d] of the National Planning Policy Framework 2021. Therefore, the reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy to be secured as a condition of any consent.

This will enable LPA to demonstrate its 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.

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation and enhancement and/or works shall be carried out in accordance with the details contained in the Extended Phase 1 Habitat Survey (Rachel Hacking Ltd, October 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.”

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) as updated by the Environmental Act 2021.

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: 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 prior to occupation 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) as updated by the Environment Act 2021.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)

Ecological Consultant

placeservicesecology@essex.gov.uk

Place Services provide ecological advice on behalf of Mid Suffolk District Council

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.



01 April 2022

Alex Scott
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich IP1 2BX

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Mid Suffolk District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: DC/21/06333
Location: Land Off A14 Elmswell Suffolk
Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

Dear Alex,

Thank you for consulting Place Services on the above application.

No objection subject to ecological mitigation and enhancement measures

Summary

We have re-assessed the Extended Phase 1 Habitat Survey (Rachel Hacking Ltd, October 2021), supplied by the applicant, relating to the likely impacts of development on designated sites, protected and Priority species & habitats.

In addition, we have assessed the further documents submitted for this scheme. This includes the Planting Plan – Rev A (DEP Landscape Architecture LTD, October 2021 and the updated external lighting plan (Kingfisher Lighting Ltd, February 2022).

We are still satisfied that there is sufficient ecological information available for determination and we support the details contained within the updated Planting Plan.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority Species/ Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.



The mitigation measures identified in the Extended Phase 1 Habitat Survey (Rachel Hacking Ltd, October 2021) should be secured and implemented in full. This is necessary to conserve protected and Priority Species.

We still note that the external lighting plan will result in relatively high lux levels on the boundary habitat for this development. However, we still support the proposed scheme outlined by the updated external lighting plan (Kingfisher Lighting Ltd, February 2022), as the ecological assessment has confirmed that the site has low foraging and commuting value for bats

However, reasonable biodiversity enhancements should be implemented for this application, to secure net gains for biodiversity, as outlined under Paragraph 174 [d] of the National Planning Policy Framework 2021. Therefore, the reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy to be secured as a condition of any consent.

This will enable LPA to demonstrate its 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.

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation and enhancement and/or works shall be carried out in accordance with the details contained in the Extended Phase 1 Habitat Survey (Rachel Hacking Ltd, October 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.”

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) as updated by the Environmental Act 2021.

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: 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 prior to occupation 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) as updated by the Environment Act 2021.

Please contact us with any queries.

Yours sincerely,

Hamish Jackson ACIEEM BSc (Hons)

Ecological Consultant

placeservicesecology@essex.gov.uk

Place Services provide ecological advice on behalf of Mid Suffolk District Council

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

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[@PlaceServices](https://twitter.com/PlaceServices)



Planning Services
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

21/12/2021

For the attention of: Alex Scott

Ref: DC/21/06333; Land Off A14 Elmswell Suffolk

Thank you for consulting is on the full planning application for the development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works. This letter sets out our consultation response on how the proposal relates and responds to the landscape setting and context of the site.

The site sits immediately next to VOSA's roadside enforcement facility which is located on junction 47 of the A14, lying equidistant from both St Bury St Edmunds to the west and Stowmarket to the east, as well as being located in-between the villages of Elmswell (to the north) and Woolpit (to the south).

A previous application under ref: DC/17/02349 was supported by a landscape and visual assessment, however this application has not been accompanied by similar. The site is not within a designated landscape area however there will still be a level of adverse visual and landscape impact and therefore a landscape and visual appraisal would have been favoured.

Nevertheless, based on a desktop review, the local character of the immediate area is influenced by many urbanising elements, with its wider setting still of semi-rural character with open vistas across the landscape available. The character of the site itself will change, though on review of the planting proposals, the change has been mitigated by proposed native hedgerow, shrub, and tree planting to the site's perimeter that will help integrate the development into the landscape and provide biodiversity enhancements,

The planting plan and landscape management plan provide sufficient information that conditions are not required. However, we would recommend that the tree planting proposals along the northern boundary are amended to include a mix of tree species, rather than a singular species as shown. Also, we would advise the amenity lawn mix is replaced with a flowering lawn mix. Flowering lawns provide visual interest, improve biodiversity value, establish quickly and are easy to maintain long-term.

If you have any queries regarding the matters above, please do not hesitate to contact me.

Kind regards,

Ryan Mills BSc (Hons) MSc CMLI
Senior Landscape Consultant

Place Services provide landscape advice on behalf of Babergh and Mid Suffolk District Councils. Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.



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Planning Services
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

22/03/2022

For the attention of: Alex Scott

Ref: DC/21/06333; Land Off A14 Elmswell Suffolk

Thank you for re-consulting is on the full planning application for the development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works. This letter sets out our consultation response on how the proposal relates and responds to the landscape setting and context of the site.

The application is now supported by a landscape assessment, which provides an analysis of the landscape and visual baseline context, along with an assessment of the potential impacts on landscape character and visual receptors. Reference to the "Guidelines for Landscape and Visual Impact Assessment" (GLVIA3) have not been made, however given the scale of development proposed, the level of detail provided is deemed sufficient.

The assessment concludes that "*The development will result in a change of character of the site from open field with fenced boundaries to buildings, roads, car park and hardstanding*". Though, "*the development will be viewed in the context of the surrounding built form, and in particular the recently completed VOSA site.*" Generally, we agree with the findings of the report and are of the judgement that the proposed native hedgerow, shrub, and tree planting to the site's perimeter are suitable landscape and visual mitigation measures.

In addition, a revised planting plan (Dwg no. 3653 Rev A) has also been submitted that takes into consideration our recommendations stated in our consultation response dated 21/12/21, which is welcomed.

If you have any queries regarding the matters above, please do not hesitate to contact me.

Kind regards,

Ryan Mills BSc (Hons) MSc CMLI
Senior Landscape Consultant

Place Services provide landscape advice on behalf of Babergh and Mid Suffolk District Councils. Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

From: BMSDC Planning Area Team Blue <planningblue@baberghmidsuffolk.gov.uk>

Sent: 07 Dec 2021 02:02:48

To:

Cc:

Subject: FW: DC/21/06333 - Air Quality

Attachments:

From: Jennifer Lockington <Jennifer.Lockington@baberghmidsuffolk.gov.uk>

Sent: 07 December 2021 13:45

To: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Cc: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>

Subject: DC/21/06333 - Air Quality

Dear Alex

YOUR REF: 21/06333

OUR REF: 300888

SUBJECT: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.
Land Off A14, Elmswell, Suffolk

Please find below my comments regarding air quality matters only.

Thank you for your consultation on the above application.

I have referred to the Environmental Protection UK (EPUK) Guidance, 2017 – Land Use Planning and Development Control: Planning for Air Quality, in assessing this application with regard to air quality. The data in the Transport Assessment, shows that the development would not meet the criteria in the EPUK Guidance for requiring an air quality assessment.

I have no objections with regard to air quality.

I would recommend that you consult my colleagues in Environmental Protection – Sustainability regarding this application.

Regards

Jennifer Lockington (Mrs)

Senior Environmental Management Officer

Babergh & Mid Suffolk District Councils - Working Together

tel: 01449 724706

www.babergh.gov.uk www.midsuffolk.gov.uk

Please note - I work Tuesdays and Wednesdays

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 03 Mar 2022 09:30:57

To:

Cc:

Subject: FW: DC/21/06333 - Air Quality

Attachments:

From: Jennifer Lockington <Jennifer.Lockington@baberghmidsuffolk.gov.uk>

Sent: 02 March 2022 22:33

To: Alex Scott <Alex.Scott@baberghmidsuffolk.gov.uk>; BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Cc: BMSDC Planning Mailbox <planning@baberghmidsuffolk.gov.uk>

Subject: DC/21/06333 - Air Quality

Dear Alex

YOUR REF: 21/06333

OUR REF: 304285

SUBJECT: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.
Land Off A14, Elmswell, Suffolk

Please find below my comments regarding air quality matters only.

Thank you for your re-consultation on the above application.

The additional documents have no impact on air quality. Therefore, I have no objections with regard to air quality.

Regards

Jennifer Lockington (Mrs)

Senior Environmental Management Officer

Babergh & Mid Suffolk District Councils - Working Together

tel: 01449 724706

www.babergh.gov.uk www.midsuffolk.gov.uk

Please note - I work Tuesdays and Wednesdays

From: Nathan Pittam
Sent: 03 December 2021 11:08
Subject: (300891) DC/21/06333. Land Contamination

EP Reference 300891
DC/21/06333. Land Contamination
Land Off A14, Elmswell
Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

I have no objection to the proposed development provided that the condition below is included with any permission that may be granted. Without this condition I would be minded to recommend that the application be refused until such time as the applicant is able to demonstrate that the site can be made suitable for use without need for the condition.

Regards

Nathan

Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@babberghmidsuffolk.gov.uk
Work: 01449 724715
websites: www.babergh.gov.uk www.midsuffolk.gov.uk

I am working flexibly - so whilst it suits me to email now, I do not expect a response or action outside of your own working hours

Proposed Condition: Standard Contaminated Land Condition (CL01)

No development shall take place until:

- 1. A strategy for investigating any contamination present on site (including ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.*
- 2. Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.*
- 3. A written report shall be submitted detailing the findings of the investigation referred to in (2) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate) for approval by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme as required.*

4. Any remediation work shall be carried out in accordance with the approved Remediation Scheme.
5. Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation Scheme.

Reason: To identify the extent and mitigate risk to the public, the wider environment and buildings arising from land contamination.

It is important that the following advisory comments are included in any notes accompanying the Decision Notice:

“There is a suspicion that the site may be contaminated or affected by ground gases. You should be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

Unless agreed with the Local Planning Authority, you must not carry out any development work (including demolition or site preparation) until the requirements of the condition have been met, or without the prior approval of the Local Planning Authority.

The developer shall ensure that any reports relating to site investigations and subsequent remediation strategies shall be forwarded for comment to the following bodies:

- *Local Planning Authority*
- *Environmental Services*
- *Building Inspector*
- *Environment Agency*

Any site investigations and remediation strategies in respect of site contamination (including ground gases, where appropriate) shall be carried out in accordance with current approved standards and codes of practice.

The applicant/developer is advised, in connection with the above condition(s) requiring the submission of a strategy to establish the presence of land contaminants and any necessary investigation and remediation measures, to contact the Council's Environmental Protection Team.”

From: Nathan Pittam
Sent: 11 March 2022 08:20
Subject: (304287) DC/21/06333. Land Contamination.

EP Reference : 304287
DC/21/06333. Land Contamination.
Land adjacent, Kiln Lane, Elmswell, BURY ST EDMUNDS, Suffolk.
Development of a petrol filling station, a drive-thru restaurant and coffee shop,
together with various infrastructure and landscaping works.

Many thanks for your request for comments in relation to the above application. I can confirm that I have no cause to amend my previous comments of 3rd December 2021.

Regards

Nathan

Nathan Pittam BSc. (Hons.) PhD
Senior Environmental Management Officer

Babergh and Mid Suffolk District Councils – Working Together

Email: Nathan.pittam@baberghmidsuffolk.gov.uk
Work: 01449 724715
websites: www.babergh.gov.uk www.midsuffolk.gov.uk

I am working flexibly - so whilst it suits me to email now, I do not expect a response or action outside of your own working hours

From: Simon Davison
Sent: 11 February 2022 09:03
Subject: DC/21/06333

Dear Alex,

APPLICATION FOR PLANNING PERMISSION - DC/21/06333

Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.
Location: Land Off A14, Elmswell, Suffolk.

Reason(s) for re-consultation: Further additional information received by the Local Planning Authority on the 24th January 2022.

Many thanks for your request to comment on the application.

Upon review of the application the following condition must be met: No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority.

The scheme must include as a minimum to achieve:-

- Agreement of provisions to ensure the development is zero carbon ready
- Agreement of heating of each dwelling/building
- Agreement of scheme for waste reduction

The scheme shall include a clear timetable for the implementation of the measures in relation to the first 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 and thereafter maintained.

REASON: To enhance the sustainability of the development through better use of water, energy and resources reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Kind regards

Simon Davison PIEMA
Senior Environmental Management Officer
Babergh and Mid Suffolk District Councils - Working Together

From: Simon Davison
Sent: 18 March 2022 15:48
Subject: DC/21/06333

Dear Alex,

APPLICATION FOR PLANNING PERMISSION - DC/21/06333

Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

Location: Land Off A14, Elmswell, Suffolk.

Reason(s) for re-consultation: Documents dated 25/02/22.

Many thanks for your request to comment on the application.

I have nothing to add to my response by email dated 11th February 2022.

Kind regards

Simon Davison PIEMA
Senior Environmental Management Officer
Babergh and Mid Suffolk District Councils - Working Together

Mobile: 07874 634932

t: 01449 724728

email: simon.davison@baberghmidsuffolk.gov.uk

w: www.babergh.gov.uk www.midsuffolk.gov.uk

From: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Sent: 07 Dec 2021 09:10:34

To:

Cc:

Subject: FW: dc/21/06333

Attachments:

From: Andy Rutson-Edwards <Andy.Rutson-Edwards@baberghmidsuffolk.gov.uk>

Sent: 07 December 2021 08:48

To: BMSDC Planning Area Team Yellow <planningyellow@baberghmidsuffolk.gov.uk>

Subject: dc/21/06333

Environmental Health- Noise/Odour/Light

DC/21/06333

Land off A14, Elmwell

Development of a petrol filling station, drive through restaurant and coffee shop.

Thank you for the opportunity to comment on this application,

I can see from the previous application that EP required a lighting assessment to consider the nearby DVLA premises. I can also see there is a lighting scheme submitted to support this application.

I was however, unable to see any assessment on the vertical plane at the nearest DVLA building to the proposed development and therefore would require this to be undertaken.

I therefore recommend that the following are added by way of condition to any permissions granted:

- Prior to the commencement of development, a written scheme shall be submitted to and agreed in writing by the local planning authority that specifies the provisions to be made for the level of illumination of the site and to control light pollution. The scheme shall be implemented prior to beneficial use of the approved development and maintained for the lifetime of the approved development and shall not be altered without the prior written approval of the local planning authority. The scheme shall demonstrate that all lighting of the development including , source intensity, signage and building luminance) fully complies with the advice specified in the Institution of Lighting Professionals Guidance Note for the reduction of obtrusive light 2021. The submitted scheme shall include an isolux diagram showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent sensitive properties

Reason: to minimise detriment to nearby premises

The development also has fast food outlets, I would recommend the following condition :

- The development shall not commence until a scheme for treating fumes and odours so as to render them innocuous before their emission to the atmosphere has been submitted to and approved in writing by the local planning authority. The means of treating the fumes and odours shall be installed and be operational before the development is brought into use or occupied and maintained as such thereafter.

Reason: to minimise detriment to nearby premises

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

Email andy.rutson-edwards@baberghmidsuffolk.gov.uk
www.babergh.gov.uk www.midsuffolk.gov.uk

From: Andy Rutson-Edwards
Sent: 03 March 2022 16:47
Subject: WK304289 DC2106333

Environmental Health -
Noise/Odour/Light/Smoke

APPLICATION FOR PLANNING PERMISSION - DC/21/06333

Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

Location: Land Off A14, Elmswell, Suffolk,

Reason(s) for re-consultation: Documents dated 25/02/22

Thank you for re consulting me on this application. I have reviewed the lighting assessment and can see that the lighting proposed is suitable for the task with the pole mounted luminaires selected to give minimum light spill. I have no objection in principle. However Please can a condition be included as follows:

- All onsite lighting shall be installed in accordance with the drawing, number D44482/LC/B dated 23 February 2022. The scheme as described shall be implemented without alteration to the lighting specification prior to beneficial use of the approved development and maintained for the lifetime of the approved development and luminaire type, placement, alignment or specification shall not be altered without the prior written approval of the local planning authority

Andy

Andy Rutson-Edwards, MCIEH AMIOA

Senior Environmental Protection Officer

Babergh and Mid Suffolk District Council - Working Together

Tel: 01449 724727

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Consultee Comments for Planning Application DC/21/06333

Application Summary

Application Number: DC/21/06333

Address: Land Off A14 Elmswell Suffolk

Proposal: Full Planning Application - Development of a petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works.

Case Officer: Alex Scott

Consultee Details

Name: Mr James Fadeyi

Address: Mid Suffolk District Council Depot, Creeting Road West, Stowmarket, Suffolk IP14 5AT

Email: Not Available

On Behalf Of: MSDC - Waste Manager (Major Developments)

Comments

Good Afternoon,

Waste Services would not have any involvement in the construction phase of the project, as we do not collect construction waste and therefore have no comments about this aspect.

Kind regards,

James Fadeyi

Waste Management Officer - Waste Services

From: BMSDC Planning Area Team Yellow <planningyellow@babberghmidsuffolk.gov.uk>

Sent: 21 Dec 2021 10:07:40

To:

Cc:

Subject: Formal Consultation Response from Ward Member - DC/21/06333 - Land off A14, Elmswell

Attachments:

From: Sarah Mansel (Cllr)

Sent: 20 December 2021 15:40

To: Alex Scott

Subject: DC/21/06333

Good afternoon Alex,

As I am listed in the official consultees for this application I would like my objection to be noted.

This is the third iteration of an application for a fuel station and drive-thru restaurants to be considered on this site. I believe that the first application was withdrawn and the second refused on highway grounds. The SCC Highways comments have yet to appear on the website, but I can see very little difference to the access arrangements for this application when compared to the previous one. Admittedly the internal configuration has changed, but essentially the access and egress from this site will still cause the same problems as before. Any traffic visiting this site will need to traverse the roundabout twice - once on the way in and once on the way out. The roundabout is already considered to be a deterrent to pedestrian and cycle use for residents to sustainably get between the two villages of Elmswell and Woolpit. The two villages are becoming increasingly connected with shared services - we already have the GP practice in Woolpit, we have the station in Elmswell and now we also have the prospect of some Elmswell children having to be educated in Woolpit school(s). At least the proposed cycle/pedestrian link now seems to be on both MSDC and SCC radar and S106 contributions are being sought, even though this path will take several years to become fully funded and built. Even if it was already in existence, this site for fast food restaurants would still not be safely accessible to pedestrians and cyclists as they will need to cross the road on the curve of the bridge over A14.

The applicant claims that this service station is needed in this area, but there are already several other fuel stations in the locality and now that most petrol cars now have large tanks, there is no need to have fuel stations so frequently along the A14. This proposal is suggesting that it will not serve HGVs, but as the neighbouring VOSA site will have visiting HGVs this may be confusing and surely the need is more for freight than private cars. And in fact now that we as a nation have declared a climate emergency and are aiming for net-zero carbon emissions we should not even be building more services for combustion engine vehicles. All that will do it to encourage more cars on the road. The reason behind the decision to ban HGVs is presumably the cramped site - this really is a case of overdevelopment of the site - the applicant is trying to cram far too much onto this small site with constrained access.

What we should be building now for the 21st century are EV charging areas along trunk routes - in other words car parks with numerous fast EV charging points and sit-down cafes and restaurants - where drivers can take refreshment whilst their car charges, not petrol stations and drive-thrus. When I see the queues at other similar service areas, I think that the majority of vehicles in the queue for the drive-thrus are actually locals collecting meals and driving only a couple of miles - not travellers in need of a rest break. If a long distance driver needs a rest/break - surely it is safer to park the vehicle, get out to walk to the cafe/restaurant and sit down - not try to drink and eat with one hand on the steering wheel whilst negotiating a dodgy roundabout junction. And in fact those long distance drivers might even be turned away because of the long queues blocking up the roundabout anyway.

Drive-thru fast food outlets can not be considered sustainable in any interpretation of the word.

Some supporters of the application mention that this development will provide much needed jobs for the residents of the villages - but of course all of these employees will need to drive to get safely to work there - again this is not sustainable. Much of the development already permitted in both Elmswell and Woolpit was predicated on the new dwellings having sustainable access to all the amenities in the villages and this does not match that in any way.

I haven't begun to discuss some of the other objections to this scheme - to do with biodiversity, litter, vermin and light pollution, nor the economic threat to local services in Woolpit, Norton and other surrounding villages.

In summary - this is an outdated and unsustainable development, in a completely unsustainable location, but actually shouldn't really be sited anywhere.

Happy to have a discussion with you about my concerns if that is appropriate.

Thanks

Clr Sarah Mansel

Mid Suffolk District Councillor (Green Party)

Elmswell and Woolpit Ward

Email: sarah.mansel@midsuffolk.gov.uk

Phone: 07860 829517



Philip Isbell – Chief Planning Officer
Sustainable Communities

Mid Suffolk District Council
Endeavour House, 8 Russell Road, Ipswich IP1 2BX

Website: www.midsuffolk.gov.uk



REFUSAL OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015

Correspondence Address:

Boyer Planning
15 De Grey Square
De Grey Road
Colchester
Essex
CO4 5YQ

Applicant:

Euro Garages Ltd
Euro House
Beehive Trading Park
Haslingden Road
BLACKBURN
BB1 2EE

Date Application Received: 17-May-17

Application Reference: DC/17/02349

Date Registered: 19-May-17

Proposal & Location of Development:

Planning Application - Proposed development of 1 no. petrol filling station and 2 no. drive through restaurants, together with various infrastructure and landscaping works

Land Off The A14, Elmswell, Suffolk,

Section A – Plans & Documents:

This decision refers to drawing no./entitled 1453 -9 received 17/05/2017 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan 1453 -9 - Received 17/05/2017
Block Plan - Proposed 1453-10A - Received 17/05/2017
Proposed Plans and Elevations - Drive Through Restaurant #1 - 1453-5B - Received 27/04/2018
Proposed Plans and Elevations - Drive Through Restaurant #2 - 1453-6A - Received 17/05/2017
Proposed Plans and Elevations - Petrol Station - 1453 -7A - Received 17/05/2017
Landscaping Plan - Soft Landscaping - 3653.01 REV B - Received 18/09/2017
Landscaping Plan - Hard Landscaping - 3653.02 - Received 18/09/2017
Site Plan - Site elevations - 1453-8A - Received 27/04/2018
Lighting Scheme and Assessment - Received 18/09/2017

Section B:

Mid Suffolk District Council as Local Planning Authority, hereby give notice that **PLANNING PERMISSION HAS BEEN REFUSED** for the development proposed in the application in accordance with the particulars and plans listed in section A for the following reasons:

1. REASONS FOR REFUSAL - IMPACT ON HIGHWAY SAFETY

The proposed development, by reason of the design and layout of the proposed vehicle egress onto the A1088 and resulting increase in uncontrolled traffic levels, and the resultant conflicts between vehicles exiting the site and those using the existing A14 egress slip road, would result in severe detrimental impact on existing highway safety. On this basis the development would be contrary to the provisions of saved Policy T10 of the Development Plan and paragraphs 108 and 109 of the National Planning Policy Framework.

SUMMARY OF POLICIES WHICH ARE RELEVANT TO THE DECISION:

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
HB01 - Protection of historic buildings
E09 - Location of new businesses
E10 - New Industrial and commercial development in the countryside
New Industrial and commercial development in the countryside
S07 - Provision of local shops
T06 - Petrol filling stations and other road side services
T09 - Parking Standards
T10 - Highway Considerations in Development
CL08 - Protecting wildlife habitats
Elmswell Neighbourhood Plan

NOTES:

1. NPPF - DEPARTURE FROM POLICY

When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case negotiation occurred but agreement with regards suitable detail and/or mitigation was unable to be reached and secured.

2. REFUSED PLANS & DOCUMENTS

The drawings/documents considered by the Local Planning Authority in determination of this application are listed under Section A above.

Babergh and Mid Suffolk District Councils have adopted Community Infrastructure Levy (CIL) charging which affects planning permissions granted on or after 11th April 2016 and permitted development commenced on or after 11th April 2016. If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling or holiday let of any size your development may be liable to pay CIL and you must submit relevant documents to our Infrastructure Team telling us more about your development, who will pay CIL and when the development will start. You will receive advice on the amount you have to pay and what you have to do and you can find more information about CIL on our websites here:

[CIL in Babergh](#) and [CIL in Mid Suffolk](#) or by contacting the Infrastructure Team on: infrastructure@baberghmidsuffolk.gov.uk

This relates to document reference: DC/17/02349

Signed: Philip Isbell

Dated: 5th November 2019

**Chief Planning Officer
Sustainable Communities**

Appeals to the Secretary of State

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or consent, or to grant permission or consent subject to condition, they may appeal to the Secretary of State for Communities and Local Government. The applicant's right of appeal is in accordance with the appropriate statutory provisions which follow:

Planning Applications: Section 78 Town and Country Planning Act 1990

Listed Building Applications: Section 20 Planning (Listed Buildings and Conservation Areas) Act 1990

Advertisement Applications: Section 78 Town and Country Planning Act 1990
Regulation 15

Town and Country Planning (Control of Advertisements) Regulations 2007

Notice of appeal in the case of applications for advertisement consent must be served within eight weeks of receipt of this notice. Notice of Householder and Minor Commercial Appeals must be served within 12 weeks, in all other cases, notice of appeal must be served within six months of this notice. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within six months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://www.gov.uk/government/publications/modelnotification-notice-to-be-sent-to-an-applicant-when-permission-is-refused>

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he/she will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him/her that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by it, having regard to the statutory requirements*, to the provisions of the Development Order, and to any directions given under the Order. The Secretary of State does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him/her.

2. If permission or consent to develop land or carry out works is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use by the carrying out of any development or works which has been or would be permitted they may serve on the Council of the district in which the land is situated, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990 or Section 32 Planning (Listed Buildings and Conservation Areas) Act 1990.

*The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70 and 72(1) of the Act.

OFFICER'S REPORT AND RECOMMENDATION

CASE OFFICER: Alex Scott
CASE REFERENCE: DC/17/02349

The Openness of Local Government Bodies Regulations 2014

The new national regulations on openness and transparency in local government require the recording of certain decisions taken by officers acting under powers delegated to them by a council. The written record should include the following: The decision taken and the date the decision was taken; the reason/s for the decision; any alternative options considered and rejected; and any other background documents. This report and recommendation constitutes the written record for the purposes of the regulations and when read as a whole is the reason for the decision.

PROPOSAL: Planning Application - Proposed development of 1 no. petrol filling station and 2 no. drive through restaurants, together with various infrastructure and landscaping works
LOCATION: Land Off The A14, Elmswell, Suffolk,
PARISH: Woolpit. Elmswell.
WARD: Elmswell & Woolpit.
APPLICANT: Euro Garages Ltd

ENVIRONMENTAL IMPACT ASSESSMENT:
SITE NOTICE DATE: 02/08/2018
PRESS DATE: Major Development, Affects Setting Listed Building,

BACKGROUND DOCUMENTS

This decision refers to drawing number 1453 -9 received 17/05/2017 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Defined Red Line Plan 1453 -9 - Received 17/05/2017
Block Plan - Proposed 1453-10A - Received 17/05/2017
Proposed Plans and Elevations - Drive Through Restaurant #1 - 1453-5B - Received 27/04/2018
Proposed Plans and Elevations - Drive Through Restaurant #2 - 1453-6A - Received 17/05/2017
Proposed Plans and Elevations - Petrol Station - 1453 -7A - Received 17/05/2017
Landscaping Plan - Soft Landscaping - 3653.01 REV B - Received 18/09/2017
Landscaping Plan - Hard Landscaping - 3653.02 - Received 18/09/2017
Site Plan - Site elevations - 1453-8A - Received 27/04/2018
Lighting Scheme and Assessment - Received 18/09/2017
- Proposed Traffic Signals - 64352 - CUR - 00 - XX - DR - TP - 75006 - Received 02/08/2018

The application, plans and documents submitted by the Applicant can be viewed online at www.babergh.gov.uk or www.midsuffolk.gov.uk.

SUMMARY OF CONSULTATIONS

SCC - Archaeological Service

No significant impact on known archaeological sites or areas with archaeological potential - No objection to the development and do not believe any archaeological mitigation is required.

Arboricultural Officer

No objection to this application as it has negligible impact upon existing trees/site vegetation. The proposed planting scheme seems appropriate and should be subject to a condition requiring maintenance and successful establishment.

Ecology - Place Services

No objection subject to conditions to secure ecological mitigation and enhancements.

Economic Development & Tourism

Open For Business Team supports the provision of new local employment premises to support the recent significant housing development permissions in both Elmswell and Woolpit.

There are potential conflicts around lighting, litter, noise and other amenity considerations. However it is considered that there are many similar facilities that operate as a "good neighbour", and so with an appropriate design, proper management and potentially some planning conditions, that the facility could comfortably operate in that location without negatively affecting neighbouring uses.

I would not comment on vehicle access issues, but would support foot/cycle provision from the villages to the facility as the residential growth recently permitted in both Elmswell and Woolpit will provide a significant additional customer base for the operators and increase the likelihood of business success. I would also suggest that the amount of car parking provision is designed at the maximum possible that the site can sustain to ensure that there is no overspill on landscaping areas or the highway.

Environmental Health - Land Contamination

The site operator will need to apply for an Environmental Permit for the petrol station under the Environmental Permitting (England & Wales) Regulations 2016.

Environmental Health - Noise/Odour/Light/Smoke

Note there would likely be some light intrusion on a small area of the adjacent VOSA site - Recommend consulting VOSA regarding the acceptability of this, however consider this would unlikely have an adverse impact.

Heritage Team

Proposal would result in less than substantial harm to the setting of heritage assets : Revised Heritage Statement noted - Statement concludes that proposal would result in less than substantial harm to heritage assets, and that the harm should be offset through mitigation measures. This is similar to the view of Historic England - Agree proposal would cause less than substantial harm to the special interest of the churches of Elmswell and Woolpit as the proposed development would intersect their intervisibility which is a fortuitous aspect of the character of the churches. Whilst it is acknowledged that the presence of the A14 and VOSA site have to a degree already harmed the relationship between the churches, the Council must consider the impact of cumulative harm.

Elmswell Parish Clerk

Object : Constrained site - Traffic generation and HGV movements will exceed safe capacity of site - Concerns with regards increased use of the Elmswell/Woolpit/Ixworth roundabout and highway safety implications (Accident information indicates there are already issues) - VOSA access and egress

formulated on basis of lower trip rate - New homes approved in Elmswell will add to highway safety issues at the roundabout - The A14 slip road lacks sufficient length and would result in significant highway safety conflict with proposed site egress - Concern with regards increased light pollution - Proposal would be an urban intrusion in a rural context - Proposal would result in litter generation - Proposal would threaten viability of existing Petrol Stations, shops and businesses in Woolpit, Norton and Thurston - Proposal contrary to paragraphs: 32, 56 and 58 of NPPF and development plan policies: GP1, CL3, E12 and T10.

Woolpit Parish Clerk

Strongly objects : The exit from the site is extremely hazardous. The slip from the A14 eastbound and the roundabout are not of a sufficient standard to accommodate the increase in traffic - Traffic predictions in the supporting documentation are at least 10 years out of date and low - The litter that would ensue from this type of development will be detrimental to the environment - The proposals will create unacceptable light pollution - Contrary to Policies E9, E10, T6, T10.

Anglian Water

The foul drainage from this development is in the catchment of Elmswell Water Recycling Centre that will have available capacity for these flows.

Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. The developer has indicated in the supporting Flood Risk Assessment (6.2.2.) that either a package treatment works will be used for the development or a direct connection to Anglian Water's foul network will be used via a pumped connection. We will require confirmation of proposed discharge option and a pump rate/ connecting manhole if the preferred choice is a connection to the existing network. We therefore request a condition requiring phasing plan and/or on-site drainage strategy.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets and the developer proposes to discharge direct to a watercourse North of the site as per FRA 6.3.15. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

The Environment Agency

No objection subject to conditions.

Landscape - Place Services

The submitted Planting and Hardworks Layout Plans has taken into consideration previous recommendations and included all the appropriate details to inform the landscape proposals.

The Landscape Management Report is comprehensive and includes 5 years maintenance which we are in favour of. Recommend approval subject to condition.

Historic England

Do not object - subject to appropriate mitigation and control of advertisements : Given the existing development on the site and the scale of the proposed buildings we do not consider the development would necessarily result in harm to the churches' historic significance, but the addition of prominent signage and lighting could make the site more visible in the landscape.

Highways England

No severe impact subject to appropriate signage being provided, traffic conflict at point of egress however noted, concerns with parking under-provision : Have reviewed the developer's transport

statement (TS) and recommended they undertake additional junction modelling at the A14 J47 interchange, particularly at the westbound offslip where it terminates as the minor arm of the priority T-junction with the A1088 - This information was subsequently provided by the applicant's transport team and it adequately demonstrates that the impact of the proposed development on the A14 will not be severe - Notwithstanding the above, we are aware of the safety concerns raised by Suffolk County Council (SCC) relating to the local highway network, particularly the proposed use of the VOSA egress as a shared egress for the PFS. While this falls within the remit of SCC as local highway authority we continue to share their concern as any potential incidents that may occur at this egress would have an almost immediate impact on eastbound traffic leaving the A14 at this junction - It remains unclear if the applicant intends for the proposed development to be officially signed from the A14 as a roadside services area (RSA). As the application currently stands the proposed parking provision on the site does not meet the minimum required for this purpose by DfT Circular 02/2013 "The strategic road network and the delivery of sustainable development". While car parking exceeds the minimum requirement there is no dedicated parking provision for HGVs, coaches, cars with trailers/caravans or abnormal loads, all of which are a prerequisite to qualify for RSA signs on the trunk road as set out in the Circular. This in itself is not a reason for Highways England to object to the planning application. However, the lack of official RSA signs on the A14 could have an adverse effect on the facility's viability.

SCC - Flood & Water Management

No objection subject to conditions.

SCC - Highways

Recommend Refusal : Concerns with regard conflict between A14 egress slip road and proposed site egress - Speed survey received: 85%tile speeds on the approach remain 30mph; still insufficient room for drivers to realise there is a vehicle exiting the development, to react then make their decisions on which lane to take (DMRB Vol6 Section 2, figure 4.14) - SCC-Highways recently re-visited the site and noticed tyre marks in 2 locations on the slip road (indicating heavy braking) - SCC-Highways recorded the trip a number of times from the A14, past the egress sliproad then to the roundabout and recorded speeds 35-40mph - Drivers would only have approximately 5 seconds to see a merging vehicle, react and then make their own manoeuvre, this is insufficient time - SCC Highways consider the design is not to DMRB, below standard and continue to recommend refusal of this application.

SUMMARY OF REPRESENTATIONS

One supporting submission and 34 objections have been received. The grounds of objection are summarised as:

- Highway safety
- Increased litter and noise
- Air quality impacts
- Adverse heritage impacts on nearby churches
- Light pollution - impact night time pollinators
- Surface water drainage issues
- Impact on local services by trade competition
- Landscape harm
- Need for facility not justified

PLANNING POLICIES

NPPF - National Planning Policy Framework

FC01 - Presumption In Favour Of Sustainable Development

FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside & Countryside Villages

CS05 - Mid Suffolk's Environment

GP01 - Design and layout of development
HB01 - Protection of historic buildings
E09 - Location of new businesses
E10 - New Industrial and commercial development in the countryside
New Industrial and commercial development in the countryside
S07 - Provision of local shops
T06 - Petrol filling stations and other road side services
T09 - Parking Standards
T10 - Highway Considerations in Development
CL08 - Protecting wildlife habitats
Elmswell Neighbourhood Plan

PLANNING HISTORY

1347/13	Provision of Road Side Enforcement Site with inspection Building, 2-Storey Office and Associated Landscaping	Granted 17/01/2014
3512/10	Change of use of agricultural land to vehicle enforcement site, erection of office building, construction of weighbridge, hardstanding parking and inspection areas, vehicle access and egress and attenuation pond.	Granted 05/08/2011

ASSESSMENT

From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

Details of Amended Plans and Negotiations

The application was subject to the receipt of amended plans, namely additional traffic (modelling) information.

Proposal

Full planning permission is sought for:

- The erection of a 7-pump petrol filling station including an ancillary retail shop (sui generis);
- The erection of 2 no. drive through restaurants (Use Class A3/A5);
- Access and a new internal spine road, including parking areas for cars, HGVs and cycles;
- Landscaping, drainage and associated infrastructure works.

The proposed drive through units are to be broadly rectangular in shape and both maintain fairly flat roofs. Vehicles entering the drive through restaurant which is located within the southern-most part of the site will do so from the north-east and will follow a clockwise direction around the periphery of the building, whilst vehicles using the coffee shop within the centre of the site will enter the drive through from the south and will also follow a clockwise direction. The internal areas of both units comprise seating areas, kitchen and sales area, and ancillary storage / office space.

The restaurant will be clad with flat metal panels predominantly in white and red, and grey textured wall panels which create a stone affect and areas of vertically aligned cedar planking, whilst the shop front (the eastern elevation) will be mixture of glazing and metal panels. The coffee shop walls comprise a mix of grey panels and glazed screens whilst the roof is to be similar to that of the PFS kiosk building.

Vehicular access into the site is proposed via an existing arm off the A1088 located on the site's northern boundary, this will then lead into an internal access road which will serve the new units, fuel pumps and associated car parking areas. Egress will then be off the other existing arm off the A1088 located on the site's south-eastern boundary: a one-way system is to be adopted with vehicles entering from the north and exiting to the east.

Landscaping is predominantly located along the site's boundaries.

Site and Surroundings

The 1 hectare site sits north of the A14, abutting VOSA's recently constructed and now fully operational road side enforcement facility. The villages of Elmswell and Woolpit lie to the north and south respectively. The site is undeveloped grassland. The surrounding area predominantly comprises a mix of strategic road networks, commercial / industrial premises, residential development and agricultural land.

Access is currently taken via two existing auxiliary lanes off A1088, one from the north and one from south-east, which are currently provide direct access to VOSA's depot.

The site is not in a Conservation Area or other designated landscape area. The nearest listed building is a Grade II listed farmhouse (Cross Ways) located southeast, on the opposite side of the A1088.

The site is in Flood Zone 1.

Principle of Development

The site is in the countryside for policy purposes. Policy CS2 sets out the types of development that may be allowed in the countryside, including 'new-build employment generating proposals where there is a strategic, environmental or operational justification'.

A service station has obvious operational requirements, most principally the need to co-locate with the highway network. The development will generate up to 80 jobs. The proposal therefore enjoys policy support from Policy CS2.

Local Plan Policy T6 states that proposals for service stations should be well related to existing built up areas and the primary route network. It states further that other roadside services such as restaurants should be sited adjacent to stations. Although not adjoining the built up area, the site is adjacent a developed site to the north and there is development to the southeast on the eastern side of the A1088. The site is clearly well related to the primary route network being sited adjacent the A14. The proposal includes restaurants and related services, ensuring that individual sites and access are minimised. The proposal responds favourably to Local Plan Policy T6.

The principle of a service station at the subject location is accepted. Key considerations are the impacts on landscape, designated heritage assets, highway safety and residential amenity.

Landscape Impact

Paragraph 170 of the NPPF states 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.

The application is supported by a landscape assessment and Landscape Management Report that has been reviewed by Council's Landscape Consultant. The Consultant does not object to the scheme on landscape grounds. The site is tucked up against the A14, sandwiched between it and the recently completed VOSA enforcement facility. The local landscape is dominated by highway infrastructure, including the A14 dual carriageway, its slip roads, flyover, the connecting A1088 and associated roundabout. Officers agree with the landscape assessment which describes the landscape sensitivity value as 'low'.

The local character of the immediate area is no longer open countryside comprising open landscape vistas. The VOSA facility has created a semi commercial environment set within a broader semi-rural landscape. The proposed service station will not be at odds with the semi-commercial character. Service oriented facilities such as service stations are commonplace along the main road network and for this reason the development will not look out of place at this location. The site essentially forms part of an island created by the encircling road network and therefore landscape impacts are relatively localised and contained. The elevated embankment and vegetation of the A1088/A14 flyover screens views of the site from the west, offering further containment.

The character of the site itself will change, an inevitable outcome when developing an undeveloped site. The landscape effect of the change will be mitigated by proposed landscape planting to the site's perimeter. The landscaping will help integrate the development into the landscape.

For the reasons above the identified landscape harm is deemed less than moderate.

Heritage Impacts

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.

Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Given the separation distance and intervening buildings combined with topography, the development will have a negligible impact on the Woolpit Conservation Area. The impact on the setting of the listed farmhouse at Cross Ways to the southeast will be limited given the presence of the VOSA development and existing development associated with the farmhouse site.

Historic England does not object to the proposal although raise concern that it could increase the prominence of modern development in the setting of the historic parish churches at Woolpit and Elmswell. Council's Heritage Team considers the proposal would cause less than substantial harm to the special interest of the churches of Elmswell and Woolpit. It is notable that the Heritage Team do not object outright to the proposal. Officers consider the level of harm to be low given the separation distance to the designated assets. Where less than substantial harm results this must be weighed

against the scheme's public benefits. The principal public benefits relate to economic matters, namely significant employment generation. These benefits outweigh the identified heritage harm resulting from the scheme.

Design and Layout

The design is utilitarian in appearance, a symptom of the functional requirements of a service station. There is little scope to provide for a design other than one that offers a functional appearance. As noted above landscaping has been incorporated where possible and this will soften the appearance of the development to some degree. On the whole, given the operational requirements and the site context, the design and layout is considered acceptable in the context of local Policy GP01.

Highway Safety

Policy T10 of the Local Plan 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. Policy T10 is a general transport policy consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is up-to-date and afforded considerable weight.

Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highways Authority has maintained an objection to the scheme throughout the life of the application. The applicant has sought to address the concerns raised through a series of layout changes, the last incorporating a set of traffic signals. It is noted that it would appear from the VOSA objection that part of the land required to achieve the layout as shown with traffic signals (drawing 75006 Rev P01) is not within the control of the applicant. Notwithstanding, the Highways Authority objects to the layout as shown on this plan.

It is noted that although beyond its scope, Highways England share the concerns raised by the Highways Authority. The concern relates to the proposed use of the VOSA egress as a shared egress for the PFS. The Authority considers that if the approach speed remains at 30pmph (85%tile speed), there is insufficient room for drivers to realise there is a vehicle exiting the development, to react then make their decisions on which lane to take.

The Authority considers the driver only has no more than 5 seconds to see a merging vehicle, react and then make their own manoeuvre and that this is insufficient time. The Authority concludes the proposal does not comply with the Design Manual for Roads and Bridges.

The resulting outcome is one that is unacceptable on highway safety grounds, contrary to Policy T10. In accordance with paragraph 109 of the NPPF, such proposals should be refused on highway grounds.

The scheme provides sufficient car parking and the car parking areas represent an efficient use of space. A total of 70 car spaces, including 6 disabled spaces and 6 cycle spaces are proposed, which is considered an appropriate level of parking for the scale and nature of the uses proposed.

Residential Amenity

Saved Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Saved Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas. These saved policies are consistent with paragraph 127 of the NPPF which seeks to secure a high standard of amenity for all existing and future occupants of land and buildings, and therefore they are up-to-date and attached significant weight.

The separation distance to the nearest residential property is such that impacts on residential amenity will not be adverse. The proposal is consistent with local and national policy in regard to safeguarding residential amenity.

There may be some light spill onto the VOSA site, however given the commercial nature of this property any light spill effect will not result in amenity harm.

Ecology

Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity. Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.

Council's Ecology Consultant has reviewed the supporting Extended Phase 1 Habitat Survey report and raises no objection to the scheme provided ecological enhancements as recommended in the report are implemented. This matter could be conditioned.

Drainage

SCC Flood and Water raise no objection to the scheme. Anglian Water has reviewed the supporting Flood Risk Assessment (6.2.2.) and requires conditions to address details around a phasing plan and/or on-site drainage strategy.

CONCLUSION

Central to 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 Core Strategy 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.

The economic benefits of the proposal are moderate given the long term employment generation offered by the scheme. Landscape and heritage impacts are less than moderate. Matters such as impacts on ecology and drainage can be mitigated to levels that will result in limited environmental harm. None of these matters weigh negatively in the planning balance.

The development will not result in an acceptable highway safety outcome, noting the objection to the scheme on highway grounds by the Highways Authority, which advises that there will be insufficient time and space for drivers to leave the development to safely exit onto the A14, and this will potentially increase the risk of vehicle accidents. Paragraph 109 of the NPPF is clear in its direction in instances where highway safety is compromised to an unacceptable extent, stating that development should be refused.

The NPPF implies that planning permission should not be granted where the adverse impacts significantly and demonstrably outweigh the benefits. In this instance an unacceptable highway safety outcome is attached such weight that it outweighs the scheme's benefits. Recommendation is to refuse planning permission.

RECOMMENDATION

I have considered Human Rights Act 1998 issues raised in relation to this proposal including matters under Article 8 and the First Protocol. I consider that a proper decision in this case may interfere with human rights under Article 8 and/or the First Protocol. I have taken account of exceptions to Article 8 regarding National Security, Public Safety, Economic and well being of the Country, preventing Crime and Disorder, protection of Health and Morals, protecting the Rights and Freedoms of others. I confirm that the decision taken is necessary, not discriminatory and proportionate in all the circumstances of the case.

RECOMMENDED DECISION:	Refused
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CONDITIONS OR REASONS

1. REASONS FOR REFUSAL - IMPACT ON HIGHWAY SAFETY

The proposed development, by reason of the design and layout of the proposed vehicle egress onto the A1088 and resulting increase in uncontrolled traffic levels, and the resultant conflicts between vehicles exiting the site and those using the existing A14 egress slip road, would result in severe detrimental impact on existing highway safety. On this basis the development would be contrary to the provisions of saved Policy T10 of the Development Plan and paragraphs 108 and 109 of the National Planning Policy Framework.

NOTES

1. NPPF - DEPARTURE FROM POLICY

When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case negotiation occurred but agreement with regards suitable detail and/or mitigation was unable to be reached and secured.

2. REFUSED PLANS & DOCUMENTS

The drawings/documents considered by the Local Planning Authority in determination of this application are listed under Section A above.

Case Officer Signature: Alex Scott	
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