



Committee Report

Planning Committee South – 18 October 2022

Application no DC/21/3237/FUL

Location

Part Of Former Crown Nursery
High Street
Ufford
Suffolk
IP13 6EL

Expiry date 24 October 2021

Application type Full Application

Applicant Landex Ltd

Parish Ufford

Proposal Demolition and clearance of former nursery buildings and structures, erection of a Class E (A) store for the sale of goods (other than hot food), Class E (B) cafe and 11 No. business units (9) (i) (offices); access, car parking spaces and landscaping.

Case Officer Rachel Smith
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1. Summary

- 1.1. The application proposes the redevelopment of part of the former Crown Nurseries site on the edge of Ufford for business purposes. While the site lies outside of the defined Settlement Boundary of Ufford and would be a relatively large development for Ufford as a 'Small Village', the former use of the site included a range of buildings in business use associated with the former nursery use, the site is well-related to the existing settlement and the development would support economic growth within the area. The application is therefore supported by Officers.

- 1.2. The application is being presented to Planning Committee for determination at the request of the Head of Planning and Coastal Management due to its significant public interest and potential impact on the environment.

2. Site Description

- 2.1 The application site covers an area of approximately 3 Hectares and is located adjacent to the Settlement Boundary of Ufford. Ufford is classified in the Settlement Hierarchy as a 'Small Village' and as the site lies outside of this boundary, the site is considered to be in the 'Countryside'. Access to the site is off Yarmouth Road, via Nursery Lane which serves the relatively recent residential development now known as Goldsmiths and which lies to the north of the site.
- 2.2 To the east of the site are residential properties located on School Lane and Tovels. The south-eastern and south-western boundaries are bordered by tree-covered areas which form part of the wider, former nursery site. The southern-most part of the application site extends to meet The Avenue at a former access point, the north-western boundary follows Yarmouth Road and part of the site lies opposite the existing residential dwellings on the western side of Yarmouth Road. The site is situated at a slightly lower level than Yarmouth Road and slopes down to the east.
- 2.3 The site itself includes areas of access driveway and hardstanding and buildings previously used by the nursery and its associated businesses. These are located to the north and east of the site. To the south is an area of more mature trees and along the Yarmouth Road boundary to the west is an area of planting consisting of a small orchard.

3. Proposal

- 3.1 The application proposes the redevelopment of the site for an employment development. The existing buildings and structures on the site would be demolished and the north-western part of the site redeveloped to provide a small employment site. The south-eastern part of the site would be undeveloped and provide the SuDS scheme for the development as well as a pedestrian link to The Avenue. The area proposed for development of the employment units would be just over 1 Hectare.
- 3.2 Access into the development would be off Nursey Lane to the rear of the three existing residential units on the southern side of Nursery Lane. The access would be separated from the residential properties by their existing parking area. A total of 13 business units would be provided designed in a courtyard style with associated parking and landscaping.
- 3.3 The business units would be provided in four 'blocks' around each side of a central parking area. The buildings would be finished in grey boarding under pantile roofs. Some additional parking would be provided to the rear of block D. Block A is proposed to be split into two units with one providing a convenience shop and one a cafe use. These would be one-and-a-half storeys in scale, each providing approximately 250 squares metres of floorspace over two stories. The remaining business units (Class E) would be provided in blocks of three or four units and again be one-and-a-half-stories in scale. These would provide approximately 160 square metres floorspace within each unit.

3.4 A total of 116 car parking spaces would be provided.

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Ufford Parish Council	28 July 2021	17 August 2021

Summary of comments:

Ufford Parish Council wish to strongly object to the above application and our reasons for requesting you to refuse the application are set out below. To assist the lay reader, relevant sections of the East Suffolk (Suffolk Coastal) Local Plan 2020 are set out in Appendix 1. However, before we come to our comments we feel it is important that the recent planning history of the site is set out:

- 2014 – Two “overlapping” applications were made for development of part of the Crown Nursery site: DC/14/3558/FUL for 31 dwellings and DC/14/3560 for 10 dwellings. Both were given permission in 2015 and hence 34 dwellings were constructed, now completed and known as Goldsmiths.
- 2017 – Planning Application DC/17/2512/OUT was submitted by the present applicant for a 60 bed Care Home, up to 34 dwellings, and 22 Business units (B1(a)). This application was refused by Suffolk Coastal District Council, decision notice issued on 5th April 2018.
- 2018 – In October 2018 the applicant lodged an appeal against the decision: APP/J3530/W/3213216. The appeal was to be heard by Public Inquiry on 16th July 2019 and all representations were made by the relevant and interested parties. On 18th March the Appellant withdrew the appeal.

Location

The site is located on the edge of the village of Ufford, outside the Physical Limits Boundary. The applicant argues that it is adjacent to that boundary, but the boundary was redrawn in the Local Plan 2020, after the Goldsmiths development was constructed. If every next application is described as close enough to be ‘within’ the boundary this is a form of mission creep and development by stealth. One of the reasons for refusal of the 2017 application (DC/17/2512/OUT) was that in planning terms it is in the ‘Countryside’. This view was reiterated in the SCDC submission to the Planning Inspector for the planned Appeal. Settlement Boundaries are described in Policy SCLP 3.3. The site was offered for consideration for the Local Plan 2020, but was not accepted.

New Employment Development

Policy SCLP 4.2 covers New Employment Development. UPC believes the conditions as set out in this policy have not been met, namely:

- The applicant does not demonstrate a need for ‘additional employment development’ nor have they “demonstrated that there is no sequentially preferable land available adjacent to existing Employment Areas, within existing Employment Areas or within Settlement Boundaries”.
- Development of this type would have an “an unacceptable adverse impact on surrounding land use”, please see details below of bats roosting in Parklands Wood, just 100 metres away from this site.

- If permitted, this development would have an “adverse impact on the character of the surrounding area and landscape... and its setting ... [and] the natural ...[and] historic environment”. There are two Grade II listed buildings within sight of the proposed development (The Red House and The Ufford Crown Inn), and it is within sight of the ancient Sogenhoe Chapel location. The general appearance and character of the setting are of a distinctly rural nature; only blighted by the urban nature of the Goldsmiths development. Some areas of the land at Crown Nursery have remained undisturbed for 200 years and any change to this will destroy the character of the landscape.
- Finally, Ufford Parish Council is aware of similar vacant employment facilities available at Riduna Park, Deben Meadows and Deben Mill, all in Melton where there are much better transport facilities and in Wickham Market.

Economic Development in a Rural Area

Ufford is certainly a ‘rural area’ and therefore Policy SCLP 4.5 must be taken in to consideration. However, we strongly argue that:

- The scale of the enterprises does not accord with the Settlement Hierarchy of a small village
- The design and construction does not avoid, or adequately mitigate, any adverse impact on the character of the surrounding area and landscape or the natural or historic environment
- The proposed use is not “...compatible with the surrounding employment uses in terms of car parking, access, noise, odour and other amenity concerns”; as there is very little surrounding employment use. In addition, we cannot see how this proposed development will “...provide additional community, cultural or tourism benefits...”.

Use of the Land

The applicant argues in the Planning Statement that this commercial proposal is acceptable within the policies defined in the Local Plan regarding development in rural areas. However, it is appropriate to look back at the use of the entire former Crown Nursery land. Prior to the establishment of the nursery the area now proposed for Block A, the shop and café, would be the approximate site of former allotments. Prior to which it was an agricultural and wooded area. Goldsmith’s Nursery used the land since the 1960’s for a horticultural and nursery business, with access for retail on School Lane, Ufford. When that business was sold, the School Lane premises and an area of land were developed into housing now known as Tovells. The horticultural business, Crown Nursery, created a previously little used access off Yarmouth Road, and functioned as a shrub and tree growing business with some personal customers, but largely commercial contracts and latterly adding some Garden Design function, “employing up to 15 people” (Ref. Planning Statement 2.2). During and after the development of Goldsmiths houses by Landex, the business of Crown Nursery declined, until it finally closed in March 2019. The first development of the Crown Nursery land was the building of 34 dwellings, now called Goldsmiths. The present proposal is to develop a further section of the land and as can be seen on the site plan, and discussed in the Flood Risk Assessment on page 4, and again page 9 at 3.1 “Future further development of parts of the site is not ruled out ...”. Ufford Parish Council feels the entire site must be regarded as a whole.

Before 34 houses were built there were the same few agricultural and horticultural type of buildings which now remain. These buildings comprised of a few corrugated iron sheds for storage of agricultural implements and supplies with a small office in the end of one of them. A maximum of 15 people were employed there. A few delivery lorries came and went; a few customers came and went. Now already there are 34 dwellings, we cannot say how many residents and how many cars, but it must be more than 50 of each. The proposal is for much larger buildings than those to be demolished; for employment of at least 60 people, and car parking spaces for 116 cars. This is not like for like, but overdevelopment of the site. All this taking place on the edge of Ufford,

designated a small village in the Local Plan. This proposed development is contrary to Policy SCLP 4.6 where the relevant sentence is: “The replacement of rural buildings with employment uses will be permitted where: f) The proposal is of a similar size and scale to the building that is being replaced”

Principle of Use

The proposal is for 11 Business Units, a Convenience Store and a Café; Ufford Parish Council disputes the need, in Ufford, for any one of these. As we have seen, there are many business units within a few miles radius of Ufford, unoccupied, and in more sustainable locations with better transport links, and nearer to other facilities. The site chosen in Ufford is not a suitable location for eleven office-based business units. With greater emphasis on working-from-home (WFH), the need for this kind of development is at best unproven. There is no evidence provided by Landex about what kind of businesses would be attracted to such a facility, nor of any level of interest. The key objections to the proposal in this regard are:-

a) The public infrastructure available will not support office or commercial employment on this scale in this location. Both the mobile phone networks and the broadband network coverage are at times barely sufficient for domestic purposes in Ufford and will certainly not support eleven new officebased businesses. The bus route which passes nearby is not sufficiently frequent to allow employees to be able reliably to use public transport to access this location. Access on foot from outside Ufford is not viable and there are no meaningful cycling provisions made by the applicant in the proposals.

b) Any office or commercial units here will almost certainly stand empty for significant periods. There are already over 4,000 sq. metres of commercial and office space available for sale in Melton and on the northern side of Woodbridge. For example, at Riduna Park in Melton there are currently 18 office units unoccupied or unsold, amounting to over 1,850 sq. metres - nearly 30% of that development. That business park has much better transport links (both bus and rail) and is also much more accessible for cyclists and walkers. The Landex proposal would add 1,760 sq. metres of office/commercial space to an already over-supplied local market. As such this development would, most likely, stand empty for substantial periods. Hence, it is not sensible to permit development in a rural location such as Ufford which is unlikely to be fully used — not least on sustainability grounds.

Ufford used to have a village shop on the high street and another in Lower Ufford with a Post Office. Despite a gradually increasing population in the village, the stores could not survive commercially. Following their demise another attempt was made to run a village shop and that also failed. The applicant suggests that this application would be fulfilling Policy SCLP 4.8 concerning New Retail Development and a need in the “Woodbridge catchment area”. Ufford is not in the Woodbridge area, and Policy SCLP 4.8 states that “Priority will be given to concentrating retail and commercial leisure development within Town Centres”. Likewise, the suggestion for a Café: there are coffee shops in Wickham Market and in Melton; coffee is served at Ufford Park Hotel, and at The Ufford Crown during opening hours. We fear that another outlet may put all of these at risk, and decrease viability of all.

Highways and Traffic

The applicant asserts (4.18) that there would be no noticeable impact on highway traffic, and that there are “reasonable transport links and services”. Ufford Parish Council strongly disputes these statements. The Transport Assessment includes a traffic count “to understand existing conditions” and conducted this between 13th and 19th April 2021. It should be noted that at this date the Covid Pandemic lockdown was only partially lifted, therefore the numbers of vehicles counted would be a significant underestimate of normal peak times. It is no surprise to Ufford residents

that the southbound traffic is approximately double the number of vehicles travelling northbound. This is because traffic from Wickham Market and nearby villages has to drive through Ufford to reach the A12 slip road. Traffic travelling in the Melton/Woodbridge direction is roughly matched with northbound numbers. It is also no surprise to any local that a large proportion of vehicles are exceeding the speed limit, and this should be considered when assessing the safety of the Yarmouth Road/ Nursery Lane junction. Despite the apparent underestimate in numbers, and the assessor being unaware of the impending further development of a known 136 additional dwellings in Pettistree/Wickham Market (DC/20/3264/FUL) with more vehicles heading southbound through Ufford, there is a calculation of the impact of this proposed development with an uplift for 2026 (Table 13 TA) arriving at a figure of 457 vehicles per hour at peak times. We calculate that to be 7.6 vehicles per minute, or more than 1 vehicle every 10 seconds, an unacceptable volume for all the people who live along that road. However, it also shows how unrealistic is the assertion at 4.20 in the TA that “The low volume and speed of the current and future traffic along the B1438 would deliver an adequate gap to allow Nursery Lane traffic to enter and egress the highway network”.

The Transport Assessment seems to agree that public transport is unlikely to be useful for employees at any of these locations, with only an hourly bus service in each direction, and none on Sundays. They tell us the train station is a 6 minute car journey away, but if someone arrived by train they would not have a car waiting and surely will not travel to work by taxi! Travel by bike is not envisaged for many as only 16 cycle spaces are planned. At 3.26 it is accepted that most travel will be by car; also, at 3.21 no travel plan is required because “little highways impact as local residents will benefit from employment, retail and café facilities” and yet there are 116 car parking spaces.

Since both SCC and ESC have declared a Climate Emergency it cannot be right to allow the development of commercial premises which will encourage more car journeys. The proposal is contrary to Policy SCLP 7.1 concerning Sustainable Transport. There is remarkably little comment about HGVs. The access road junction off Nursery Lane is described as suitable for Refuse vehicles, Delivery and Emergency vehicles. Delivery vehicles are frequently large HGVs bringing supplies to a shop and a café, although we note the absence of rear/ delivery access for the shop and café. Also, while there is mention of customers travelling by foot, by bike, and by car there may also be HGV drivers. Mention is made of ‘passing trade’. Will there be signs banning HGV customers? If they cannot easily drive a large truck into the car park, they may park on the highway by one of the pedestrian access paths and run down to the shop and café, who we are told will be serving “Dine-in and Take-away”. If HGVs park on the busy B1438 there will certainly be a hazard to highway safety. One further comment concerns the proposed new access for pedestrians and cycles, through the development and down to the long unused gate from the Crown Nursery site on to The Avenue. This is almost opposite the entrance to the Ufford Recreation Ground. It sounds ideal, but is actually unnecessary as it is easily possible to walk along the footway by Yarmouth Road, cross the top of The Avenue and then follow the permissive path, known as the Millennium Path on the edge of Parklands Woods and that leads directly to the Recreation Ground. Either of these routes help a limited number of people who live in the south western area of the village. If the proposed cycle path was allowed, it would need an obstructed exit on to The Avenue, as traffic often travels above the permitted 30mph along that straight but narrow road. There are a couple of other footpaths from Parklands Woods on to The Avenue which have obstructed access for reasons of safety. Also, exactly at the junction with The Avenue is an area which frequently floods extensively, and would easily flood more when buildings and car parks are replacing trees and open land.

Wildlife and Trees

The application includes an Ecology Report. In the report at 5.5 potential impacts of the development are considered, and the loss of “high value (orchard and bat roosts) considered a significant negative effect at local scale”. In the area proposed to build Block B, there is a mixed orchard, including some heritage fruit trees. These are important for pollinators. The trees are marked for felling. More importantly the Ecology Report gives evidence of bats emerging from day roosts in two buildings marked for demolition. A full Bat Survey has not been undertaken contrary to the advice given by the Bat Conservation Trust for development sites where any evidence is found of bat habitats. In mitigation it is suggested that bat boxes will be placed on trees near the Pond, behind Block A, adjacent to the busy B1438 Avenue Junction. However, many bats will not simply change roosting sites, new bats may use the boxes, although given the traffic disturbance it is unlikely, but those who have lost their normal roost could simply perish. Furthermore, the bats (Serotine, Daubenton and Pipistrelle) that roost in Hospital Grove and overfly the Crown Nursery to get to feeding grounds in the Ufford water meadows would be significantly disturbed and restricted by development and additional light pollution. In 2020 Ufford Parish Council commissioned a Full Bat Survey in Parklands Woods, which we own and manage for the community. The woodland surrounds the Recreation Ground on The Avenue, and is about 100m from the proposed development site. This Bat Survey demonstrated the existence of a large number of bats in the woodland, including some rare species. Bats have full protection under the Wildlife and Countryside Act 1981. A copy of the Bat Survey is appended to this letter, and a copy has been sent to Mr James Meyer, ESC Ecology Officer.

Light Pollution

There is little mention of lighting for this development. The opening hours are stated on the Application form as follows: Monday – Friday 07:00 - 20:00 Saturday 07:00 - 21:00 Class E (a) (Shop) 07:00 - 20:00 Class E (b) (Café) Sunday 08:00 - 20:00 Considering these hours it is obvious that for public safety there would need to be extensive external lighting which would further detract from and urbanise the rural nature of the village. All the buildings described, including the business units, have large glass windows, understandably in order to maximise the benefit of daylight. This is going to lead to considerable light spillage, through many months of the year. The Ecology Report mentions at 5.7 that there could be light disturbance to harm the bats “once the houses are occupied”(sic). In the Transport Assessment at 3.23 it states “The proposed development will provide off-street parking for all users . . .with signage, markings, street lighting . . .” The knowledge that many bats live in the vicinity of this site and the unavoidable light pollution accompanying the proposed development should in itself be a reason for permission to be refused.

Landscape Impact

The size and arrangement of the proposed buildings, erected as four blocks, will have a negative impact on the landscape and street scene, despite planned retention of the hedgerow along the High Street, known locally as Yarmouth Road along that stretch. Ufford is a rural village not an urban setting; this development will ruin the street scene in this part of the village; the design may match that of the Goldsmiths development but that doesn't fit in either and will further damage the rural environment and detract from Ufford's place in the countryside for any people passing through or visiting the village. The height of the roof ridge is not given precisely on the plans, but there is a scale and we calculate it must be over 7.5m which is equivalent to 25ft. From the houses opposite Block B on Yarmouth Road, the roof will be a very long and prominent sight. Likewise, the roof of Block C will be dominating as seen from the new houses at 2, 4, and 6 Nursery Lane. The houses at 8, 9, and 10 Goldsmiths will also see a high elevation of the north end of Block D. These roofs will be dominant from many more distant views across the village. There is a place along Spring Lane where one of the large roofs of the new Goldsmiths houses is very visible, how much

more will these long roofs intrude on vistas across open space and trees. A further concern, not mentioned in the plans, is signage. There is comment about signage to walkways and bus stops, but if these commercial units are as well concealed as the applicant suggests, what large street signs are planned to advertise the location? Any signs would immediately urbanise a rural village.

Residential Amenity

The residents in the immediate surrounding area, namely Yarmouth Road houses and Goldsmiths, particularly the ones close to Nursery Lane, will be extremely affected by commercial property so near to them. The opening hours listed are extensive for both the Convenience food store, and the Café. The Business Units would presumably have no restriction on hours of use. Delivery vehicles, probably large as is normal even to small village stores, could arrive at any time. Again we would reiterate our question about whether HGVs would be attending as customers. The houses 2, 4, and 6 Nursery Lane would virtually become a traffic island. There could be noise as well as traffic to and from the Café and the shop with car doors banging, radios playing, people shouting and laughing etc. All this may be alright in an urban area, but Ufford is a small village.

Conclusion

In conclusion...

- There can be no dispute that the site in question lies outside the Physical Limits Boundary of the village and therefore in the 'Countryside'.
- The applicant suggests this is not new employment – but a maximum of 15 people were employed at the Crown Nursery business. The proposal suggests 60 – 100 employees on this site. It is new employment.
- It has not been demonstrated that there is no alternative existing Employment Area, as indeed there is.
- There would be an adverse impact on all surrounding residents; and for all the Ufford village residents who enjoy the open spaces and views marred by overbearing buildings.
- There is no mitigation for the potential harm to bats living in woodland close to the site; nor adequate mitigation for the loss of roosting sites for bats on the site. The development would harm the character of the surrounding area and landscape.
- There are numerous other offices available in Melton and Wickham Market. Additionally, this point was clearly made in the refusal of the previous application in 2017 for this site, and further in the LPA response to the ensuing appeal in Paragraph 9, referring to Employment Development and stating unambiguously that “it was not considered that the proposal would result in a sustainable form of development and therefore the Council object to the principle of development”. For all the many reasons described in this letter, we urge the Planning Authority to refuse this proposed development. If the LPA is minded to recommend acceptance then we request the application go to Planning Committee for determination.

Consultee	Date consulted	Date reply received
Ufford Parish Council		24 August 2022

Ufford Parish Council made a strong objection to the above application for many reasons set out in detail in our letter of 17th August 2021. We are now writing to make response to an amended Traffic Assessment recently submitted, along with an amended layout Plan of the proposed parking area. We would also like to comment on a few other responses from Statutory Consultees which were made subsequent to our initial response.

Traffic Statement August 2022

It is clear that the vast majority of the recently submitted Traffic Statement is the same as the TS submitted with the original application in 2021. Indeed, many pieces of information have not been updated such as the occupancy of Goldsmiths, which is complete bar one dwelling. As such the detailed comments made in our response in August 2021 under a heading "Traffic and Highways" remain our view. With only one document to analyse this time we can now point out various inaccuracies and inconsistencies throughout the statement. As the authors admit it is a desktop survey, and in places it is obvious the local conditions are unknown. Our comments on the TS are as follows – in places using the paragraph numbers as reference in the statement:

- In one of the opening descriptive paragraphs (2.12) it states that the B1438 passing the site is a signed 30mph zone "transitioning to national speed limit (60mph) 300m south of the site". This is not accurate. The B1438 continues on a left fork at the triangle junction towards Melton and with a 30mph speed limit. It is on the slip road heading south towards the A12 where the deregulation sign appears. A significant proportion of local traffic continues on the B1438.
- The calculation of trips generated by the proposed business unit development is stated to be based on Suffolk Business Park at Bury St Edmunds (4.3). This is not a comparable site. (Nor is the 50+ pages of TRICS data collation from Greater London, Yorkshire and Cardiff used to somehow justify traffic movement in Appendix F). The Suffolk Business Park is a huge development lying very close to the A14, and with excellent links to the nearby market town of Bury St Edmunds, with cycle routes. Ufford is a small rural village surrounded by other small villages, therefore has a smaller nearby catchment population. It would be quite possible that people would travel from Ipswich to work in these business units, and therefore the only realistic mode of transport would be private car; the bus service is acknowledged to be infrequent and takes about one hour to reach Ipswich! Furthermore, the buses may run hourly on Monday to Saturday but the scheduled time of the first and last buses indicate that the service would not be available to anyone working at the shop or café early or late. Cycling is admitted in the report to be "unlikely" and yet at 2.26 and 5.5 there is the amazing suggestion that the National Cycle Network (NCN 1) connects Woodbridge to Framlingham passing 3km to the west of the site, and could be reached by local roads and part of the A12, which includes crossing the A12 to Bredfield. This would be very dangerous and highly unlikely to be used by a commuter or shopper to and from Ufford.
- As in the 2021 TS no allowance or forecast is made for the 136 houses with permission to be built on the southern edge of Wickham Market ((DS/20/3246/FUL) as all southbound traffic from there will pass along the B13438 through Ufford and past the site in question.
- Also, no mention is made of Sizewell C, now in the knowledge that construction will be happening soon. The planned Park and Ride is north of Wickham Market, and while we may hope that much of the traffic will remain on the A12, there will be local traffic adding to the burden through Ufford. In addition, no consideration is made of the potential impact of Sizewell traffic making detours to visit the cafe and shop which would be close to and convenient from the A12. The possibility of HGV drivers stopping off is also not considered. Both these would add significantly to traffic volumes.
- The analysis of traffic volumes is inconsistent. The report quotes 7 vehicles per minute along the B1438 at peak times, 1 every 10 seconds. The proposed development could cause this to increase by 2 vehicles per minute at peak times, described as 10% whereas it is 25%, and then we are told a 25% increase is "not significant".
- Traffic numbers estimated seem odd. There is a suggestion that 30 vehicles will arrive at the business units, and yet there are 66 allocated car parking spaces.
- Streetlighting – 2.23 "Installation of streetlighting in the area would improve pedestrian safety and visibility" – Ufford is a rural village and not a town and residents frequently complain about existing light pollution.

- Signage – there are many references to signposting within the site and to the site. We consider this totally out of keeping for a rural village.
- Refuse Collections – At 4.38 it is suggested that refuse collections will be an extension of the collection at Goldsmiths. But surely these proposed premises will have business waste bins which require a different lorry from the domestic wheelie-bins, thus adding to HGV vehicle movements into and out of the site that are not defined.
- Crash Reports – the source of this data is not given, is wrong and is 16 months out of date. The impact of increased traffic on the notorious triangle junction is ignored. It is at this junction where the most recent significant RTA has occurred. The accident at Nursery Lane junction is described as a dual carriageway at APPENDIX C – ‘CRASHMAP’ COLLISION DATA second report Tuesday, June 12, 2018 and given that the Goldsmiths housing development was in its infancy, and without the additional business developments as proposed in DC/21/3237/FUL the accident report illustrates the very poor consideration to the amount of traffic and dangerous nature of this section of road.

Ecology

Since Ufford Parish Council responded to the application in August 2021, there was a response from James Meyer, Ecologist for East Suffolk Council dated 10th September 2021. He noted the presence of bats at the Crown Nursery site, but also the Bat Survey submitted by UPC. He recommended that a plan detailing both external lighting and light spill from internal sources should be requested prior to determination of this application. No such plan is available.

Crime

Suffolk Constabulary responded to this application on 28th September with a long and detailed letter. It was suggested that this presently low crime area would very likely see a rise in crime with the business of a convenience store. Amongst an extensive list of recommendations is lighting (at 1.20 of the letter). This would immediately conflict with the low level lighting required to allow bats to commute and forage as detailed in the ecology report.

Conclusion

Last year when this application first came forward there were 53 letters of objection from local residents, with just 7 in support. Many residents in Ufford have approached the Parish Council expressing concern when they saw a sign erected by the applicant on the proposed site stating “Ufford Hub – Coming Soon “. We have explained that no decision has yet been made granting permission for the application.

Ufford is developing its Neighbourhood Plan and in our initial consultation as well as more recent data gathering, this proposal for the Crown Nursery site has attracted a significant volume of negative comment. Residents have urged the Parish Council to work to develop more sensitive and community focused options; we would be prepared to collaborate with Landex on these issues. For all the reasons given before, and in this letter, we uphold our objection and hope the Planning Authority will refuse this application, allowing Ufford to remain the relatively quiet and rural village that its residents appreciate.

Consultee	Date consulted	Date reply received
Pettistree Parish Council	1 December 2021	30 November 2021
Summary of comments: Pettistree Parish Council objects to this application for the following reasons.		

1. Pettistree Parish Council is worried about the impact that this proposed development will have on traffic using the B1438. This road forms a vital link between Wickham Market, Pettistree, Ufford, Melton and the A12. Traffic congestion in Ufford will restrict the ability of Pettistree residents to move freely to Ipswich via the A12, and Woodbridge via Melton. The traffic report by Ingent for Landex does not recognise many important features such as:-

- a. The asymmetric flow in Ufford imposed by routes of access to the A12 to and from Pettistree.
- b. The extra flow to be expected from the 136 new homes being built in Pettistree adjacent to Wickham Market.
- c. The expected use of the café facility by HGVs on their way to and from Sizewell nuclear plants during the 12 years of construction.
- d. The volume of traffic that they expect as shown by the need for 116 parking spaces.
- e. The fact that their traffic measurements were taken when traffic was reduced by Covid restrictions.

2. The development would be outside the settlement boundary and therefore in open countryside. Pettistree has already seen the problems caused by manipulation of a settlement boundary to allow building on land classed as open countryside in the new Hopkins Homes development on Pettistree land.

3. We note the strong objection of Ufford Parish council to this application who have expressed similar views.

4. We note that the police have stated that crime is likely to increase at the site of the new development. They have recommended stringent security precautions which will change the rural nature of the area.

5. If the planning application currently under appeal for a large 80 bed care home and assisted living homes development in Melton goes ahead there will be even more traffic using the B1438 in both directions.

Please let me know if you have any comments or need further information before the meeting of the Planning Committee.

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Flooding Authority	23 August 2021	27 August 2021

Summary of comments:

No objections - suggested conditions to be included on any permission

Consultee	Date consulted	Date reply received
SCC Highways Department	28 July 2021	22 December 2021

Summary of comments:

Holding objection

Consultee	Date consulted	Date reply received
SCC Flooding Authority	28 July 2021	17 August 2021
Summary of comments: Holding objection - more information required		

Consultee	Date consulted	Date reply received
SCC Highways Department	9 August 2022	2 September 2022
Summary of comments: Extra information has been provided to SCC highways which include updated traffic data taken in March 2022. This is a reasonably accurate representation of the transport trips and 85%ile speeds in the local vicinity which will include trips from the recently completed Goldsmiths development. I have also checked the collision data for recorded injury collisions for the last 5 years and there are no trending collisions which require mitigation from this site. Therefore, I have no grounds to submit a refusal on highway rounds under NPPF(2021) 111.		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	10 November 2021	7 September 2021
Summary of comments: Require plan for fire hydrants to be agreed. Advice regarding sprinkler systems		

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	10 November 2021	31 August 2021
Summary of comments: We request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	28 July 2021	19 August 2021
Summary of comments: I have no overall objection to the proposed development of a small business park. I note however that there are residential dwellings close by, and a further part of the site to be potentially developed. I therefore have a number of recommendations to make with regarding a range of potential environmental impacts including noise, land contamination and air quality.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	28 July 2021	10 September 2021
Summary of comments: Internal consultee - comments included in report		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	28 July 2021	11 August 2021
Summary of comments: We would support this planning application as we believe it does further the objectives of the East Suffolk Growth plan.		

Consultee	Date consulted	Date reply received
Network Rail Property (Eastern Region - Anglia)	28 July 2021	3 August 2021
Summary of comments: No objections		

Consultee	Date consulted	Date reply received
Disability Forum	28 July 2021	16 August 2021
Summary of comments: No provision for wheelchair users to access the first floor of buildings. We would expect the developer to follow the guidance in Part M Volume 2 to the letter. In our view the coffee shop should have a unisex accessible toilet as part of the provision. We would ask that both the coffee shop and the retail unit have car parking spaces for disabled people. Wheelchair accessible standard for the footpath link.		

Consultee	Date consulted	Date reply received
Police - Design Out Crime Officer	28 July 2021	28 September 2021
Summary of comments: Comments and suggestions on ways that the development can be made more safe in relation to potential for crime		

Consultee	Date consulted	Date reply received
SUSTRANS	28 July 2021	No response

Summary of comments: None received

Consultee	Date consulted	Date reply received
Suffolk Police Design Out Crime Officer	28 July 2021	No response

Summary of comments: None received

Consultee	Date consulted	Date reply received
East Suffolk Drainage Board	11 November 2021	11 November 2021

Summary of comments: We request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.
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Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	10 November 2021	12 November 2021

Summary of comments: Satisfied with additional reports received. Originally suggested conditions and revised conditions relating to contamination to be applied to any permission granted.

5. Third Party Representations

65 letters of objection have been received from 54 different addresses. Seven letters have been received in support of the proposal.

Those supporting the application raise the following points:

- Cafe and shop are a much needed local service which would be good for residents and passing traffic
- Business units would bring life into the village
- Would provide jobs
- The footpath link to The Avenue is a benefit
- Landex are a good developer
- It would provide modern facilities and good opportunities for small businesses.

The objections can be summarised as follows:

- Site is outside the Settlement Boundary
- Scale of development is inappropriate in a 'Small Village'
- Unacceptable to have industrial units in a quiet village
- It would change the character of the village and not be in keeping with the existing settlement
- Existing buildings on the site are much smaller in scale

- Next 'stage' of a piecemeal development, undermining the Settlement Boundary
- The local road network is inadequate for additional traffic
- It would result in additional traffic coming through the village
- The increase in use of the Yarmouth Road/Nursery Lane junction would be dangerous
- Increased use of the Ufford 'triangle' junction would increase chances of accidents
- Visibility on The Avenue for the pedestrian crossing is poor
- Insufficient public transport to access the site
- Overflow car parking would cause problems for local residents
- A new shop or cafe would not be viable
- No need for a shop or cafe when others are available nearby e.g. Ufford Park, Melton, Woodbridge and Wickham Market
- No need for the business units when others remain vacant
- Proposed opening hours are too long
- Number of jobs proposed significantly more than the 15 when the nursery was operating
- Retail and hospitality jobs would compete with existing providers as workforce in these sectors is reduced
- Damage ecology - loss of habitats
- Bat population has been underestimated
- Surface water run-off would increase potentially causing flooding
- Too close to residential properties
- Housing is needed
- Insufficient public infrastructure e.g. broadband for business purposes
- Plans for the rest of the site are not detailed

6. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Major Application	5 August 2021	26 August 2021	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Major Application Date posted: 5 August 2021 Expiry date: 26 August 2021
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7. Planning policy

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.3 - Expansion and Intensification of Employment Sites (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.5 - Economic Development in Rural Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.6 - Conversion and Replacement of Rural Buildings for Employment Use (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.8 - New Retail and Commercial Leisure Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.1 - Sustainable Transport (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP8.1 - Community Facilities and Assets (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.1 - Low Carbon & Renewable Energy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.2 - Sustainable Construction (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.5 - Flood Risk (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.6 - Sustainable Drainage Systems (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.7 - Holistic Water Management (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP12.34 - Strategy for the Rural Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

8. Planning Considerations

Principle of Development

- 8.1 The application site lies outside of the defined Settlement Boundary of Ufford and therefore, in planning terms, is within the Countryside. While new employment development in the countryside may be more strictly controlled, the application site has had an element of previous commercial activity and shares a boundary with the existing settlement. The strategy for the rural areas, as set out in Policy SCLP12.34 of the Local Plan, is to support and enhance the vitality of rural communities and enhance the visitor experience whilst protecting and enhancing landscapes, and the natural, built and historic environment. This includes seeking to deliver, among other things, opportunities for employment development alongside the protection of existing employment uses.
- 8.2 Policy SCLP4.1 relates to Existing Employment Areas and states, in part, "Existing Employment Areas are identified in Area Specific Strategy Policies in Section 12 of the Local Plan and on the Policies Map or Neighbourhood Plans." The application site is not identified as an Employment Area in the Local Plan and Ufford does not have a Neighbourhood Plan, therefore this policy does not directly apply to the proposal. SCLP4.1 goes on to say that "Outside of the existing Employment Areas, the redevelopment or change of use of existing employment premises will be considered under Policy SCLP4.4."
- 8.3 Policy SCLP4.3 relates to the Expansion and Intensification of Employment Sites. This sets out that proposals to expand, alter or make productivity enhancements to existing employment premises may be permitted where certain criteria are met. This policy is not directly relevant to this application given the former use is no longer on the site and although the proposal would result in intensification of the site, the proposal does not relate to 'existing employment premises'.
- 8.4 The most relevant policy to this proposal is SCLP4.6 which relates to the Conversion and Replacement of Rural Buildings for Employment Use. This states that "replacement of rural buildings with employment uses will be permitted where:
- f) The proposal is of a similar size and scale to the building that is being replaced;
 - g) The proposal does not have an unacceptable impact on highway safety, local roads or the living conditions of local residents and exploits opportunities to make the location more sustainable by walking, cycling or public transport;
 - h) The proposal would not conflict with neighbouring uses;
 - i) The proposal is complementary to the setting of any historic or architecturally important buildings and reflects the form and character of the existing buildings;
 - j) The proposal would not result in a significant adverse environmental impact; and
 - k) The proposal enables farm, forestry and other land-based businesses to build the buildings and infrastructure they need to function efficiently."
- 8.5 The former use of the Crown Nurseries site was as a commercial and retail plant nursery. While much of the site area was taken up with growing, there were, and remain, a number

of buildings and structures on the site. Some of these were used directly in association with the nursery business while others were used by other business, albeit related to the nursery use such as a design and landscaping business. Other buildings and structures on the site were used for storage (including for vehicles, machinery and equipment), retail display areas, training rooms, plant preparation and propagation buildings, staff training and welfare. The majority of the existing buildings and structures are generally located towards the southern and eastern edge of the former Crown Nursery site. While the majority of the site area was previously used for horticulture (which falls within the definition of agriculture as set out in the Town and Country Planning Act 1990), there were also retail sales from the site, wholesale sales as well as the site being used as the base for a landscaping business (albeit with the landscaping work being carried out off-site). While only a relatively small proportion of the site would have fallen within the former Class B employment uses, the retail element as well as the horticultural/growing function did provide some employment.

- 8.6 The second part of Policy SCLP4.6 of the Local Plan (as detailed above) does support the principal of replacing existing 'rural' buildings with employment uses. While not wholly an 'employment' site with a lot of the previous use of the land and associated buildings being for horticulture and related uses and businesses, the site was used for commercial activity and, as a result, there are a number of buildings on the site. Criterion (f) of Policy SCLP4.6 requires that the proposed development is of a similar size and scale to the building to be replaced. The application states that the existing buildings and structures provide 1472 square metres of floorspace. While these are generally of a low height and located to the east of the site, therefore being further from the main public vantage points on Yarmouth Road/High Street, the proposed replacement buildings would have a footprint of 1521 square metres which is not significantly greater than that now proposed. Having said this, the height of the buildings, providing accommodation at first floor level within the roofspace, would noticeably increase the floorspace provided. Their location on the site (closer to Yarmouth Road/High Street) would also result in them being more prominent than the existing buildings which are located further to the east. A landscaping scheme would help to soften the visual impact of the development.
- 8.7 Therefore, while the footprint of the proposed new buildings is 'similar' to those to be replaced, the scale and intensity of employment use of the site would be more noticeably increased. There are, however, benefits of this, mainly in that the appearance of the site as a whole would be improved. The majority of the existing buildings and structures are in a poor state of repair having not all been of permanent construction initially and after having not been used or maintained for a few years no longer provide a functional purpose and their removal and tidying up of the site would provide a benefit to the appearance of this part of the site.
- 8.8 In relation to (g) of SCLP4.6, the Highways Authority have not raised any concerns regarding the capacity of the highway network nor the impact on highway safety. They originally objected due to a lack of information to make an informed decision, requiring updated traffic data given that the original data was taken from April 2021 when data was affected by pandemic restrictions. An additional Transport Assessment was then submitted which includes updated traffic data taken in March 2022. The Highways Authority have therefore confirmed that the revised data was a reasonably accurate representation of the transport trips and 85th percentile speeds in the local vicinity which will include trips from the recently completed Goldsmiths development. They also checked

the collision data for recorded injury collisions for the last 5 years and there are no trending collisions which require mitigation from this site. Therefore, they conclude that there are no grounds to recommend refusal on highway grounds under NPPF (2021) paragraph 111.

- 8.9 The scheme also proposes a new footpath link through the site to The Avenue which will enable a pedestrian link with the village hall, playing field and playground to the south. A new pedestrian access into the site from Yarmouth Road is also proposed.
- 8.10 Part (h) of SCLP4.6 requires the development to not conflict with neighbouring uses. The surrounding land uses include residential properties. The nearest of these are a terrace of three dwellings located immediately to the north-west of the application site. The proposed use of the business units within Blocks B, C and D is for Class E(g)(i) Office uses which the Use Classes order describes as uses which can be carried out in a residential area without detriment to its amenity. The nature of these proposed uses, as being those that can be carried out in a residential area without detriment to amenity, is therefore such that the principle of the use would be acceptable adjacent to residential dwellings. While the application does not set out the proposed opening hours for the Class E(g)(i) units, given these are located in closest proximity to the residential dwellings, it is considered reasonable to restrict these to 8am until 6pm Monday to Friday, 8am until 4pm Saturdays with no working on Sundays or Bank Holidays. If individual occupiers wished to extend these hours, this could be applied for and considered on a case-by-case basis in order that any additional impact can be properly considered.
- 8.11 The proposed retail and cafe unit located in Block A would be located furthest from the Goldsmiths development. They would be closer to the residential dwellings fronting Yarmouth Road, opposite, however would be approximately 40 metres from the dwellings themselves, across the highway. The proposed units are therefore not considered to result in any significant degree of noise and disturbance to those residents. The cafe unit is proposed to have opening hours of 7am until 8pm Monday to Saturday and 8am until 8pm Sundays and Bank Holidays. The retail unit is proposed to be restricted to opening hours of 7am until 8pm Monday to Friday, 7am until 9pm Saturdays and 8am until 8pm Sundays and Bank Holidays. These are not considered to be unreasonable opening hours for the type and size of the units proposed. The comments made by the Council's Environmental Protection Team in relation to the opening time of 7am are noted. Given that the retail and cafe unit are furthest from the 'Goldsmiths' development and the properties on Yarmouth Road, closest to the units would be across the highway, these units are further from residential properties. It is appreciated that a convenience retail use may require a relatively early opening time and therefore, considering the comments regarding noise and disturbance, it is considered appropriate to restrict activity on the site to 7am.
- 8.12 While there are some listed buildings further north along High Street, the application site does not affect their setting. The site borders a recent residential development to the north, former local authority semi-detached dwellings to the west and a more varied mix of property design to the east. The Ufford Conservation Area is located further to the south and west of the site and again, development of the site would not affect the setting of this. The proposed design approach for the development, as set out in the Design and Access Statement, is that of the form of traditional agricultural barns with the layout reflecting that at Goldsmiths to the north. They are 1.5 storeys, with shallow roof pitches, appropriate for pantiles. The proposed form, including simple blocks, reflects the simplicity

of vernacular buildings in the area, although they are generally deeper in their format due to the intended use and reflect current building technology to produce a sustainable development. While their form and character are not similar in many ways to the existing buildings and structures on the site, given their functional appearance clearly specific for their former use, it is considered that overall the development of the site and the design and appearance of buildings now proposed would result in a significant betterment of design quality of the site such that in this case, it would not be appropriate to replicate the size, form, quality and character of the existing structures.

- 8.13 Part (j) of SCLP4.6 requires that the proposal would not result in a significant adverse environmental impact. Prior to submission of the application, a request for a Screening Opinion under The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 was made (DC/21/2289/EIA). This concluded that the proposed development was not considered to result in likely significant effects on the environment and therefore an Environmental Statement is not required. Impacts on the environment are discussed elsewhere in this report.
- 8.14 The application has set out that the nursery use is now redundant. Therefore, there would be no requirement for the horticultural business to build any buildings and infrastructure they need to function efficiently. While unlikely, the remaining undeveloped part of the site has some potential to be used for a horticultural, agricultural or other rural, land-based business, should the demand arise and subject to further application.

Conclusion in relation to the principle of the development

- 8.15 While the development does not comply exactly with all aspects of the policy detailed above, mainly in that the form and scale of building are different to those existing on the site, the Local Plan as a whole is supportive of economic development. It sets out that it will support the growth and development of the main economic drivers (e.g. Adastral Park and Felixstowe Port) as well as the need to provide the opportunities and conditions for small enterprises to start and flourish and create better, higher paid employment. It recognises that creating opportunities for businesses to invest and grow can facilitate and develop training opportunities and enhance skills and prospects for the local community. The development of this site would help to achieve this vision and, while in the countryside, it is well-related to existing development and would improve the overall appearance of the site, both by the improved design of buildings and the removal of existing structures which detract from the appearance of the site and their replacement with managed, landscaped areas. The proposal is also in accordance with paragraphs 84 and 85 of the NPPF which seek to enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings and the retention and development of accessible local services and community facilities, such as local shops (para. 84). The NPPF goes on to state that "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements...The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist. (para. 85).

Design and Layout

- 8.16 The site layout follows on from the approved housing development to the north of the site which incorporated an upgraded access road into the whole of the original nursery site. The business units would be accessed from that road (Nursery Lane) and would be formed in a courtyard-style arrangement with central car parking areas. The car park surface would be light grey block pavers in the central area with shingle used in the more peripheral areas. The car parking/courtyard areas would be interspersed with planting.
- 8.17 The blocks of buildings would broadly follow the form of some agricultural barns with shallow roof pitches and deep planforms. While the main use of materials (pantile roofs and boarding) would be traditional, the overall appearance of the buildings would be much more contemporary with the addition of glazing, rooflights and solar panels.
- 8.18 Given the built development on the site is currently located further from the highway, the resulting development would be more prominent in the streetscene. The existing road frontage to Yarmouth Road is screened by a hedgerow with a small orchard inside the site, adjacent to the highway. The existing residential development at Goldsmiths, adjacent to the site, is prominent from Yarmouth Road/High Street. While the proposed development would inevitably be more prominent, it is not considered to be detrimentally so given the proposed hedge and tree planting along the highway boundary and that the land level slopes down into the site.
- 8.19 The proposed development would provide a pedestrian link through the site to The Avenue, thereby enabling easier and safer access to the community hall and recreation facilities opposite.

Residential Amenity

- 8.20 The closest neighbouring residential dwellings are a terrace of three, two-storey dwellings. While these were developed as part of the Goldsmiths development, they are the only three dwellings to be located on the southern side of Nursery Lane. The application site borders the south-western side boundary of the residential curtilage of the nearest dwelling. The nearest building proposed is Block C which would back onto the side of the neighbouring dwelling. While these would be 7 metres from the shared boundary, the part of the building closest to the neighbouring residential property would be 3 metres in height with the roof sloping away (to a maximum of approximately 8 metres at the ridge). This scale of building and separation distance is not considered to have an adverse impact on amenity as a result of loss of outlook, overbearing impact, or the loss of light or privacy. The dwellings opposite on Yarmouth Road are noticeably further from the development that such impacts would also not adversely affect the amenity of these residents.

Retail impact

- 8.21 The proposal includes the provision of a retail unit and a cafe, both of which are considered to be main town centre uses. Policy SCLP4.8 relates to New Retail and Commercial Leisure Development and seeks to locate such development within existing Town Centres, in accordance with the retail hierarchy. While the application site is an 'out of centre' location in terms of retail impact, its provision adjacent to an existing village and within an employment development is not considered to have any detrimental impact on

nearby Town Centres or District Centres. The nearest of these are Woodbridge Town to the south and Wickham Market to the north. A retail impact assessment for the development proposed is not required as the proposed retail unit (256 square metres) would fall well below the threshold as set out in the Local Plan (750 square metres in relation to Woodbridge).

- 8.22 While it cannot be controlled and the proposed E(a) retail use would permit any retail use, the application indicates that it may be suited to a convenience retailer. Whereas a more specialised retailer may not have the same local benefit, there is the potential for the retail unit, as well as the proposed café, to provide a community facility. Policy SCLP8.1 seeks to support new community facilities if the proposal meets the needs of the local community, is of a proportionate scale, well related to the settlement which it serves and would not adversely affect existing facilities that are easily accessible and available to the local community. While concern has been raised that such new facilities may detract from existing opportunities locally, most of these are further from the main core of the village. One such service is the café/restaurant offer at Ufford Park Hotel however it is not considered that this development would have any significant impact on the viability of that business given the café offer there is a small part of a much larger business. Similarly, the village pubs provide a different offer. Options further afield in Wickham Market, Melton or Woodbridge would likely involve a car journey and therefore the services being provided closer to the existing settlement and population would provide a service which may not otherwise be accessible to some.

Ecology

- 8.23 The application was accompanied by an Ecology Report (MHE Consulting, July 2021). In addition to this Ufford Parish Council submitted, as part of their objection, a bat survey related to the woodland to the south of the site (Parklands Wood) by Torc Ecology (June 2020).
- 8.24 The Ecology Report identifies a number of local level impacts on protected species and UK Priority habitats and species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)) which could occur as a result of the proposed development, in the absence of adequate mitigation and/or compensation measures. These include impacts on roosting, foraging and commuting bats, loss of a small area of UK Priority habitat (traditional orchard) and impacts on UK Priority species including toad, grass snake and hedgehog.
- 8.25 A small area of orchard exists on the western side of the site. Whilst identified as relatively young, nevertheless this area likely qualifies as the UK Priority habitat traditional orchard. Based on the submitted plans the whole area will be lost to the development. However, the Landscape Proposal drawing (ref. LSDP 1705.01) identifies that a new area of orchard planting will be established using heritage species in the south-east of the site. Subject to appropriate long-term management of this area being secured it appears likely that this will provide adequate compensation for the area to be lost.
- 8.26 Surveys of the site have identified day roosts of two bat species (common pipistrelle and soprano pipistrelle) which will be lost as a result of the development. Measures to mitigate and compensate for the loss of these roosts are proposed, and as recognised in the Ecology Report, a Natural England licence will be required before any works can proceed.

The Ecology Report also identifies that measures to control lighting are required to prevent adverse impacts on foraging and commuting bats, and this is particularly important given the information provided by the parish council in relation to bat presence in Parklands Wood to the south of the site. A plan detailing the proposed lighting for the site has been submitted and details of the lighting scheme are proposed to be secured by condition to ensure no adverse impact on bats.

- 8.27 The Ecology Report identifies that the proposed development has the potential to result in small scale adverse impacts on several UK Priority species, including toad, grass snake and hedgehog, along with potential impacts on nesting birds. The report highlights a number of required mitigation measures to address these impacts which would be secured by condition.
- 8.28 The Landscape Proposal drawing (ref. LSDP 1705.01) includes a number of ecological enhancements as part of both the landscaping scheme and included within the new buildings. Whilst these are welcomed, a Landscape and Ecology Management Plan (LEMP) is required to ensure that these are retained and suitably managed in the long term and a condition is suggested to secure this.
- 8.29 It is noted that the Landscape Proposal drawing shows the eastern/south-eastern side of the site as being seeded with a grass only seed mix. This is not maximising the potential biodiversity gains which could be achieved on the site and therefore a condition requiring a revised landscaping plan to include a seed mix with a proportion of flowering plants is proposed.

Landscape

- 8.30 The site forms part of the Crown Nursery site and currently comprises areas of woodland, orchard planting, specimen trees, unmanaged open space and a pond. There are also areas which were clearly previously the working plant nursery. The site falls mainly within the Ancient Rolling Farmlands landscape character type (LCT) as defined by the Suffolk Landscape Character Assessment and partly (to the north-east of the site) within the Rolling Estate Sandlands. Having considered the key characteristics of this LCT, apart from the woodland areas, the site is not especially typical of the LCT given that it has been worked as a plant nursery for many years. The woodland areas have a fairly high Ash content and much of this is showing signs of Ash dieback disease. There is also Dutch Elm Disease in Elm in marginal areas.
- 8.31 Much of the existing woodland on the wider Crown Nursery site, located to the south and south-east of the site, is outside of the application site. As the proposed application site includes the areas which are currently occupied by the existing buildings and structures and areas where the nursery growing and display took place, the existing woodland areas would be widely unaffected by the proposed development and the woodland would continue to provide screening to much of the site from The Avenue, and also from Yarmouth Road to the west, on the triangular junction, thereby reducing any impact on the wider landscape. The only breach in this screen will come from the footpath link access opposite the village hall access, but this would only be limited.
- 8.32 A landscaping scheme has been submitted with the application which shows hedge and tree planting around the main development area. It also shows a large area of grass to the

east of the site. While the principle layout of the landscaping scheme is acceptable, to ensure precise details of the planting scheme, particularly along the Yarmouth Road boundary and to seek additional ecological benefits within the planting mix of the grass meadow area, a condition will be imposed to secure further details of this, to ensure it is implemented and managed appropriately in the longer-term.

Sustainable Construction

- 8.33 The Local Plan forms part of the Council's wider corporate ambition to mitigate the effects of climate change that are embedded in the Strategic Plan. East Suffolk Council recognises we are in a climate emergency and is committed to supporting sustainable development, doing more to reduce its own carbon emissions, and to encourage communities to help fight climate change. The planning system plays a key role in seeking to achieve this. The Local Plan states that comprehensive sustainable construction that appropriately encapsulates the values of sustainability will be strongly supported by the Council. Sustainable construction methods can also help to reduce the running costs of development which is ever-more relevant given recent increases in energy prices. In order to support sustainable development and to address wider climate concerns, the Council has adopted a Sustainable Construction Supplementary Planning Document.
- 8.34 The application was submitted with a Sustainability Statement. This sets out that the commercial units have been designed to ensure that all units are dual aspect, thereby providing effective cross ventilation and good levels of natural daylight. Glazing with a maximum g-value of 0.5 would be installed to reduce undesired solar gains, and thereby reducing reliance on comfort cooling in the summer months. Detailed Simplified Building Energy Model (SBEM) calculations have been undertaken for the commercial units within the scheme, and these have indicated that the commercial units will not have a high risk of high internal temperatures.
- 8.35 Air-source heat pumps and PV panels are proposed to provide renewable energy for the development. It has been estimated that the combination of the energy efficiency measures, heat pump and photovoltaic systems would reduce the annual carbon dioxide emissions of the site by 23,650 kg CO₂, which equates to a reduction of 46.1%.
- 8.36 It is proposed that each unit be fitted with a water meter to manage their own consumption. A site waste management plan would be produced for the scheme to identify opportunities to reduce usage of raw materials and to introduce recycling facilities on the site. It is considered that a specialist waste contractor would be appointed to undertake waste removal during construction - normally this would achieve recycling rates of more than 85%. Wherever possible, the new materials used will be sustainably sourced to achieve an A or A+ rating under the Green Guide. Recycled materials, and materials with low embodied energy will be specified wherever possible. Appropriate central refuse stores for general and recyclable waste would be provided for the scheme. Information on recycling would be contained within the information packs to be provided to each tenant, in order to provide details of what items should be sorted and recycled.
- 8.37 A BREEAM pre-assessment has been undertaken for the scheme. Buildings are assessed against the BREEAM criteria at both the design and post-construction stages using a system of environmental issues. The building's performance is expressed depending on the final score achieved. The BREEAM pre-assessment demonstrates that a 'Very Good' rating

could be achieved for the scheme, with a score of more than 55%. However, the Sustainability Statement sets out that it is considered that, for a scheme like this with multiple units, the high administrative and certification costs for undertaking multiple BREEAM assessments would make this unviable. The applicant therefore proposes that the principles of BREEAM are applied to the scheme, but that formal BREEAM assessments are not undertaken. The application states that it would be more sensible to allocate this money to achieving high standards of energy efficiency and sustainability, rather than purely on consultancy and administrative fees.

- 8.38 The Sustainable Construction SPD includes suggested standard planning conditions in order to help secure sustainable construction. One such condition requires a BREEAM New Build Post Construction Stage (PCS) final rating and certificate of assessment demonstrating the development achieved the 'Very Good' standard.
- 8.39 Policy SCLP9.2 of the Local Plan states that "All new non-residential developments of equal or greater than 1,000sqm gross floorspace are required to achieve the British Research Establishment Environmental Assessment Method 'Very Good' standard or equivalent unless it can be demonstrated that it is not viable or feasible to do so."
- 8.40 Other than stating that the BREEAM certification process would be costly, the applicant has not set out that it would make the development unviable. The financial implications of Policy SCLP9.2 Sustainable Construction were viability tested in the Whole Plan Viability Study (2019) and have been through examination. Therefore it is considered that the BREEAM certification should be required, to be policy compliant.

Flood Risk and Drainage

- 8.41 The application site lies within Flood Zone 1. Suffolk County Council as Lead Local Flood Authority has reviewed the submitted documents in relation to flood risk and Surface Water Drainage and can recommend approval of the application, subject to conditions (detailed below).

9. Conclusion

- 9.1 While the site lies within the Countryside, it is well-related (adjacent to) the defined Settlement Boundary of Ufford, a Small Village as defined in the Local Plan. The existing site comprises a number of buildings and structures which are now in a poor state of repair and while the proposal would not result in the intensification of the existing commercial use, nor was the former commercial use mainly (former) 'B-Class' employment uses, the site has been previously developed. The proposed development of business units, with the addition of a retail unit and cafe unit which could serve the local population as well as the proposed development, is considered to directly benefit the economy, providing support for small businesses as well as providing a service and facility for the local community. The benefits of the resulting development are therefore considered to support the economic objectives of the Local Plan and provide an attractively designed development which would overall improve the appearance of the site while retaining much of the woodland to the south which would also reduce any landscape impact.

10. Recommendation

10.1 APPROVE subject to controlling conditions as set out below

Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be completed in all respects strictly in accordance with:

Drawing nos. PA12A, PA13A, PA14A, PA15B, PA16A, PA17A, PA18A, PA030E, Planning Statement, Sustainability Statement, Design and Access Statement and Archaeology Report received 6 July 2021;

Drawing nos. PA002, PA20B, PA21C, PA22C, PA23B, PA24C, PA25B, PA36B, PA27C, PA29C received 26 July 2021;

'Response on LLFA comments on DC/21/3237/FUL dated 17th August 2021', Ingent, Surface Water Drainage Strategy, 2102-540_001 B, 20/08/2021, Ingent, Surface Water Drainage Strategy Basin Sections, 2102-540_003 A, 14/06/2021 and Ingent, Flood Risk Assessment and Drainage Strategy, 2102-540, June 2021 all received 20 August 2021;

Air Quality Assessment report by Redmore Environmental (Ref. 4933r1 dated 22 October 2021) received 10 November 2021;

Contaminated Land and Geotechnical Assessment by Nott Group (Ref. 73124/R/001 dated 3 November 2021) received 9 November 2021;

Transport Statement and drawing no. 5523 PA003J received 9 August 2022;

LSDP 1705.01A received 23 August 2022;

Wildlife Lighting Strategy received 23 September 2022;

for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. No works on the erection of any new building hereby permitted shall proceed above slab level until details of the roof and wall materials and finishes to be used have been submitted to and approved in writing by the local planning authority.

Reason: To ensure satisfactory appearance of the development in the interests of visual amenity.

4. Prior to the commencement of development, a Construction Management Plan shall be submitted to, and approved in writing by the Local Planning Authority. Development shall then only proceed in strict 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 as well as ensuring noise, dust and light can be controlled in the interest of protection of neighbours' residential amenity.

5. The premises herein referred to, shall be used for the following uses and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning [Use Classes] Order 1987) (or any Order revoking or re-enacting the said Order), notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Unit 1 – Use Class E(a)

Unit 2 – Use Class E(b)

Units 3 – 13 – Use Class E(g)(i)

Reasons: For the avoidance of doubt as to what has been considered and approved and in order that the local planning authority may retain control over this development in the interests of amenity and the protection of the local environment.

6. Prior to the installation of any fixed plant or machinery (e.g., heat pumps, compressors, extractor systems, air conditioning plant or refrigeration plant), a noise assessment shall have been submitted to and approved in writing by the local planning authority. Only the approved equipment shall be installed and it shall be retained in its approved form thereafter. The noise assessment shall include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (LAr) of at least 5dB below the typical background sound level (LA90,T) should be achieved. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified.

Reason: In the interest of residential amenity and protection of the local environment: tonal noise can be annoying and disruptive.

7. All extract ventilation shall be vented via a filtered system, capable of preventing cooking odours, fumes, grease, dust, smoke and droplets from escaping the premises. Before the installation of such a system, details of -
 - i) The proposed filtration plant;
 - ii) Its ducted route through the building, and

iii) Its final discharge point 1 metre above roof level;
shall be submitted to the Local Planning Authority for approval. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of the business, and be retained and maintained in the approved form thereafter.

Reason: In the interest of amenity and protection of the local environment.

8. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
 - an explanation, including justification, for the selection of the proposed remediation methodology(ies);
 - proposed remediation objectives and remediation criteria; and
 - proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including the Land Contamination Risk Management (LCRM).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. Prior to any occupation or use of the approved development the RMS approved under condition 8 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
 - evidence that any RMS approved in pursuance of conditions appended to this consent has been carried out competently, effectively and in its entirety; and
 - evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.
- An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.
- Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.
- Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. Prior to the occupation of each unit hereby permitted, proper facilities shall be provided for the storage and disposal of waste material. Such facilities should totally enclose and adequately protect all commercial waste from insect and rodent infestation and shall be retained thereafter. There shall be no burning of waste, either liquid or solid undertaken on site.

Reason: In the interests of amenity and protection of the local environment.

13. The premises hereby permitted shall not be occupied or used by staff or visitors other than between the hours as set out below for each unit:
- Unit 1 - 7.00am until 8.00pm Monday to Friday, 7.00am until 9.00pm Saturdays and 8.00am until 8.00pm Sundays and Bank Holidays
- Unit 2 - 7.00am until 8.00pm Monday to Saturdays and 8.00am until 8.00pm Sundays and Bank Holidays
- Units 3 - 13 inclusive - 8.00am until 6.00pm Monday to Friday and 8.00am until 4.00pm Saturdays with no working or opening on Sundays or Bank Holidays.

Reason: In the interests of amenity and the protection of the local environment.

14. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in accordance with drawing no. 5523 PA003 Rev J. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway.

15. All HGV delivery traffic movements to and from the site once the development has been completed, shall be subject to a Deliveries Management Plan which shall be submitted and approval in writing to the Local Planning Authority for approval. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. This should include the timing of deliveries and collection of goods which is recommended to be restricted to weekdays between 08.00 and 18.00 hours.

Reason: In the interests of highway safety, to ensure adequate servicing arrangements are provided for and to reduce or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas and to protect the residential amenity of neighbouring residents.

16. The use shall not commence until the area(s) within the site shown on drawing no. 5523 PA003 Rev J. for the purposes of loading, unloading, manoeuvring and parking of vehicles has /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.

17. Prior to commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

18. Notwithstanding the locations set out in plan 5523 PA003 Rev J, prior to the commencement of development, details of the infrastructure to be provided for electric vehicle charging points 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. Charge points shall be Fast (7-22KW) or Rapid (43KW) chargers.

Reason: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies and to minimise emissions and enhance local air quality.

19. Prior to development of any new building proceeding above ground floor slab level, details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles 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: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles

and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2019).

20. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA). Thereafter, only the approved scheme shall be implemented and retained in its approved form.

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

21. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

22. 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-assetregister/>

23. 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.

24. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Ecology Report (MHE Consulting, July 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

25. No removal of hedgerows, trees, shrubs, brambles, ivy and other climbing plants if appropriate, or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

26. Prior to any construction above slab level, precise details of the exact lighting to be installed shall be submitted to and approved in writing by the local planning authority so that it can be clearly demonstrated that areas to be lit will not impact on protected species. The exact details of all external lighting shall be in accordance with the Wildlife Lighting Strategy (MHE Consulting) submitted with the planning application, and shall be maintained thereafter in accordance with the Strategy and the approved details. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors (particularly bats) from external lighting are prevented.

27. Development (including demolition) of any of the existing buildings on site identified as containing bat roosts shall not in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence.

Reason: To ensure that the legislation relating to protected species has been adequately addressed as part of the implementation of the development.

28. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to first occupation of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.

- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the long-term ecological value of the site is maintained and enhanced.

29. Prior to commencement of development, details of fire hydrants to be installed within the development shall have been submitted to and approved in writing by the local planning authority. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.
Only the approved scheme shall be implemented and retained in its approved form thereafter.

Reason: In the interests of safety, to ensure there is sufficient infrastructure in the event of emergency.

30. Notwithstanding the submitted drawing, within 3 months of commencement of development, precise details of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks, carpark and footpath areas, and other operations as appropriate) at a scale not less than 1:200 shall be submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

31. The approved landscaping scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

32. No development shall commence until there has been a management plan for maintenance of the open spaces to include the access drive, the associated landscaped areas, car parking and the open space submitted to and approved in writing by the local planning authority.

The maintenance plan should include, long term design objectives, management responsibilities and a scheme of maintenance for both the hard and soft landscaped areas for a period of at least 20 years. The schedule should include details of the arrangements for its implementation. The development shall be carried out in accordance with the approved management plan.

Reason: To ensure the site is properly maintained in the interest of visual amenity.

33. Prior to first occupation and/ or use of the hereby permitted development a British Research Establishment Environmental Assessment Method (BREEAM) New Build Post Construction Stage (PCS) final rating and certificate of assessment demonstrating the development achieved the 'Very Good' standard or equivalent shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing.

Reason: To ensure the development complies with Planning Policy SCLP9.2.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. 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.

The following points should be noted for consideration prior to detailed design and/or the submission of any discharge of conditions application:

1. Infiltration testing must be completed, in full accordance with BRE365 methodology at the location and depth of proposed SuDS to determine any infiltration potential. The testing submitted with DC/21/3237/FUL is not compliant with BRE365 methodology as it uses extrapolated data for all but one of the test runs
2. Consideration should be given to the use of source control SuDS where site constraints (gradient and layout) allow. Consideration should specifically be given to permeable paving in parking areas where gradients are no greater than 1:20. Rain gardens should be considered in the areas of green space already identified adjacent parking areas
3. The detailed landscaping of SuDS
4. Dependant on the detailed landscaping design, these SuDS may be adoptable by Anglian Water, with the landscape aspect being managed and maintained by a maintenance company under agreement with Anglian Water, who would be responsible for the asset as a 'surface water sewer' with respect to flood risk and treatment of surface water

5. The current hydrobrake orifice size of 79mm is lower than the recommended minimum by SCC LLFA. However, given the proposed upstream SuDS, which includes larger orifices, the risk of blockage is reduced. Infiltration testing may highlight some losses through infiltration which could reduce the design head and in turn allow for an increase in orifice size.

3. 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.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council must be contacted on Tel: 0345 606 6171.

For further information go to:

<https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/> or:

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

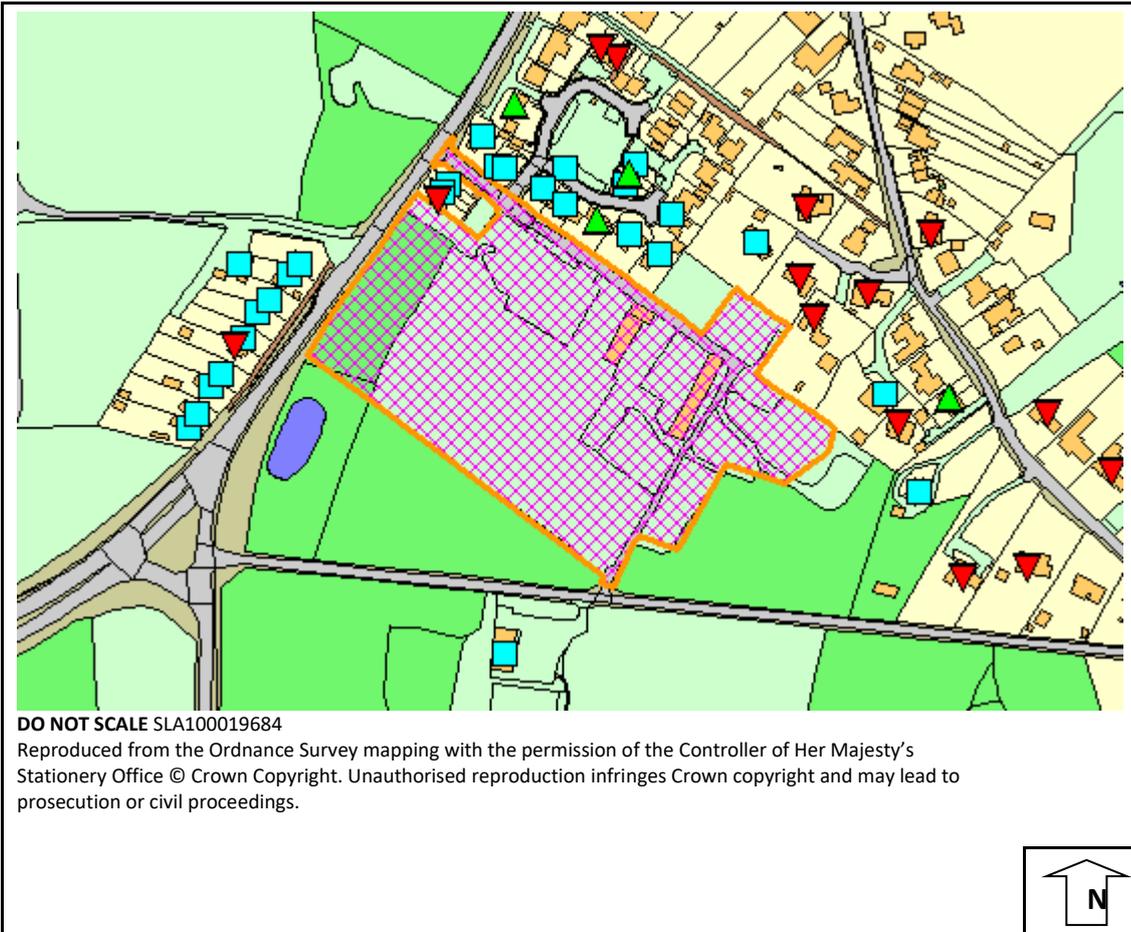
A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

4. The applicant's attention is drawn to the comments from the Suffolk Police Designing Out Crime Officer. It is advised that comments and suggestions made within this letter are incorporated into the scheme design where possible.
5. The applicant's attention is drawn to the comments received from Suffolk Fire and Rescue Service recommending 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.

Background information

See application reference DC/21/3237/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support