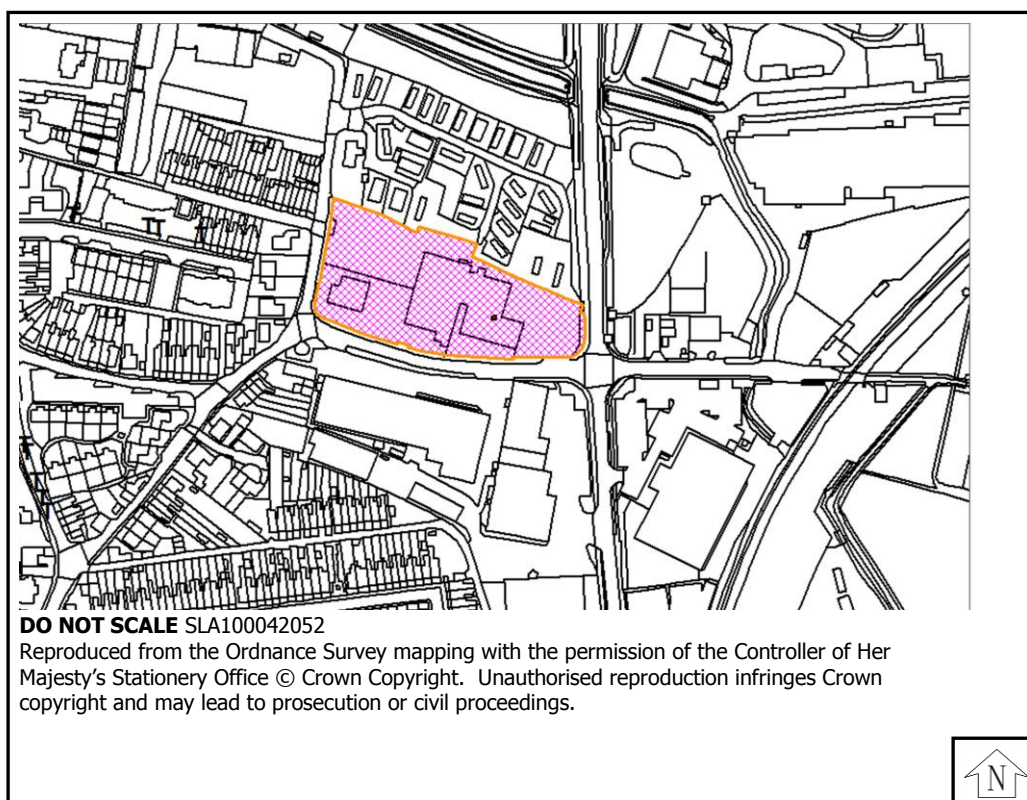


**PLANNING COMMITTEE – 14 AUGUST 2018****APPLICATION NO** DC/17/4960/FUL**LOCATION**Former Brand Of Beccles, Carcom  
Bodyworks And Beccles Car Centre  
Site, Common Lane North  
Beccles NR34 9BN**EXPIRY DATE** 20 February 2018**APPLICATION TYPE** Full Application**APPLICANT** Lidl UK GmbH**PARISH** Beccles**PROPOSAL** Demolition of existing buildings and redevelopment for an A1 foodstore**1 SUMMARY**

- 1.1 This is an update report following referral to members in April where members were minded to approve and returned delegated powers in respect of retail impact and other technical matters. The anchor supermarket on the edge of the town had made a late holding objection suggesting the retail impact work was too superficial to rule out harms to the town centre. This retail impact assessment work has been carried out and scrutinised by a retail expert working on behalf of the Local Planning Authority and concluding that no material harm to linked trips arises. The objecting supermarket has raised no further objection at the time of writing but (correctly) suggested it should return to committee with the additional conditions required to ensure no consequences being formally added.

## **2 SITE DESCRIPTION**

- 2.1 This industrial land allocation is to the north of Common Lane backing onto an area of “Park Home” housing, caravans in reality. Currently the land is used as vehicle repair and sales. The repair function is current the sales are a last use. Opposite on Common Lane there are industrial units converted to form B1(a) offices for the NHS trust. The rest of this industrial area is occupied by other industry and some retailing and quasi retail uses. Common Lane at its east end joins onto George Westwood Way, forming the principle access into the town from the A146 by pass.
- 2.2 The land is within the high risk flood zone 3 and much of Beccles within a “source protection zone” for potable water. The elevated by pass road to the north obscures this site from long views from the Broads Area.

## **3 PROPOSAL**

- 3.1 Demolition of the existing buildings and the erection of a standard portal framed shed offering 1325 square metres of retail floor space at ground floor level associated parking and highway work

## **4 CONSULTATIONS/COMMENTS**

### **4.1 Neighbour consultation/representations**

No additional representations have been received since last reported

### **4.2 Parish/Town Council Comments: (precised)**

No additional representations have been received since last reported

**Consultees responses can be viewed in full on the Council’s website**

### **4.3 Anglian Water:**

No additional representations have been received since last reported

### **4.4 Head of Economic Development:**

No additional representations have been received since last reported

### **4.5 Head of Environmental Services:**

The proposed acoustic fence provides additional mitigation and does provide me with greater confidence (that there will be no amenity harm arising) that even if the results of the HL assessment are uncertain. As such I would propose 3 conditions:

That an acoustic fence shall be installed, in accordance with the submitted plans and drawings. It is important to the performance of the barrier that it is whole and impervious to sound waves with no gaps, cracks or perforations.

The requirement for the acoustic louvre should be conditioned, e.g.:

"Louvres for the plant room must accord with section 9 of the submitted Hoare Lea Acoustics report and provide a minimum insertion loss of 16dB."

In addition, as the application includes the demolition of the existing structures and the site is in very close proximity to existing residential dwellings the applicant should be required to submit for approval a demolition and construction environmental management plan. The plan should detail how the applicant will mitigate all emissions (including dust, noise, vibration, water, light etc.) from demolition and construction activities. The condition should prevent the commencement of any demolition or construction until the LPA has approved the plan.

#### 4.6 Contaminated Land

The intrusive investigation has recommended that further site investigation and assessment is completed following demolition of the existing structures and floor slabs. I would concur with this. These works, together with a remediation and validation report which may subsequently be required, should be secured using the appropriately worded 5 model conditions.

#### 4.7 SCC Flooding Authority

No additional representations have been received since last reported

#### 4.8 Environment Agency - Drainage

We were provided with additional information by SCP Design on 23 May 2018. We have reviewed this information and are removing our holding objection to this application, provided that the unexpected contamination condition is applied.

**Flood Risk:** Our maps show the site lies within the tidal Flood Zone 3a having a high probability of flooding. The proposal is for the demolition of existing buildings and redevelopment for an A1 food store which is classified as a 'less vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential Test and be supported by a site specific Flood Risk Assessment (FRA). To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, referenced AP/17363/FRA and dated November 2017, are:

**Actual Risk:** The site lies inside the flood extent for a 0.5% (1 in 200) annual probability event, including an allowance for climate change. The site does not benefit from the presence of defences. Flood resilience/resistance measures have been proposed. The site level has not been provided.

This proposal does not have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain (up to a 0.5% (1 in 200) annual probability including climate change flood event). **We have no objections** to the proposed development on flood risk access safety grounds because an Emergency Flood Plan has been submitted by the applicant but you should determine its adequacy to ensure the safety of the occupants. Compensatory storage is not required.

The requirement to apply the Sequential Test and the Exception Test is set out in NPPF. These tests are the LPA's responsibility.

#### **4.9 Suffolk Fire And Rescue Service**

No additional representations have been received since last reported

#### **4.10 Suffolk County - Highways Department:** (précised) had made a holding objection, but matters are now resolved following further drawing issue.

Improvement has been secured for the junction of George Westwood Way and Common Lane North where southbound traffic turns into the west part of Common Lane North.

The parking provision is below the maximum Suffolk Guidance for Parking (2015) level for the floor space of the store. While the vicinity shows evidence of high parking demand it is close to Beccles town centre and residential areas, so there are opportunities for customers and staff to use sustainable forms of transport. We do not object to the lower level of parking proposed therefore (which is 79% of the maximum recommended). Cycle parking should be roofed.

Further to receiving additional plans relating to highway mitigation, the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the standard conditions that the accesses shall be completed in all respects in accordance with Drawing No. SCP/16126/F06 Rev A; and be completed prior to use. That the footway widening, crossing point and reinstatement on Common Lane North shown on Drawing No. SCP/16126/F06 Rev A have been submitted in full detail and approved in writing by the Local Planning Authority before construction.

Before development full details of the improvements to Common Lane North junction with George Westwood Way shown on Drawing No. SCP/16126/F07 Rev A shall have been submitted to and approved in writing by the Local Planning Authority.

Further details of storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority and the means by which surface water run off is prevented similarly approved.

Space for manoeuvring and parking of vehicles has been provided before use and vision splays improved as specified.

#### **4.11 SCC Travel Plan Officer:**

A typical Lidl development does not justify a full Travel Plan being implemented, due to the low number of staff that work on a typical day, as only 20 were identified on the planning application form. This is in addition to the limits of the Travel Plan being able to influence customer travel behaviour, as the majority of customers will need a vehicle to transport a bulky shopping trip home. This is based on the experience and implementation of Travel Plans for two other discount supermarket retailers in Suffolk.

Nevertheless the Travel Plan (dated 29th September 2017) has identified some good measures to encourage sustainable travel which can easily be secured by planning conditions. However, on reviewing the site layout plans and both the Travel Plan and Transport Assessment there seems to be no secure long-term cycle storage staff proposed, with suitable shower, changing and storage facilities for staff. This may result in some

security issues for staff, as their bikes may be more vulnerable to theft due to them being left for a considerable amount of time in a public area, in addition to having a suitable provision to allow them to change into their work uniform after cycling a reasonable distance. This mitigation could easily be secured by a suitably worded planning condition.

Electric vehicle charging should also be provided to staff and customers as well to comply with the requirements of the Suffolk Guidance for Parking and paragraph 35 the NPPF to make the site more sustainable.

Conditions are suggested:

That employees are provided with a Travel Information Pack previously agreed as to content, by the Local Planning Authority in consultation with the Highway Authority. Cycle storage and details of changing facilities, lockers and showers shall be agreed.

Before use full details of the electric vehicle charging points shall be submitted and approved.

#### **4.12 Police - Designing out Crime Officer**

There is no mention of security in the Design and Access Statement. The development should seek to achieve Secured by Design SBD Commercial 2015 V2 certification.

Section 17 of the Crime and Disorder Act 1998 places a duty on each local authority: 'to do all that it reasonably can to prevent crime and disorder in its area to include anti-social behaviour, substance misuse and behaviour which adversely affects the environment'.

I would be very pleased to work with the agent and/or the developer to ensure the proposed development incorporates the required elements.

- General recommendations are made in the following areas:
- External doors and apertures
- Internal door sets
- Glazing within door-sets and secure vision panels
- Security Glazing
- External lighting
- Boundary treatments.
- Monitored intruder alarm system
- CCTV coverage
- The construction of the roof and shell
- Secure motorcycle, moped and scooter and cycle parking
- A maintenance and management programme should be implemented for the future care of boundary and other proposed planting.
- Commercial safes and strong rooms
- Access control from main entrances to private or restricted areas.
- External bin storage

## 5 PUBLICITY

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

Category	Published	Expiry	Publication
Departure, Major Application,	01.12.2017	21.12.2017	Beccles and Bungay Journal
Departure, Major Application,	01.12.2017	21.12.2017	Lowestoft Journal

## 6 SITE NOTICES : The following site notices have been displayed:

General Site Notice	Reason for site notice: Departure from Local Plan, Major Application, Date posted 29.11.2017	Expiry date 19.12.2017
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## 7 PLANNING POLICY

National Planning Policy Framework, paragraphs 86 and 89; 160 NPPG

CS02 High Quality and Sustainable Design (Adopted Core Strategy, January 2009)

CS07 Employment (Adopted Core Strategy, January 2009)

DM02 Design Principles (Adopted Development Management Policies, January 2011)

DM08 Existing Employment Areas and Other Employment Sites (Adopted Development Management Policies, January 2011)

DM10 Town Centre Boundaries (Adopted Development Management Policies, January 2011)

New Emergent Local Plan policy WLP8.12 (Existing Employment Areas)

New Emergent Local Plan policy 8.18 (New Town Centre Use Development)

## 8 PLANNING CONSIDERATIONS

Key issues that need to be considered as part of this planning application are the loss of employment land, town centre impact and the development of a site that is at risk from flooding and highway access improvement.

### Potential loss of employment land:

- 8.1 The proposal is located within an existing employment area, Common Lane North, as defined by the current Local Plan in policy DM08. Waveney District council's Review of Existing Employment Sites (2017) has demonstrated that Common Lane North still contains employment premises and is a valuable well accessed employment site to the north of Beccles Town Centre and that there is a need for this allocation. That there are non-employment uses in the designated employment area does not mean that it is no longer needed for employment purposes.
- 8.2 The applicant has not demonstrated that the site is no longer required for employment purposes, the previous resolution of members however accepts that the planning balance favours the proposal providing other harms to the viability of the town centre do not occur and this matter is discussed later in this report with regard to the retail assessment work now progressed. The use of marketing exercises will in future be a likely requirement under the proposed emergent policy WLP8.12 however this carries limited weight currently.

- 8.3 The Economic development team have visited the existing site operator involved in the vehicle maintenance activity and established that the proposal does not threaten these existing jobs as there will be relocation within the area. The team supports the application for its employment creation potential.

#### **Sequential test for alternative sites**

- 8.5 It is considered that the applicant has sequentially tested other sites. NPPF (2018) paragraph 86 requires applicants to demonstrate that there are no alternative available sites within or adjacent to the town centre boundary. The only appropriately sized site close to Beccles Town centre is north of Roy's Store and is not available as a result of legal constraint or appropriate given the lack of street frontage. It is considered that while no other sites have been specifically identified and evidenced, there are no other sufficiently sized available sites in the town centre so it would be unreasonable to require more detail on this matter.

#### **Retail impact**

- 8.6 The proposal is well below retail impact testing requirements defined nationally as 2500 sq m in paragraph 89 of the 2018 NPPF. Emergent policy WLP8.18 sets a much lower 350 square metre threshold, and while this carries minimal weight, it is not adopted policy. The applicant has submitted an impact assessment nevertheless that relies on experience elsewhere and demonstrates that abstraction of trade falls primarily on other supermarkets with lesser impact on town centre shops. Planning practice guidance notes that impact might be felt particularly where there are existing high rates of vacancy, and Beccles is performing well in this respect with low levels of empty town centre floor-space. This has been demonstrated by an updated Goad survey and the retail impact work has been independently reviewed by Carter Jonas acting for the Local Planning Authority. The purpose of this professional review was to ensure that there would be no material harm to the viability of the town centre that might arise if linked trips to the centre in the context of trips to the edge of centre supermarket, were to be diminished. While there is evidence that the commercial competition will in the short term have an adverse impact on the supermarket in question (Tesco) there is no evidence that linked trip would be harmed to any measurable extent and the vibrancy of the town centre harmed. Additional conditions are suggested as previously reported to restrict the type of trading and these are both usual and accepted by the applicant and restrict the trading floor area and the type of goods offered for sale.

#### **Flooding**

- 8.7 The application site is located within the highest risk flood zone 3. The Local Planning Authority has sequentially tested the site in accordance with paragraph 160. Planning Practice Guidance sets the same test of availability for the consideration of other sites sequentially as that applied for the analysis of suitability of location to support an existing town centre. The Local Planning Authority considers that there are no other appropriate "available" sites, and that the use is of no greater harm than current use and that redevelopment offers the prospect of mitigation of risk. The EA advises the applicant should contact the emergency planning team to review flood warning and escape mitigation and Building Control with regard to flood-proofing of the physical build.

**Residential Amenity:**

- 8.8 The site fringes the Waveney Residential Park, a caravan / park home site. These properties have hitherto been exposed to noise from the current industrial uses. A retail use will introduce high levels of vehicle movement to the frontage; the placement of the store building to the north boundary will offer some sound attenuation to the delivery bay and some parking areas. There is also parking introduced to the east end of the site where this screening effect will not be present so boundary treatment at this point will need further agreement. Further agreement by condition on boundary fence design should ensure a better noise environment than that previously existing, with these measures amenity matters within the Design policy DM02 are considered satisfied.

**Highway access:**

- 8.9 County Highways officer confirmed plans received acceptable subject to the conditions outlined in the consultee comment section. The Town Council has asked for improved footways elsewhere on Pound Road. The amended plans do show some improvement to footways. Parking guidance does allow for lesser parking provision on commercial sites, on the basis that this encourages modal shift. The County also observe that proximity to residential areas does indicate that methods of access other than by car are realistic.
- 8.10 It should be noted that the County had modelled the impact on dwell times of other solutions, including a roundabout and consider that the scheme negotiated between the applicant, the LPA and County Highways works better than other options suggested by correspondents.
- 8.11 The condition originally reported for details of bin and recycle bin space to be shown on the exterior layout has been explained by the applicant as not required, in that delivery lorries will remove refuse from the site as part of the operating method employed by this operator.  
With these measures highway access and safety matters within the Design policy DM02 are considered satisfied.

**Contaminated Land:**

- 8.12 The Environmental Health Officer is satisfied with the preliminary risk assessment and intrusive investigation, but notes the need for further site investigation and assessment to be secured using the five appropriately worded conditions. It is noted that this requirement exceeds that requested by the Environment Agency, so their recommended condition is not added as it is covered by the other conditions

**Noise:**

- 8.13 When considering noise impact note the applicant suggests that the plant room should be fitted with an acoustic baffle louvre; and deliveries should cease at 2200 hours, with the acoustic fence shown on finally approved drawings providing further mitigation. The Environmental Health Officer agrees and suggests restriction by condition as requested (and therefore enforceable) limiting trading and deliveries to the specified hours on the form.  
In addition, as the demolition proposed is very close dwellings the applicant should be required to submit for approval a demolition and construction environmental management plan.



### **Other matters arising from objections received:**

- 8.14 The observation that numbers and positioning of the park homes has not been accurately portrayed is not considered of material planning consequence, providing that as requested by the writer, the boundary fence is suitable for privacy and noise reduction. Other suggestions regarding highway system alterations go beyond that considered necessary by the Highway Authority.
- 8.15 The request for electric vehicle charging points is considered appropriate and can be secured by condition.

## **9 CONCLUSION**

- 9.1 It is recognised that there is some popular support for this application and the retail offer provided by the applicant, it is however material planning considerations that inform recommendations.
- 9.2 While no marketing evidence that the land is not required for employment purposes has been proffered this is accorded lesser weight in the consideration in this instance by the benefits of commercial competition and varied retail offer to what is a close to edge of settlement site. The proposal offers the prospect of economic activity and job creation in the short term, with the support of the Economic Development Team. On balance therefore this edge of centre site offers some broadening of the retail offer in Beccles and positive economic benefit that outweighs the loss of some land for employment but no loss of actual employment given the transference of the sole business currently trading on the site.

## **10 RECOMMENDATION**

- 10.1 To approved subject to the following 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 constructed in all respects strictly in accordance with drawings: 7518L 10 site plan, 7518 L11 floor plan, 7518 L13 roof plan; received 21st November 2017, and 7518 L12B elevations, received 1<sup>st</sup> June 2018, for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: To secure a properly planned development.

3. Following demolition of the existing structures and floor slabs no further development approved by this planning permission, shall take place until details of the footway widening, crossing point and reinstatement on Common Lane North shown on Drawing No. SCP/16126/F06 Rev A have been submitted to and approved in writing by the Local Planning Authority. The approved improvements shall be laid out and constructed in their entirety prior to use.

Reason: To ensure that the footway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of sustainable travel and highway safety.

4. Following demolition of the existing structures and floor slabs no further development approved by this planning permission, shall take place until details of the improvements to Common Lane North junction with George Westwood Way shown on Drawing No. SCP/16126/F07 Rev A have been submitted to and approved in writing by the Local Planning Authority. The approved improvements shall be laid out and constructed in their entirety prior to use.

Reason: To ensure that the improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of mitigating congestion on the highway.

5. Following demolition of the existing structures and floor slabs no further development approved by this planning permission, shall take place until details are 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.

6. The use shall not commence until the area(s) within the site shown on Drawing No. SCP/16126/F06 Rev A 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.

7. Before the accesses are first used visibility splays shall be provided as shown on Drawing No. SCP/16126/F06 Rev A with an X dimension of 2.4 metres and a Y dimension of 43 metres onto Common Lane North and an X dimension of 2.4 metres and a Y dimension of 25 metres onto Pound Road 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 in order to take avoiding action.

8. Within one month of first occupation, each employee shall be provided with Travel Information Pack that contains the sustainable transport information and measures to encourage the use of sustainable transport identified in the Travel Plan dated 29th September 2017. Not less than 3 months prior to the occupation, a completed Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include up-to-date walking, cycling and bus maps, relevant bus and rail timetable information, car sharing information, and sustainable transport discounts.

Reason: In the interests of sustainable development as set out in the NPPF, and Policy CS15 of The Approach to Future Development in Waveney to 2021 - Core Strategy Development Plan

9. Following demolition of the existing structures and floor slabs no further development approved by this planning permission, shall take place until full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with paragraph 3.4.2 of the Suffolk Guidance for Parking and paragraph 35 of the National Planning Policy Framework

10. Following demolition of the existing structures and floor slabs no further development approved by this planning permission, shall take place until a site investigation, as recommended in section 6 of CAG report number 746-R-01, has been submitted to, and approved in writing by, the local planning authority. All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

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. Following demolition of the existing structures and floor slabs no further development 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 CLR11.

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 any occupation or use of the approved development the RMS approved under condition 11 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.

13. 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 the RMS approved under condition 11 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.

14. 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. Unless agreed in writing by the LPA 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 BS 10175:2011+A1:2013 and CLR11) 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.

15. The trading hours hereby permitted shall only take place between the hours of 08.00 and 22.00 Mondays to Saturdays and between 10.00 and 16.00 on Sundays.

The delivery hours hereby permitted shall only take place between the hours of 07.00 and 22.00 Mondays to Saturdays and between 08.00 and 18.00 on Sundays or bank holidays.

Reason: To protect the amenities of the surrounding area and residences by minimising disturbance by noise.

16. Louvres for the plant room must accord with section 9 of the submitted Hoare Lea Acoustics report and provide a minimum insertion loss of 16dB.

Reason: To ensure amenity harms from noise is adequately mitigated.

17. Before the commencement of any work including demolition, the applicant shall submit to the Local Planning Authority written details of a demolition and construction environmental management plan, and receive the subsequent approval from the LPA of the plan.

The plan shall detail how the applicant will mitigate all emissions (including dust, noise, vibration, water, light etc) from demolition and construction activities. All work shall proceed in accordance with the plan.

Reason: The application includes the demolition of the existing structures in very close proximity to existing residential dwellings whereby amenity harms arising from demolition require mitigation.

18. No hard-standing areas are to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

19. The accesses shall be completed in all respects in accordance with Drawing No. SCP/16126/F06 Rev A; and be completed prior to use. Thereafter they shall be retained in their approved form. At this time all other means of access within the frontage of the application site shall be permanently and effectively "stopped up" in a manner which previously shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out and to avoid uneven footways which would be detrimental to highway safety.

20. No use of the retail premises here approved shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials, type and height relative to ground levels of boundary treatment to be erected on the north boundary adjacent to the park homes. The boundary treatment shall be completed before use. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and the appearance of the locality.

21. The building hereby permitted shall be used only for retail use and for no other purpose within use class A1 of the schedule to the Town and Country Planning Act Use Classes Order or in any provision equivalent to that Class revoking or enacting that order. No more than 20% of the permitted retail floor area shall be used for the sale of comparison goods; the number of lines that shall be for sale in the store at any one time shall be limited to a maximum of 2100. The store shall not include any post office, pharmacy or butchers. For the purposes of the condition: Comparison goods are clothing footwear household and recreational goods

Reason: To control the impact of this proposal on the effective trading well being of the town centre.

22. The net sales area shall not exceed 1325 square metres and no additional floor-space created by for example the inserting of mezzanine floors without the prior written permission of the Local Planning Authority.

Reason: To control the impact of this proposal on the effective trading well being of the town centre and to prevent greater changes to this without formal review by the local planning authority

### **Informatives:**

1. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

2. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental

and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991

3. NOTE 03

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.

NOTE 05

Public Utility apparatus may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.

NOTE 12

The existing street lighting system may be affected by this proposal.

The applicant must contact the Street Lighting Engineer of Suffolk County Council, telephone 01284 758859, in order to agree any necessary alterations/additions to be carried out at the expense of the developer.

NOTE 15

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

**BACKGROUND INFORMATION:** See application ref: DC/17/4960/FUL at [www.eastsuffolk.gov.uk/public-access](http://www.eastsuffolk.gov.uk/public-access)

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