



## Committee Report

**Planning Committee South - 27 October 2020**

**Application no DC/20/1666/FUL**

**Location**

Former Itron Factory  
Carr Road  
Felixstowe  
Suffolk  
IP11 2ER

**Expiry date** 31.10.2020  
**Application type** Full Application  
**Applicant** Peter Colby Commercials Group

**Parish** Felixstowe

**Proposal** Demolition of ancillary Buildings and Plant and the Change of Use and Subdivision of Main Building from B1(c) Business Use to Mixed Business Uses, including B1(a) Office, B1(c) Light Industrial, B8 Storage and ancillary A3 cafe. Creation of new Vehicular Access onto Carr Road, new car parking and alterations to elevations to existing building to create new openings.

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**Authorising Officer** Katherine Scott, Development Management Team Leader – South Team

### 1. Summary

- 1.1. The proposal is for the change of use and subdivision the former Itron Building at Carr Road, Felixstowe. The site extends to some 1.43 hectares and is located on Carr Road, which is south west of Felixstowe town centre and adjacent (east) of the Port of Felixstowe.
- 1.2. The application seeks planning permission to repurpose the former manufacturing and research and development building currently in B1(c) use to a mix of Offices B1(a), B1(c) Business Units and B8 Storage Units. On the 1<sup>st</sup> September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 amended the Town and

Country Planning (Use Classes) Order 1987 and introduced significant changes to the system of 'use classes' the Planning regulations took place which effectively removed classes A, B1, and D1, applicable to retail, office and non-residential institutions and assembly and leisure uses respectively and encompassed them within a new use class E for commercial, business and service, and F.1 and F.2 which applies to learning and non-residential institutions and local community use respectively. Officers note that storage and distribution use class B8 remain unchanged.

- 1.3. The application is before committee as Officers are recommending approval contrary to part of policy SCLP12.9 which seeks to restrict warehousing and storage businesses on this site, where in this instance a total 1460sqm out of the 5194sqm total is proposed for B8 use. The reasoning for restricting this use is due to the level of HGV movements B8 use can attract. The level of HGV movements is considered relatively low, where the impact to surrounding residents is considered low. The scale of units proposed for B8 uses will not attract a high level of HGV movements throughout the day, it is likely to be more akin to those expected for deliveries which is shown in the data provided within the application documents.
- 1.4. Officers consider that the proposals accord to the principle considerations outlined in local policies SCLP4.1; SCLP 4.4 and SCLP12.9 where officers have balanced the introduction of B8 use against other local and national policy and consider that impact would be minimal in terms of impacting on highway safety and residential amenity where there is not substantive reasons to refuse the application on those grounds alone.
- 1.5. The proposals would see a significant investment in a 30 year old factory premises, delivering 8 new industrial, warehouse and trade counter units; 12 new offices and a sandwich bar/café for the use of tenants at the former Itron building. It is officers view that the diverse offer of new, high quality business premises would regenerate the site, provide accommodation for new and existing businesses that is close to major transport links and will create employment for the residents of Felixstowe. Where it would provide business premises for small businesses wishing to start-up or grow and move to larger premises within the district, which is shown to be otherwise lacking within parts of East Suffolk.
- 1.6. Officers recommend approval subject to controlling conditions.

## **2. Site description**

- 2.1. The site relates to the former Itron Building at Carr Road, Felixstowe. The building was constructed in 1989 as a bespoke manufacturing and R&D facility for the American owned company Itron, formerly Schlumberger. The company manufactured domestic gas and electricity meters at the site for some 31 years. Closure of the business in Felixstowe began in 2012, when the manufacturing element moved to Hungary. Research and Development continued in Felixstowe until March 2019 and the site was sold to the applicant in early 2020. The building has a large area of open working space with an office suite to the rear and a series of R&D laboratories at one end.
- 2.2. The site extends to some 1.43 hectares and is located on Carr Road, which is south west of Felixstowe town centre and adjacent (east) of the Port of Felixstowe.

- 2.3. The application relates to the main factory building, which remains from the original factory site. Originally, the site included a warehouse to the south west and offices to the north east. The warehouse was sold in 2002 to become a B8 use now occupied by Maxxis (C/02/1231). The offices were sold in 2004 and converted to the River of Life Church in 2004 (C04/1500).
- 2.4. To the rear (north) of the site is the Port of Felixstowe and opposite (south), the other side of Carr Road, is Suffolk Sand Caravan Park. Further industrial development continues to the west of the site, as well as to the east.
- 2.5. The site falls within Flood Zone 2 on the Environmental Agency Flood Zone Mapping, thereby having between a 1 in 200 year annual probability and a 1 in 1000 year annual probability of flooding.
- 2.6. The site is not within a Conservation Area and the nearest heritage asset is the Grade II Listed Martello Tower, which is also a Scheduled Ancient Monument. The Tower is some 230m away from the application building, between which are a terrace of houses.
- 2.7. The site has its own allocation under the local plan, SCLP 12.9, which was carried forward from the Felixstowe Peninsular Area Action Plan (2017). The site is identified for employment uses and proposals for development relating to this site will also be considered against the local plan's employment policies. Retention of this site is essential as it continues to provide a wide range of business activities which offer services and opportunities required to widen the economic base across the Felixstowe Peninsula.

### **3. Proposal**

- 3.1. The proposal is for the change of use and subdivision of the former Itron Building at Carr Road, Felixstowe.
- 3.2. The application seeks planning permission to repurpose the former manufacturing and research and development building currently in B1(c) use to a mix of Offices B1(a), B1(c) Business Units and B8 Storage Units. On the 1<sup>st</sup> September 2020 the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 amended the Town and Country Planning (Use Classes) Order 1987 and introduced significant changes to the system of 'use classes' the Planning regulations took place which effectively removed classes A, B1, and D1, applicable to retail, office and non-residential institutions and assembly and leisure uses respectively and encompassed them within a new use class E for commercial, business and service, and F.1 and F.2 which applies to learning and non-residential institutions and local community use respectively. Officers note that storage and distribution use class B8 remain unchanged. As such this application would see units associated with Class E and B8 use only.
- 3.3. As part of the reuse proposals, a new access is proposed onto the site's Carr Road frontage, new parking provision to the front of the building and alterations, mainly to the front and rear elevations to create individual openings to individual units.
- 3.4. The new access would serve a new area of car parking, providing 45 spaces on the building's frontage. New areas of parking are also to be provided to the rear of the site,

providing 73 spaces, and some 14 existing spaces are retained to the rear of the site. Within the wider site ownership are an additional 156 existing car parking spaces, which are to the east of the enterprise centre, and are proposed to be retained, thus providing the site with a total of 286 parking spaces.

- 3.5. Also proposed is some demolition of surplus buildings and structures
- 3.6. The proposals include a change of use of a stand-alone building to use as a café, which under the new use class would fall under E.
- 3.7. The development would create a business enterprise centre, to be known as The Languard Point Enterprise Centre, designed to function in a campus style of operation.
- 3.8. The proposed split of uses proposed are broadly set out below:

When submitted the breakdown of units proposed were:

- B1(a) Office - 2074 sqm
- B1(c) Business - 1460 sqm
- B8 Warehouse - 1460 sqm
- A3 Café - 200 sqm

Following the changes to the use Classes the breakdown is now:

- E (Office; Business; café) – 3734 sqm
- B8 (Warehouse) – 1460 sqm

- 3.9. The operational development includes the creation of new openings to the front and rear of the existing buildings.

#### 4. Consultations/comments

- 4.1. There have been no third party representations.

#### Consultees

##### Parish/Town Council

Consultee	Date consulted	Date reply received
Felixstowe Town Council	11 May 2020	27 May 2020

*“Whilst Members would welcome the potential creation of employment at this site, Committee recommends REFUSAL for the plans as presented.*

*Committee noted the proposal to sub-divide and change the use of this site and finds it regrettable that the planning statement makes no reference to the relevant planning policies. It was noted that HGV movements are accommodated in the proposal, but the application makes no reference to the estimated daily number of HGV movements. Clarification is required on the likely impact, particularly given the nearby residences and the residential nature of the roads leading to the site.*

*Committee accept the proposed hours of operation for internal working but believe that there should be strict limits on delivery or dispatch times. Members also concur with the comments of SCC Highways with regards to visibility splays and safe access for pedestrians and cyclists.*

*Committee is concerned that the proposal to introduce B8 (storage uses) would contravene Policies FPAAP11 and the emerging Suffolk Coastal Local Plan Policies SCLP4.3 and SCLP12.9 (c), (d) and (g) and recommends REFUSAL.”*

### **Statutory consultees**

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	11 May 2020	14 May 2020
Summary of comments: Holding Objection until comments have been addressed relating to access, visibility splays, pedestrian and cycle access, access layout and parking.		

### **Non statutory consultees**

Consultee	Date consulted	Date reply received
Economic Development (Internal)	11 May 2020	18 May 2020
Summary of comments: No comments to make.		

Consultee	Date consulted	Date reply received
Disability Forum	11 May 2020	26 May 2020
Summary of comments: There are car parking spaces marked for disabled people throughout the site and it looks too as if disabled people can park at the front of each of the units given that there is some marked hatching at the front of each of them.  Concern that one of the toilets in the A3 café is meant to accommodate disabled people		

Consultee	Date consulted	Date reply received
Ecology (Internal)	12 May 2020	3 June 2020
Summary of comments: Internal Planning Services Consultee. Comments incorporated within Planning Considerations section of the report.		

Consultee	Date consulted	Date reply received
Environmental Protection (Internal)	11 May 2020	12 May 2020

Summary of comments:

Noise - Have concerns that this proposal has the potential to cause noise nuisance to occupiers of residential properties in the area, due to the proposed relocation of the loading/loading area to the front of the building. It would be prudent to require a noise assessment to assess the potential impacts for nuisance prior to consent being given.

Air Quality - Acknowledge the transport assessment and the findings that there is very little difference in vehicle movements between existing and proposed use of the site. It would be prudent to require electric vehicle charge points.

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	11 May 2020	No response

Summary of comments:

No response received

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	11 May 2020	12 May 2020

Summary of comments:

Standard sprinkler information given.

### Reconsultation consultees

Consultee	Date consulted	Date reply received
Economic Development (Internal)	2 June 2020	2 June 2020

Summary of comments:

The Economic Development Team seeks to support those planning applications where the application clearly supports the economic growth and regeneration of the economy within East Suffolk.

Refer to the aims to support economic growth within 'Suffolk's Growth Framework', 'East Suffolk Council's Strategic Plan' and the 'East Suffolk Economic Growth Strategy'.

Consider that this application would provide a diverse offer of new, high quality business premises which would regenerate the site, provide accommodation for new and existing businesses that is close to major transport links and will create employment for the residents of Felixstowe.

Therefore the Economic Development team supports this application.

Consultee	Date consulted	Date reply received
Suffolk County - Highways Department	19 August 2020	3 September 2020

**Summary of comments:**

No Objections, following receipt of amended access plan. Recommend conditions relating to:

- creation and retention of vehicular access,
- means to prevent surface water entering the highway,
- storage of refuse/recycling bins,
- lux levels for lighting,
- visibility splays,
- provision of parking and turning areas,
- secure cycle storage,
- minimum of 52 vehicle parking spaces to be provided.

Consultee	Date consulted	Date reply received
Ecology (Internal)	19 August 2020	8 September 2020

**Summary of comments:**

Internal Planning Services consultee. Comments incorporated within Planning Considerations section of this report

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	19 August 2020	No response

**Summary of comments:**

No response received.

**Publicity**

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

Category	Published	Expiry	Publication
Departure	25 June 2020	16 July 2020	East Anglian Daily Times

**Site notices**

General Site Notice

Reason for site notice: General Site Notice

Date posted:

Expiry date:

## **5. Planning policy**

- 5.1. In addition to considering applications in accordance with the National Planning Policy Framework (NPPF 2019) and the National Planning Policy Guidance (NPPG), Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with the Local Planning Authority's 'Development Plan', unless material considerations indicate otherwise.
- 5.2. East Suffolk Council's Development Plan, as relevant to this proposal, consists of Suffolk Coastal Local Plan, Adopted September 2020. There is no Neighbourhood Plan relating to this area of the district.
- 5.3. The relevant policies of the Suffolk Coastal Local Plan, Adopted September 2020 are:

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

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

Policy SCLP4.1 - Existing Employment Areas (Suffolk Coastal Local Plan, Adopted September 2020)

Policy SCLP4.2 - New Employment Development (Suffolk Coastal Local Plan, Adopted September 2020)

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

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

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

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

Policy SCLP12.9 - Land at Carr Road/Langer Road, Felixstowe (Suffolk Coastal Local Plan, Adopted September 2020)

## **6. Planning considerations**

### Principle of Development

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that an application should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.2. East Suffolk Council, Suffolk Coastal Local Plan (covering the former Suffolk Coastal area) was adopted by the Council on 23rd September 2020.

- 6.3. Local policies SCLP4.1 (Existing Employment Areas); SCLP4.4 (Protection of Employment Premises) and SCLP 12.9 (Land at Carr Road/Langer Road, Felixstowe) relate to the overall principle of development in this instance. The application site involves an existing employment building within an existing employment land designation protected from alternative uses by Policy SCLP4.1. The site has been vacant since March 2019 where it was decommissioned and sold. The proposal is to subdivide the 5194 sqm of existing vacant floorspace into 8 individual B1(c) (new class E), B8 units of varying sizes, and 12 individual B1(a) (new class E) office units. In addition, an A3 (new use class E) café is proposed to serve the whole site. Policy SCLP4.1 seeks to protect existing employment sites, where premises currently in B1 (new class E), B2 (new class E), and B8 use will be protected from change of use and redevelopment to other uses. The existing building is a B1 (new class E) uses, where the proposals seeks to retain that use with the addition of B8 and A3 (new class E) to further support and promote the site.
- 6.4. Policy SCLP4.4 further seeks to protect employment premises; where they will be protected from their established B class uses unless marketing evidence is provided which demonstrates the lack of requirement; there would be substantial planning benefit in permitted alternative uses; and the use is compatible with the surrounding uses in terms of car parking; access, noise and amenity.
- 6.5. It is relevant in this instance to highlight the recent changes in permitted development. From the 1st September 2020 existing buildings that are already used for Class A1 , A2 , A3, B1 and certain D1 and D2 uses will fall within a new single Class E and, unless the permissions they operate under have specific controls, will be able to change to other uses within that new class without the need for planning permission, as such the A3 (new class E) café would be permitted at the site without the need for planning permission, the building itself would also be able to change between those use classes from its current B1 (new class E) use. The only class in this instance which is not currently permitted under these changes is the B8 use which has been introduced with the addition of 8 of the units being proposed within this use class.
- 6.6. The site was marketed in excess of seven months which proved the site owners were unable to find a business user willing to take the site as a whole. Given the custom built design of the factory it offers limited potential within its current form. Officers consider that the proposal retains the building in employment uses and the level of marketing is sufficient in this instance to be policy compliant. Furthermore, the overall form of the building will be retained, which given its history is a unique opportunity for the area.
- 6.7. The site has its own allocation under SCLP12.9 which was carried forward from the Felixstowe Peninsula Area Action Plan Development Plan Document (2017). Retention of this site is essential as it continues to provide a wide range of business activities which offer services and opportunities required to widen the economic base across the Felixstowe Peninsula.
- 6.8. The policy states that employment opportunities will be encouraged on the site at Carr Road / Langer Road. Applications for employment uses on this site will be considered against the following:
  - “a) Proposals for further development of the site should be accompanied by a site-specific Flood Risk Assessment;*

- b) Existing lawful uses to be retained;*
- c) Business Class proposals (B1 and B2) will be supported subject to them not having a detrimental impact on the residential properties adjacent;*
- d) Warehousing or storage activities will be resisted and directed towards land identified under Policy SCLP12.4 or other areas designated for Port and Logistics uses;*
- e) Proposals which generate large numbers of heavy traffic movements will be resisted;*
- f) Evidence is required to demonstrate there is adequate Water Recycling Centre capacity or that capacity can be made available;*
- g) Ensure that the risk of odour and other amenity impacts from Felixstowe Water Recycling Centre is not detrimental to the amenity of occupants and to ensure that new development does not give rise to unreasonable restrictions being placed on the continuous operation of Felixstowe Water Recycling Centre. Where there is a potential impact on amenity, evidence should be provided to demonstrate that there is no unacceptable impact on the occupiers of the employment land and that any mitigation can be achieved without detriment to the continuous operation of Felixstowe Water Recycling Centre;*
- h) Hours of operation to be limited by planning condition to resist over-intensification of uses; and*
- i) Landscaping of boundaries to be introduced to enhance the appearance of the site.*

*Felixstowe is the second largest town in East Suffolk and home to some 25,000 people. It has a mixed economy dominated by the Port of Felixstowe and allied industries. It also has a thriving tourism and retail sector."*

- 6.9. Suffolk's Growth Framework, recognises the need to secure investment in the infrastructure that supports delivery of sustained economic growth. This includes the provision of employment space where businesses can setup, thrive and grow. This view is supported by East Suffolk Council's Strategic Plan that aims to capitalise on our existing strengths, support entrepreneurs and encourage business start-ups.
- 6.10. The proposals would see significant investment in a 30 year old factory premises, delivering 8 new industrial, warehouse and trade counter units; 12 new offices and a sandwich bar/café for the use of tenants at the former Itron building.
- 6.11. The view of the economic development team is that the diverse offer of new, high quality business premises would regenerate the site, provide accommodation for new and existing businesses that is close to major transport links and will create employment for the residents of Felixstowe.
- 6.12. This view is supported by the East Suffolk Economic Growth Strategy which identified that a historical lack of investment in high quality business premises in parts of east Suffolk has led to an insufficient supply of business premises for small businesses wishing to start-up or grow and move to larger premises within the district.
- 6.13. Whilst the policy states that warehousing and storage activities should be resisted at this site, given the B8 units range in scale from 200sqm to 873sqm it is not considered that there will be an adverse amount of large haulage lorries entering and existing the site,

furthermore the site does not have large amounts of area for unloading such vehicles which is likely to prohibit certain levels of storage businesses. The scale of units in this instance is more akin to trade centres, where there is likely to be a trade desk and low levels of good storage. The scale of units is not considered likely to generate heavy traffic movements, which can often come from B8 uses.

- 6.14. The proposals are broadly in line with policy requirements, where the B8 element is minimal in terms of the individual units size and capacity, it is not likely to generate heavy traffic movements which the policy seeks to resist as such it is considered that the development should be supported contrary to this element of the policy requirements.

#### Access and Parking arrangement

- 6.15. The site is in a sustainable location accessible from a wide range of transport. There is a bus stop located adjacent to the site frontage on Carr Road. The town centre and railway station are within easy cycling distance and also accessible by an hourly bus service which stops at the bus stop adjacent to the site. There are several residential properties located within the 1.6km walking catchment.
- 6.16. The existing vehicular access to the site via the service road to the north of the adjacent church would be retained to provide access to the north-western side of the building. In addition, a new access will be formed to Carr Road to serve Units 1 to 8. The access was designed to ensure that adequate turning areas for the largest vehicles are provided within the front curtilage. Operational and visitor parking is provided for each unit, together with defined delivery/ goods vehicle docking access bays.
- 6.17. Offices 1 to 4 and 7 to 10 have their own front entrances, and Offices 5 to 11 share a reception and core facilities within the existing eastern wing. The separate secondary rear building provides additional office space (Office 12) and an A3 unit to serve the estate.
- 6.18. The new access will serve a new area of car parking, providing 45 spaces on the building's frontage. New areas of parking are also to be provided to the rear of the site, providing 73 spaces, and some 14 existing spaces are retained to the rear of the site. Within the wider site ownership are an additional 156 existing car parking spaces, which are to the east of the enterprise centre, and are proposed to be retained, thus providing the site with a total of 286 parking spaces. The level of parking meets Suffolk County Council Parking Standards (2019) where the Highways authority have accepted the proposals providing the additional parking provisions for 52 spaces shown in the blue line can be conditioned, which given the level of parking is essential to the acceptability of the scheme is accepted by officers.
- 6.19. The level of traffic attracted by the proposed development would slightly exceed the existing use traffic levels by 17 movements in the weekday AM peak hour and 23 movements in the weekday PM peak hour.
- 6.20. Concern has been raised in relation to the number of HGV movements given the introduction of B8 use, this use is not the primary use for the site, where a total 1460sqm out of the 5194sqm total is proposed for B8 use. The traffic impact assessment submitted with the application states that 18 movements in total are expected during peak hours for that use. The level of HGV movements is considered relatively low, where the impact to

surrounding residents is considered low. The scale of units proposed for B8 uses will not attract a high level of HGV movements throughout the day, it is likely to be more akin to those expected for deliveries which is shown in the data provided.

6.21. Paragraph 109 (page 32) of the Framework 2019, indicates that

*"Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

6.22. Officers do not consider this to be the case, where the Highways Authority are supportive of the scheme and have not raised concerns over the highway safety as such the addition of HGV movements introduced by the B8 use is not considered to be a substantial reason for refusal.

#### Design and Amenity

6.23. Given the custom nature of the site and building, the proposals seek to enhance the overall appearance of the site and custom them to their new use. New openings have been provided on the front of the building to service the individual units proposed; each unit would have personnel door and a roller shutter door. Similar openings are proposed to serve the individual office units to the rear of the building.

6.24. The existing front and rear elevations comprise blue engineering brick base with the main part of the existing building elevation above being clad in silver coloured horizontally profiled metal sheets. The end pavilions at first floor level are vertically clad in the same material.

6.25. Profiled cladding with micro-rib type cladding above the brick base is proposed. The new proposals also show podia to the front and rear elevations, providing access to the entrances on both elevations. The overall scale and appearance of the building would be largely unaltered.

6.26. The site is single storey in height, where new openings would not have an impact on amenity, over and above that of the original sites usage.

6.27. The hours of operation proposed Monday to Friday 06.00 -21.00 and Saturday 06.00-18.00. No hours are proposed for Sundays and Bank Holidays, which given the location of the site, close to residential properties is considered suitable.

#### Flood Risk

6.28. Part of the policy requirement SCLP12.7 seeks to ensure proposals are supported by a site-specific Flood Risk Assessment; The site is located within Flood Zone 2 on the Environment Agency Flood Zone mapping, so is a moderate flooding risk. The application is supported by a Flood Risk Assessment which makes a number of recommendations. A warning and Evacuation Plan has been submitted with the application. The building already exists and had previous use for B1 purposes, the proposals do not include any additional floor area as such there is not considered to be any greater risk of flooding then previously on the stie.

6.29. A Sustainable Urban Drainage (SuDs) strategy has been prepared and is submitted with the application. The strategy concluded that there would be no additional flood risk arising

from the development and that surface water discharge from the development can be adequately managed to ensure no additional risk to flooding both on site and off site.

### Ecology

- 6.30. The proposed development results in the loss of a pond from the south-east corner of the site, the pond is oval in shape approximately 150 m<sup>2</sup> in size. It is situated along the roadside, being gated off, there are no protected species within the pond and its removal is not considered to be detrimental to the area. Policy SCLP10.1 Biodiversity and Geodiversity states that development will be supported where it can be demonstrated that it maintains, restores or enhances and positively contributes towards biodiversity and/or geodiversity through the creation of new habitats and green infrastructure and improvement to linkages between habitats. An ecological assessment has been provided which has been assessed by the council's ecologist and the likely impacts of the proposal and identified necessary mitigation measures which can be secured by condition.

## **7. Conclusion**

- 7.1. The proposals accord to the principle considerations outlined in local policies SCLP4.1; SCLP 4.4 and SCLP12.9 where officers have balanced the introduction of B8 use against other local and national policy and consider that impact would be minimal in terms of impacting on highway safety and residential amenity where there is not substantive reasons to refuse the application on those grounds.
- 7.2. The proposals would see a significant investment in a 30 year old factory premises, delivering 8 new industrial, warehouse and trade counter units; 12 new offices and a sandwich bar/café for the use of tenants at the former Itron building. It is officers view that the diverse offer of new, high quality business premises would regenerate the site, provide accommodation for new and existing businesses that is close to major transport links and will create employment for the residents of Felixstowe. Where it would provide business premises for small businesses wishing to start-up or grow and move to larger premises within the district, which is shown to be otherwise lacking within parts of East Suffolk.

## **8. Recommendation**

- 8.1. Officers recommend approval subject to controlling conditions.

### **Conditions:**

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: 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 6741/1101 Site and block plan received 16th September 2020; IT2128/TS/02 Rev A

received 19.08.2020; 1205; 1302; 1301; 1103; received 4th May 2020; Essex Ecology Services limited dated 24.06.2020; Flood Risk Assessment; Floor Warning and Evacuation Plan received 4.05.2020, 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. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

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

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the ecological assessment (EECOS, 24th July 2020) 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.

5. No removal of hedgerows, trees, shrubs or other vegetation 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.

6. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. IT2128/TS/02 Rev A; and with an entrance width of 9.5 metres and made available for use prior to occupation. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

7. Before the development on the access road and parking area is commenced 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. 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.

8. Prior to occupation details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved

scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

9. The lux level of the lighting at ground level at the highway boundary shall not exceed 1 lux.  
Reason: In the interests of road safety to prevent uneven light levels on the highway and to prevent light pollution.
10. Before the access is first used visibility splays shall be provided as shown on Drawing No. IT2128/TS/02 Rev A with an X dimension of 2.4m and a Y dimension of 70m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.  
Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.
11. The use shall not commence until the area(s) within the site shown on Drawing No.6741/1103 for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.  
Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.
12. Prior to occupation details of the areas to be provided for secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.  
Reason: To ensure the provision and long term maintenance of adequate on-site space for cycle storage to encourage sustainable travel.
13. A minimum of 52 existing vehicle parking spaces on land adjacent to the permitted development (shown edged in blue on drawing 6741/1101 received 16.09.2020) shall be retained thereafter for the purpose of vehicle parking for the permitted development and used for no other purpose.  
Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and
14. The premises shall only be open to the public between 6am and 9pm Monday to Friday, and between 6am and 6pm on Saturdays, and the premises shall be closed to the public at all other times including on Sundays and Bank Holidays.  
Reason: In the interests of amenity and protection of the local environment.

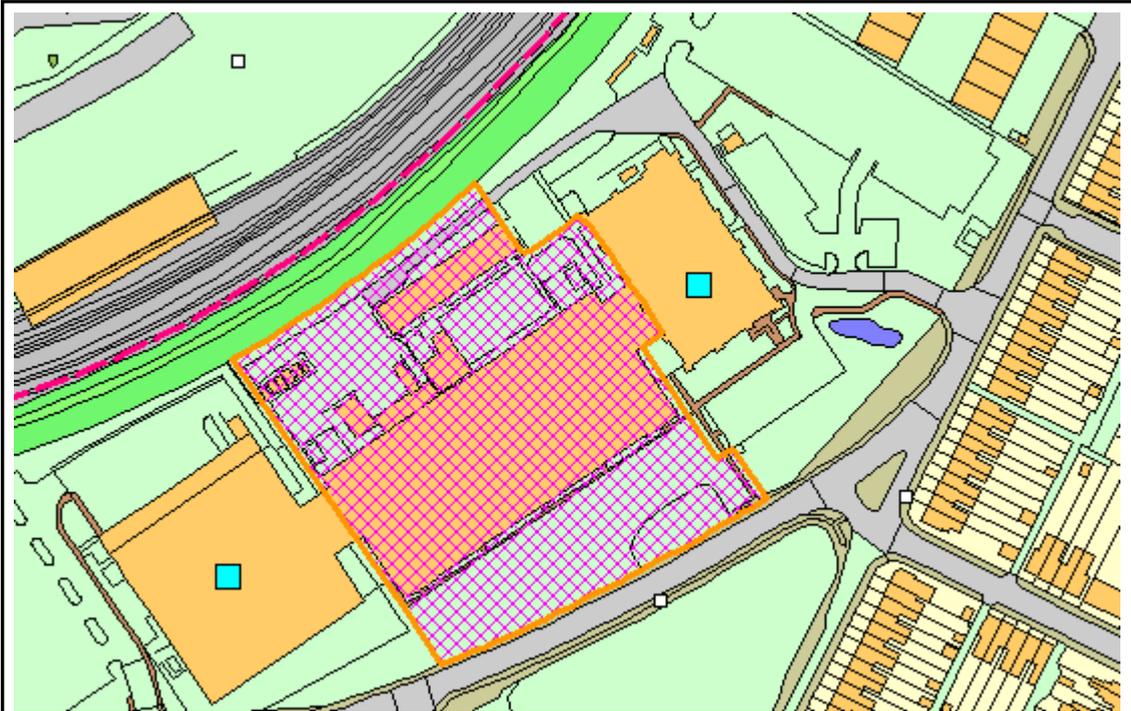
**Informatives:**

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.

**Background information**

See application reference DC/20/1666/FUL on [Public Access](#)

## Map



**DO NOT SCALE** SLA100019684

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## Key



Notified, no comments received



Objection



Representation



Support