

West Suffolk Council Development Control Committee 2 October 2019

Planning Application DC/19/1010/RM, Land Adj Haverhill Business Park, Bumpstead Road, Haverhill, Suffolk

Date Registered: 23.05.2019 **Expiry Date:** 22.08.2019 – EOT
09.10.2019

Case Officer: Kerri Cooper **Recommendation:** Approve Application

Parish: Haverhill Town Council **Ward:** Haverhill South East

Proposal: Reserved Matters Application - Submission of details under Outline Planning Permission DC/15/2424/OUT - Matters Reserved by Condition 2 (appearance, landscaping, layout and scale) for the development of Plots NE1, NE2 and SE2 for Class B1, B2 and B8 use

Site: Land Adj Haverhill Business Park, Bumpstead Road, Haverhill

Applicant: Trebor Developments

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

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Background:

The application site was allocated in Policy HV9 of the Haverhill Vision 2031 as part of one of the designated General Employment Areas in Haverhill.

This reserved matters applications follows outline planning permission (with means of access) DC/15/2424/OUT for 'Development of up to 46,000 sq m of floor space for uses within Classes B1, B2 and B8 of the Use Classes Order, road side uses (petrol filling station and restaurant(s), Class (A3/A5), car dealerships (sui generis), builders merchants (sui generis), ancillary lorry park for Business Park occupiers, together with landscaping, car and HGV parking and associated works and facilities including access.'

During the course of the application amendments were made to the overall layout of the scheme and additional information was submitted regarding noise, parking and landscaping.

The application is before the Development Control Committee, as the Officers' recommendation is one of approval, contrary to the view of Haverhill Town Council and the concerns raised by the local Ward Member, Councillor Tony Brown.

A site visit is proposed for Monday 30th September 2019.

Proposal:

1. The reserved matters application seeks consent for the appearance, layout, scale and landscaping for the development of plots NE1, NE2 and SE2 in association with the continuation of Haverhill Business Park, which was approved under outline planning permission DC/15/2424/OUT as part of a wider application.
2. The proposal comprises the construction of 5no. units for commercial and industrial purposes, falling within Class B1 (office), Class B2 (general industrial) or Class B8 (storage/distribution). The site is accessed via Icení Way with 4no. units are to be located on the northern side of Icení Way, with 1no. unit located on the southern side.

Unit 1 - 6,014sqm

Unit 2 - 4,036sqm

Unit 3 - 4,768sqm

Unit 4 - 1,133sqm

Unit 5 - 4,410sqm

3. The overall floor space of the units combined is 20,361sqm.

Application Supporting Material:

4. Information submitted with the application as follows:
 - Application Form
 - Design and Access Statement
 - Planning Statement
 - Tree Survey and Topographic Survey

Arboricultural Report
 Acoustic Survey
 BREEAM Pre-Assessment
 Ecological Report
 Landscape Details
 Site Location and Layout
 Elevations, Floor Plans and Sections

5. The full list of plans and documents, which are relevant to the proposed development are detailed in full within Condition 1 in the recommendations section of the report.

Site Details:

6. The application site is located within Bumpstead Road General Employment Area, as defined within Policy HV9 of the Haverhill Vision. The site measures 7.4hectares in area and is situated in the south eastern part of Haverhill. The site is located approximately 1.5km from Haverhill Town Centre.
7. Bumpstead Road runs along the west of the site, with the former railway line located along the eastern boundary. A designated County Wildlife Site runs directly along the northern boundary. Residential properties are situated to the north of the site along Bumpstead Road, with a range of commercial and industrial units located to the east and south. Beyond the most southern part of the site lies the A1017.

Planning History:

Reference	Proposal	Status	Decision Date
DC/15/1947/EIASCR	EIA Screening Opinion under Regulation 5 (1) of the Environmental Impact Assessment Regulations 2011 on the matter of whether or not the proposed development is an EIA development - erection of up to 46,000sqm of floor space for uses within B1, B2 and B8 of the Use Classes Order, road side uses (petrol filling station and restaurant), car dealerships (sui generis), together with landscaping, car and HGV parking and associated works and facilities including access	EIA Screening/Scoping Opinion Issued	02.10.2015
DC/15/2056/FUL	Planning Application - Cross Boundary Application - construction works involving earth moving and ground profiling together with the creation of retaining structures. Temporary access from Phoenix Road	Application Granted	08.01.2016

and Icen Way for construction vehicles and the formation of development platforms.

DC/15/2424/OUT	Outline Planning Application (Means of Access included). - Cross Boundary Application - Development of up to 46,000sqm of floor space for uses within B1, B2 and B8 of the Use Classes Order, road side uses (petrol filling station and restaurant/s, Use Class (A3/A5), car dealerships (sui generis), builders merchants (sui generis), ancillary lorry park for Business Park occupiers, together with landscaping, car and HGV parking and associated works and facilities including access.	Application Granted	29.09.2016
DCON(A)/15/2056	Application to Discharge Conditions 3 (Retain walls) 4 (Watercourse), 5 (Wheel washing) and 6 (Construction Method Statement) of DC/15/2056/FUL	Application Granted	20.05.2016
DC/16/2426/RM	Reserved Matters Application - Submission of details under Outline Planning Permission DC/15/2424/OUT - erection of site security fencing	Application Granted	12.05.2017
DC/16/2453/RM	Reserved Matters Application - Submission of details under Outline Planning Permission DC/15/2424/OUT - Matters Reserved by Condition 2 (appearance, landscaping, layout, parking and scale) and the Discharge of Condition 6 (surface water), Condition 8 (manoeuvring and parking) and Condition 10 (soft landscaping) for the development of plot SE1 builder's merchants.	Application Granted	15.02.2017
DCON(A)/15/2424	Discharge of conditions 7- HGV traffic movements,,13 - Landscape Management Plan and 21-Sustainable Urban Drainage Scheme of DC/15/2424/OUT	Condition(s) Part Discharged	31.03.2017
DC/19/1010/RM	Reserved Matters Application - Submission of details under Outline Planning Permission	Pending Decision	

	DC/15/2424/OUT - Matters Reserved by Condition 2 (appearance, landscaping, layout and scale) for the development of Plots NE1, NE2 and SE2 for Class B1, B2 and B8 use		
DCON(B)/15/2424	Application to Discharge of Conditions - 6 (surface water), 8 (manoeuvring and parking) and 10 (soft landscaping) of application DC/15/2424/OUT	Pending Consideration	
SE/06/1998	Submission of Details - Road infrastructure, earthworks and landscaping, Phase 2 (outline permission E/97/2834/P) as supplemented by the Archaeological Evaluation received on 11 September 2006, the Landscape Management Plan received 19 September 2006, the Reptile Survey received on 27 September 2006, the Flood Risk Assessment received on 30 October 2006 and letter specifying soakaway proposals and accompanying drawing 7185/H/108 Rev D received on 21 December 2006.	Application Granted	25.01.2007
E/97/2834/P	Outline Planning Application - Industrial and warehouse development (Classes B1, B2 and B8), petrol filling station, road users restaurant and hotel and vehicular access as amended by revised Planning Statement received 3rd September 1999	Application Granted	09.04.2002

8.

Consultations:

9. The following consultation responses have been received, which are summarised below and full consultation responses are available to view online:

10. Natural England

Comments received 4th June
No comments to make.

11. Anglia Water

No comments received.

12. Environment Agency

Comments received 13th June

No objection to the drainage details submitted in respect of Condition 6 on outline planning permission DC/15/2424/OUT.

13. Suffolk County Archaeological Service

Comments received 10th June

No comments to make.

14. Suffolk County Council Highway Authority

Comments received 12th June

Holding refusal;

The layout as shown would not be acceptable for adoption as public highway;

Vehicular access to Unit 5 too close to access on opposite side of the road serving opposite units;

No separate pedestrian access to Unit 5.

Comments received 26th June

Additional comments to those made on 12th June regarding parking;

Edge of town location, would expect the applicant to achieve the levels of parking given as a maximum in the Suffolk Guidance;

The parking allocation, as shown on the Block Plan, is acceptable for Class B8 use but falls considerable short of the level required for Class B1 or Class B2.

Comments received 20th August

Based upon the revised layout drawings 6502-700 G and 6502-701 D our previous objections to the proposed parking and access arrangements are withdrawn;

As the applicant now proposes the road to remain private, our original comments relating to whether the layout is adoptable as public highway are no longer relevant.

15. Suffolk County Council Rights of Way

No comments received.

16. Suffolk County Council Floods and Water

Comments received 5th June

No objections with the proposed appearance and drainage layout for the site;

Additional information required regarding outflows and exceedance volume

Comments received 10th July

No objection

17. Suffolk Wildlife Trust

No comments received.

18. Ramblers Association

No comments received.

19. Public Health and Housing

Comments received 4th July

The Outline Application was supported by an Environmental Noise Assessment undertaken by Sharps Redmore in October/November 2015, Ref: 1515442. The report clearly states that the predicted noise levels are based on the indicative layout only;

The previously submitted noise assessment and predicted noise levels cannot therefore be relied upon to ensure that the proposed development will not impact on the residential properties within the vicinity of the site;

A further noise assessment should be undertaken to assess the noise impacts during both the day and night-time from internal activities within each unit, external activities at each unit, including servicing and car parking, mechanical service plant and road traffic. Following the assessment, any noise mitigation/attenuation measures which may be required to minimise reflection and noise transmission can be determined.

Comments received 6th August

A further noise report from Sharps Redmore, Reference: 1919017 dated 18th July 2019 following a noise survey undertaken between 8th and 15th July 2019 to determine the existing noise levels at the site;

The report details the noise levels as well as the mitigation measures to be required;

No objection, following the findings of the noise report, subject to conditions regarding control of noise and mitigation.

20. Environment Team

Comments received 14th June

No comments in relation to air quality or contaminated land.

21. Suffolk County Council Sustainable Urban Drainage Officer

No comments received.

Representations:

22. 45no. nearby addresses were notified of the application via post and 2no. site notices were displayed.

23. During the course of the application, representations have been received by the owners/occupiers of 5no. properties, which are summarised as follows:

35 Bumpstead Road

Objection received 10th June

- Vehicle parking and traffic movements were proposed to the front of the site on the previously approved outline planning application;
- No noise assessment has been submitted;
- Level of disturbance from Culina site at present;
- No acoustic fencing is being proposed;
- Light pollution from parking and turning area;
- Traffic increased along Bumpstead Road;
- Lack of pedestrian footpaths along Bumpstead Road;
- Noise generated will result in loss of enjoyment to our garden.

37 Bumpstead Road

Objection received 10th June

- Vehicle parking and traffic movements were proposed to the front of the site on the previously approved outline planning application;

- High level of noise nuisance from vehicles entering or exiting the units, in particular the reverse warning system installed;
- Adverse impact on our residential amenity and the to the surrounding properties;
- Existing noise nuisance generated from Culina site;
- Light pollution from rear of buildings, parking and turning area;
- Existing trees provide little screening;
- No revised noise assessment has been submitted which addresses the proposed layout;
- 4no. units are proposed where 3no. units were proposed at outline stage;
- Lack of continuing footpath along Bumpstead Road;
- No S106 requirement/provision.

Objection received 13th August

- Objection still remain – amendments and additional information has not addressed the objections;
- No continual footpath proposed along Bumpstead Road;
- Acoustic report has been prepared based on hypothetical usage of the units and states that all findings are likely to change dependent upon the use of the various units;
- Light pollution from rear of buildings, parking and turning area;
- Only partial acoustic fencing is proposed.

27 Bumpstead Road

Objection received 13th June

- Light pollution from rear of buildings, parking and turning area;
- Adverse impact on our residential amenity and the to the surrounding properties;
- The proposed boundary treatment will provide no screening and barrier in respect of noise and light;
- Overpowering visual effect of the buildings proposed due to their scale;
- Provide new job opportunities to the area, however no footpath is provided or proposed;
- Impact on highway safety.

Objection received 13th August

- Amendments and additional information has not addressed the objections;
- Light pollution from rear of buildings, parking and turning area;
- Adverse impact on our residential amenity and the to the surrounding properties;
- No continual footpath proposed along Bumpstead Road.

23 Bumpstead Road

Objection received 17th June

- Primary objection is in relation to the siting of the unit and roadways;
- Light pollution from rear of buildings, parking and turning area;
- Buildings could be used as a shield to properties along Bumpstead Road;
- Adverse impact on our residential amenity and the to the surrounding properties;
- No continual footpath proposed along Bumpstead Road.

41 Chalkstone Way

Comments received 22nd August

- Impact on highway safety;
- Lack of continuous footpath along Bumpstead Road is unacceptable.

24. All representations can be viewed online in full.

25. Town Council:

Objection received 17th June

- The Town Council continues to be supportive of development of this site but only in accordance with the outline application approved under reference DC/15/2424/OUT;
- All buildings were previously positioned in a way as to shield vehicle movements from nearby residential properties;
- Revised layout is not in accordance with paragraph 180 of the National Planning Policy Framework;
- No acoustic fencing is proposed;
- No protection against noise or light pollution;
- Entrance to unit 5 is too close to access road;
- Highway improvements, through the provision of a footpath are required until at least Hollands Road;
- S106 funding provide improvements to the Railway Walk.

Objection received 22nd August

- Objection still remains;
- Town Council continues to be supportive of development of this site but only in accordance with the outline application approved under reference DC/15/2424/OUT;
- The Town Council endorses Public Health and Housing comments on predicted noise levels at night and disturbance to nearest residential properties. Conditions should be put in place to control noise levels;
- Impact on highway safety if not footpath is condition as part of the proposed development

26. Ward Member:

Comments received 14th June

- Whilst welcoming the development in principle and the extra jobs that this will bring to Haverhill, I have to strongly object to the plans in their present form;
- Vehicular traffic to the rear of the building will be noise, dust and exhaust emission to nearby residents;
- No acoustic fencing or mitigating landscaping;
- No noise assessment provided;
- No clear and extended footpath is proposed – impact on highway safety;
- Old Railway Walk route could be improved to provide a safe and sustainable access.

Comments received 13th August

- Previous comments still previously stand;
- Orientation and layout should be as previously outlined;
- Welcome the addition of a small footpath, however concerned over the lack of safe pedestrian access to this site from Haverhill.

Policy

27. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single Authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by Regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

28. The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 and Haverhill Vision 2031 have been taken into account in the consideration of this application:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM20 Archaeology
- Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
- Policy DM44 Rights of Way
- Policy DM45 Transport Assessments and Travel Plans
- Policy DM46 Parking Standards
- Vision Policy HV1 - Presumption in Favour of Sustainable Development
- Vision Policy HV9 - General Employment Areas - Haverhill
- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS2 - Sustainable Development

Other Planning Policy:

29. National Planning Policy Framework (2019) (NPPF).

30. The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision making process.

Officer Comment:

Principle of Development

31. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the policies set out in the Joint Development Management Policies Document (adopted February 2015), the Core Strategy Development Plan Document (adopted May 2010) and the Haverhill Vision Document (2014). National planning policies set out in the National Planning Policy Framework (The Framework) are also a key material consideration.

32. Given the outline permission and allocation, the principle of the proposed development is an acceptable one. The acceptability or otherwise of the application therefore rests on the detail of the proposal as assessed against the relevant Development Plan policies and national planning guidance, taking into account relevant material planning considerations.

33. The key issues to be considered in the determination of this application are therefore:

Flexible and Alternative Use - Class B1, Class B2 or Class B8
Design and Layout
Landscaping, trees and ecology
Highway safety; accessibility, sustainable transport links
Other Matters

Flexible and Alternative Use - Class B1, Class B2 or Class B8

34. As part of the outline planning application, the permission allowed the application site to be developed for Class B1, B2 or B8 purposes. Due to the users of the units being speculative and therefore it not being known what specific Class B use is to be implemented within any unit, the

applicant has presented a scheme in the alternative whereby the units could be implemented for any of the uses defined above.

35. Part 3, Class V of the Town and Country Planning (General Permitted Development) Order 2015 permits *'Development consisting of a change of use of a building or other land from a use permitted by planning permission granted on an application, to another use which that permission would have specifically authorised when it was granted.'* Guidance states that the alternative uses to which the planning unit/application site may be, must be specified in the planning permission. Any one of those specified uses can then be implemented, subject to any necessary conditions and the overall terms of the permission itself. In addition, Class V provides further comfort in relation to the suitability that the change to the alternative specified uses would not be lawful if under paragraph (d) of the conditions it would result in the breach of any condition, limitation or specification contained in that planning permission in relation to the use in question.
36. Given that the outline permission has established the acceptability of the uses, in this reserved matters application it is important to assess and understand any layout and design implications of the units being Class B1, B2 or B8 use. The only implication and difference relates to the layout of the parking and turning areas. Use Class B1 and B2 require the same level of on-site parking as one another, which is a much greater level than that required for Class B8 use. The scheme has been positively designed as to produce a development whereby no other aspect or part is affected other than the formation and specific layout of the areas that are defined for parking and turning area. As such, two proposed site plans have been submitted; one showing the development with parking and turning area provision for each unit suitable for Class B1 or Class B2 and the other showing the development with parking and turning area provision for each unit suitable for Class B8.
37. In this case, two conditions are to be imposed to control the potential for alternative use. If any of the units (1, 2, 3, 4 or 5) are to be used Class B1/B2 purposes the car parking and loading / circulation space associated with that unit shall be laid out in accordance with drawing 6502-700 Rev G prior to the first use for Class B1/B2 purposes. In the eventuality that any of the units hereby approved (1, 2, 3, 4 or 5) are used for Class B8 purposes the car parking and loading / circulation space associated with that unit shall be laid out in accordance with drawing 6502-701 Rev D prior to the first use for Class B8 purposes. The car parking and loading / circulation space shall thereafter be retained as so installed for each of the uses implemented. This then ensures sufficient space for the on-site parking of vehicles is provided on site for each individual unit and safeguards the character and appearance of the area.

Design, Layout and Amenity

38. The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development (paragraph 124). The Framework goes on to reinforce this in paragraph 127, stressing the importance of developments that function well and add to the overall quality of the area, that are visually attractive, sympathetic to local character and history and that

establish or maintain a strong sense of place. It also confirms at paragraph 130 that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

39. Policy DM2 requires development proposals to recognise and address the key features and characteristics of an area and to maintain or create a sense of place and/or local character.
40. An indicative site layout plan was submitted at outline stage to show how a development could be achieved on site. No weight can be attributed to the previously submitted site layout plan, as it was purely indicative and layout is a reserved matter.
41. The scheme proposes 5no. units in total, 4no. units located on the northern side of Icen Way and 1no. unit located on the southern side of Icen Way. The buildings have been positioned within the site as to relate to Icen Way and the development that sits immediately adjacent, Culina and MKM Builders Merchants. Parking and turning areas are situated to the side and rear of the buildings. In terms of the design of the buildings, though they vary in heights from approximately 11-15metres and footprint, they are similar in architectural form and incorporate pitched roofs as to reduce the overall bulk of the buildings. The buildings are utilitarian and simple in form, and are of a typical scale for commercial and industrial buildings. Glazing elements have been designed into the buildings at entrance points. To ensure the buildings are finished to a high standard and the design features shown are retained, the external materials of the buildings are to be conditioned.
42. The development has been designed for a footpath to run parallel with Icen Way along the entire frontage of the site which serves units 1-4. The on-site footpath to be provided will connect with the existing footpath to the east of the site, which is the former railway line. There is good connectivity within the site, with opportunities being made to create wider connectivity and integrate the site and development into the area and existing development and infrastructure it surrounds.
43. The occupiers of the buildings are not yet known. However, the proposed layout has been well designed and thought out, and which allows the buildings to be occupied for either B1, B2 or B8 purposes, in accordance with the above section. It is considered that the design approach is appropriate for the nature of development.
44. Policy DM2 of the Joint Development Management Policies Document also seeks to safeguard residential amenity from potentially adverse effects of new development. The protection of residential amenity is key aspect of good design, endorsed within the NPPF that planning policies and decisions promote health and well-being with a high standard of amenity for existing and future users.
45. One of the main objections received by neighbours, the Town Council and Ward Member was in respect of the location of the parking and turning areas, including the noise and disturbance generated and the relationship between that aspect of the site and the residential properties along Bumpstead Road.

46. The buildings are set away from the northern boundary of the site, with parking and turning areas located to the area of the site with a landscaping buffer. Residential properties are situated beyond the north of the site along Bumpstead Road, with no. 37 Bumpstead Road being closest. In between the rear of the residential properties and the rear of the application site lies Bumpstead Road County Wildlife Site. The distance between the rear boundary of the application site, taken from where unit 3 is proposed, and the rear boundary of no. 37 Bumpstead Road measures approximately 76metres. This is the minimum stand-off distance between the residential properties and where a unit and associated parking and turning area is proposed. The maximum distance between the residential properties and where a unit and associated parking and turning area is proposed is approximately 110metres. Acoustic fencing is to be installed along the entire side and rear parking and turning areas associated within units 1 and 3 of the development.
47. The outline application was supported by an Environmental Noise Assessment undertaken by Sharps Redmore in October/November 2015, Ref: 1515442. The noise assessment was based on the Framework Plan which indicated 8no. units across the outline application site including three units on land to the west, backing onto Helions Bumpstead Road. The report concluded that noise could be sufficiently attenuated in the service yards with the installation of acoustic fencing to exposed rear boundaries, whilst noise from fixed plant and equipment could be conditioned so as to prevent disturbance to local residents. The report clearly states in Section 4.1, that the predicted noise levels are based on the indicative layout only.
48. In addition, levelling works have been carried out on site since outline planning permission has been approved and therefore the impact on noise transmission across the site and any noise mitigation/attenuation which may have been afforded due to the topography of the site was required to be understood and reassessed. As a result of the above, the previously submitted noise assessment and predicted noise levels could therefore not be relied upon to ensure that the proposed development would not adversely impact on the residential properties within the vicinity of the site.
49. During the course of the application, the applicant submitted a further noise report from Sharps Redmore, Reference: 1919017 dated 18th July 2019 following a noise survey undertaken between 8th and 15th July 2019 to determine the existing noise levels at the site. This report has been assessed in detail by Public Health and Housing (the full formal comments are available on the public file).
50. Whilst taking into account the proposed screening from the acoustic fence to the rear of Units 3 and 4, the noise levels from servicing activities will be below the daytime and night time World Health Organisation (WHO) guideline values. However, with windows open at the nearest residential properties, noise from the service activities may still be audible and may give rise to disturbance. The area is surrounded by industrial units and there is also some noise from loading and unloading activities and vehicle movements to and from Culina to the south of the proposed development, nevertheless noise levels from this development will still need to be

controlled. Public Health and Housing consider however that the noise generated from the scheme can be mitigated via the imposition of suitable conditions (detailed in full in the recommendations section).

51. There are two conditions (14 and 15) imposed on outline planning permission DC/15/2424/OUT regarding noise. These relate to plant and equipment and audible alarms. Details are required to be submitted and approved in writing prior to installation of the equipment and occupation of the buildings.
52. For the reasons cited above, it is not considered that the proposed development will result in an unacceptable level of impact on residential amenity to the properties along Bumpstead Road by reason of being physically overbearing or through creating any other form of disturbance as to cause harm.

Landscaping, trees and ecology

53. The NPPF confirms that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains where possible (paragraphs 174 and 175). This is reflected in policies DM11 and DM12 which seek to protect safeguard protected species and state that measures should be included in the design of all developments for the protection of biodiversity, the mitigation of any adverse impacts and enhancements commensurate with the scale of the development.
54. The Natural Environment and Rural Communities (NERC) Act (2006) Section 40(1) imposes a duty on every public authority in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. The duty applies to all local authorities and extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.
55. Policy DM13 states that proposals will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value.
56. Whilst landscaping is a reserved matter, as part of the outline planning permission conditions were imposed regarding submission of a landscaping scheme, its implementation and the associated management. As such, the proposed landscaping scheme for the development is being currently considered under a discharge of conditions application (DCON(B)/15/2424), which is running parallel to this application. Within this application it is important to ensure the scheme that has been designed allows for enough space to provide landscaping, with the discharge of conditions application ensuring that the landscaping scheme that has been put forward is achievable and appropriate. The two applications have therefore been considered together in respect of this matter.
57. Where possible, a sufficient amount of on-site landscaping should be provided. However, given the nature and use of the development, achieving the best use of the land takes greater priority over landscaping.

The buildings have been positioned within the site as to provide meaningful landscaping along the western and northern boundaries of the site, which are considered to be key areas. The wide landscape buffer to the north provides continuation to the existing off site landscaping, between the application site and the residential properties along Bumpstead Road. The large area of landscaping along the corner of Icen Way and Bumpstead Road helps to assimilate the development, unit 3 in particular, into the street scene. Soft landscaping is proposed throughout the whole of the site as to enhance the development itself, whilst being in keeping with the wider area. It is considered that landscaping has been effectively incorporated into the scheme as to make a positive contribution.

58. With regard to ecology, this was considered at outline stage when establishing the principle of the proposed development and any ecological impacts arising. As part of this application, an up to date preliminary ecological appraisal has been submitted which concludes that there will be no adverse ecological impact arising and recommends ecological enhancements that could be provided, through the provision of bat and bird boxes in the design of the buildings.

Highway safety - accessibility, sustainable transport links

59. The NPPF advises that development should provide for high quality walking and cycling networks (paragraph 104), and also emphasises in paragraph 108 that in assessing applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the types of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and,
- c) any significant impacts from the development on the highway network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

60. It further goes on to advise that the development should not be prevented or refused on transport grounds, unless there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

61. Policy DM2 of the Joint Development Management Policies Document also requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network, along with Policy DM46 which promotes more sustainable forms of transport.

62. The access serving the site is located off Icen Way. At present, Icen Way serves 2 no. industrial units (Culina and MKM Builders Merchants). As part of the outline planning permission, access was the only matter which was considered. This established Icen Way to serve the Haverhill Business Park units to the east of Bumpstead Road. Units 1-4 are to be served via a new access off Icen Way, with unit 5 sharing the existing access which serves MKM Builders Merchants.

63. Initially, the Highway Authority requested that the layout of the access and development was revised and additional information was submitted as it was not acceptable for adoption as public highway in the current form. The applicant confirmed that as they own the application site and all of the access that is included within the red line, they were not looking for the access to be adopted and for it to remain as a private road which serves the proposed development and the existing units. As a result, the Highway Authority's original comments relating to whether the layout is adoptable as public highway are no longer relevant.
64. As detailed within the report, the users of the site and individual units are speculative and therefore the applicant is seeking for the units to either be implemented for Class B1, B2 or B8 use in accordance with the outline application. The initial proposed site plan submitted demonstrated sufficient vehicle and cycle parking and turning areas if the units were to be occupied as Class B8, however the level of parking was insufficient for Class B1 or B2 use. Office and general industrial use require a higher level of on-site parking due to their nature. In order to overcome this, two proposed site plans have been submitted which show how the layout of the parking and turning areas can be adapted/amended as to provide enough on-site parking if the units were to be implemented and occupied for Class B1 and B2 purposes. As such, it has been demonstrated that sufficient on-site parking can be provided in accordance with Suffolk Parking Standards. To ensure this is adequately controlled, conditions are to be imposed, which are set out in full in the recommendations section of the report.
65. The representations received from neighbours, Town Council and Ward Member raise concerns and objections in respect of lack of footpath and safe pedestrian route which is continuous along Bumpstead Road. Connectivity, accessibility and safety to and from the site are elements that are to be considered as part of the principle of the development at outline stage and required to be conditioned or dealt with via agreement in that part of the process.
66. As part of the outline planning permission (DC/15/2424/OUT), conditions were imposed and a Unilateral Undertaking was required. The Unilateral Undertaking secured a 'work travel plan'. This is required to be carried out and submitted prior to occupation of each unit. However, as part of this Unilateral Undertaking a new footpath was secured. A 1.8metre footpath will be constructed on the eastern side of Bumpstead Road between the existing footpath south of Helions Bumpstead Road and a suitable crossing point north of Hollands Road. This is to be implemented prior to the occupation of 50% or 23,000sqm of the development approved (outline planning permission). This is further secured by condition 4 of DC/15/2424/OUT. In addition, this has been annotated on the drawings submitted under this reserved matters application being considered.

Other Matters

67. During the course of the application, concerns have been raised in respect of light pollution from the rear of the buildings and parking and turning areas. The position of lighting was secured by condition 16 on outline planning permission DC/15/2424/OUT.

68. Before the reserved matters application can be implemented or occupied, all of the conditions imposed on outline planning permission DC/15/2424/OUT will need to be submitted to and approved in writing by the Local Planning Authority where required or adhered to in so far it relates to the implementation of the reserved matters application.

Conclusion:

69. In conclusion, subject to the imposition of conditions which are considered both reasonable and necessary, the principle and detail of the development is considered to be acceptable and in compliance with relevant Development Plan Policies and the National Planning Policy Framework.

Recommendation:

It is **RECOMMENDED** that planning permission be **Approved** subject to the following conditions:

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Reference No:	Plan Type	Date Received
6502 58 Rev C Unit 5	Proposed Floor Plans	23.05.2019
6502 59 Rev B Unit 5	Proposed Elevations	23.05.2019
6502 61	Fence Plan	23.05.2019
6502-50 Rev B Unit 1	Proposed Floor Plans	23.05.2019
6502-51 Rev B Unit 1	Proposed Elevations	23.05.2019
6502-52 Rev B Unit 2	Proposed Floor Plans	23.05.2019
6502-53 Rev B Unit 2	Proposed Elevations	23.05.2019
6502-54 Rev B Unit 3	Proposed Floor Plans	23.05.2019
6502-55 Rev B Unit 3	Proposed Elevations	23.05.2019
6502-56 Rev B Unit 4	Proposed Floor Plans	23.05.2019
6502-57 Rev B Unit 4	Proposed Elevations	23.05.2019
6502-60 Rev B	Street Scene Elevations	23.05.2019
6502-48	Location Plan	23.05.2019
19-50-01	Tree Survey	10.05.2019
Site Plan Overlays	Other	16.08.2019
19 050 02 Rev C - 1 of 3	Landscape Plan	16.08.2019
19 050 03 Rev C - 2 of 3	Landscape Plan	16.08.2019
19 050 04 Rev C -	Landscape Plan	16.08.2019

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(-)	Biodiversity report	09.05.2019
BREEAM Pre-Assessment	Other	11.06.2019
Environmental Noise Report - RM 1919017	Noise Report	31.07.2019
(-)	Planning Statement	09.05.2019
(-)	Landscape Strategy	09.05.2019
(-)	Application form	09.05.2019

The development shall be carried out in accordance with Site Plan 6502-700 Rev G or Site Plan 6502 701 Rev D, in relation to conditions 5 and 6 of this permission.

6502-700 Rev G	Site Plan – Class B1/B2	31.07.2019
6502 701 Rev D	Site Plan – Class B8	31.07.2019

Reason: To define the scope and extent of this permission.

- 2 No development above slab level shall take place until samples of the facing and roofing material have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 3 Further to the proposed noise levels contained in the Environmental Noise Report - Reserved Matters submitted by Sharps Redmore on the 18th July 2019, Project No. 1919017, the combined noise level emitted from any external mechanical plant and internal operations, at each Unit, installed or operated in connection with the carrying out of this permission, shall be enclosed and/or attenuated and maintained so as to ensure that the noise generated by this permission shall not exceed:-
 - 35dB(A) LA90 (1 hour daytime 07:00 -23:00) at the boundary of the nearest residential property (that being -10dB(A) below the daytime noise level measured as 45dB(A) LA90 (1 hour daytime 07:00 - 23:00 hours) and;
 - 25dB(A) LA90 (15 minute night time 23:00 - 07:00) at the façade of the nearest residential property (that being -10dB (A) below the night time background noise level measured as 35dB(A) LA90 (15minute night time 23:00-07:00).

No plant, machinery and equipment, including any proposed sound proofing, shall be installed until details have been submitted to the Local Planning Authority for approval in writing.

Noise measurements for the purposes of this condition shall be pursuant to BS 4142:2014.

Reason: To protect the amenities of occupiers of properties in the locality,

in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 No phase or unit of the development shall be occupied until a Management Plan for that phase or unit, including hours of operation, hours of deliveries, full details of loading/unloading arrangements and any noise mitigation measures have been submitted to and approved in writing by the Local Planning authority. The Management Plan shall be implemented in full on occupation of each phase or unit and complied with thereafter unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 5 Prior to the occupation of any of the units hereby approved for Class B1/B2 use, the car parking and loading/circulation space associated with the unit shall be laid out in accordance with drawing 6502-700 Rev G. The car parking and loading / circulation space shall thereafter be retained as installed and used for no other purpose.

Reason: To ensure sufficient space for the on-site parking of vehicles is provided on site for each individual unit and to safeguard the character and appearance of the area, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 Prior to the occupation of any of the units hereby approved for Class B8 use, the car parking and loading/circulation space associated with the unit shall be laid out in accordance with drawing 6502-701 Rev D. The car parking and loading / circulation space shall thereafter be retained as installed and used for no other purpose.

Reason: To ensure sufficient space for the on-site parking of vehicles is provided on site for each individual unit and to safeguard the character and appearance of the area, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 7 Prior to occupation details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the

scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/19/1010/RM](#)

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