



Appeal Decision

Site visit made on 22 November 2023

by A Veevers BA(Hons) DipBCon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2024

Appeal Ref: APP/W3520/W/22/3312743

Land off A14, adjacent to Kiln Lane, Elmswell IP30 9RU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by EG Group (formerly Euro Garages Ltd) against Mid Suffolk District Council.
 - The application Ref DC/21/06333, is dated 15 November 2021.
 - The development proposed is described as 'petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works'.
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Decision

1. The appeal is allowed and planning permission is granted for petrol filling station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works at land off A14, adjacent to Kiln Lane, Elmswell IP30 9RU in accordance with the terms of the application, Ref DC/21/06333, dated 15 November 2021 subject to the conditions in the attached Schedule.

Applications for costs

2. An application for costs was made by EG Group against Mid Suffolk District Council. This is the subject of a separate Decision.

Preliminary Matters

3. The appeal follows the Council's failure to determine the application within the prescribed period. Therefore, jurisdiction over determining the application was taken away from the Council at the date the appeal was made. Nevertheless, the Council subsequently issued a decision notice refusing the application. Reference to the decision notice has been made in the appeal submissions and I have had regard to the reason set out in the decision notice and to the Council's statement in framing the main issue.
4. The appellant has submitted a signed and dated Unilateral Undertaking (UU) with the appeal, pursuant to S106 of the Town and Country Planning Act 1990, securing planning obligations relating to the provision of a pedestrian refuge and associated paved connections on the A1088 in the event that planning permission is granted. Suffolk County Council as highway authority have provided a CIL compliance statement setting out the justification for the obligation having regard to Regulation 122 of the Community Infrastructure Levy 2010 (CIL Regulations). I shall return to this later in my decision.
5. During the course of the appeal, the Babergh and Mid Suffolk Joint Local Plan – Part 1, November 2023 (JLP) was adopted. The new plan supersedes policies of

the Mid Suffolk Local Plan (September 1998). Both main parties have had the opportunity to comment on the implications of this for the appeal. Accordingly, no party has been prejudiced by the change in policy circumstances and I have therefore only had regard to relevant policies from the JLP in determining this appeal.

6. During the appeal, a new version of the National Planning Policy Framework (the Framework) came into effect. However, as the Framework's policy content insofar as it relates to the main issue has not been significantly changed there is no requirement for me to seek further submissions on this latest version. I am satisfied no party would be prejudiced by determining the appeal accordingly.

Main Issue

7. The main issue is the effect of the proposed development on highway safety.

Reasons

8. The appeal site is within a gyratory at junction 47 of the A14 between the A1088 and the A14. The land is presently undeveloped grassland and is adjacent to a Driver and Vehicle Standards Agency centre (DVSA).
9. Vehicular access into the site would use the existing DVSA site access which includes an additional short spur to a gated access into the appeal site. This is a one-way access road from a short slip lane off the A1088 westbound carriageway. Egress from the site would be from a segregated lane adjacent to the DVSA site egress merging one way on to the A1088 approach to the A1088/Church Road roundabout.
10. From what I have seen and read, the appeal site would be located directly adjacent to a strategic road that links traffic from the east to the west of the country and vice versa, particularly freight traffic on route to and from the port of Felixstowe. There is therefore potential for a significant amount of traffic to visit the proposed development. There is no disagreement between the main parties that access into the site would be acceptable and from the information before me I have no reason to disagree. All vehicles would leave via a single egress point, and it is the configuration of the egress that forms the putative reason for refusal.
11. Vehicles exiting the site would be in the left-hand lane of the short section of highway between the exit and the A1088/Church Road, Woolpit Interchange roundabout. Traffic from the A14 east slip road would be in the right-hand lane which would be likely to be travelling at greater speed for most times of the day and night on account of exiting a dual carriageway. Depending upon the direction of onward travel, both lane users may be required to change their lane within a short distance before reaching the roundabout (the weaving section). Even though there is an existing egress from the DVSA site to the weaving section, the proposed development would intensify its use and the proposed extended kerb edge would reduce the length of the weaving section.
12. The Design Manual for Roads and Bridges (DMRB) at CD 122 sets out minimum weaving lengths between junctions based upon traffic speed and flow.

13. In terms of design flow, the appellant's Transport Assessment¹ (TA) sets out that the number of vehicles leaving the site during the peak hour, calculated using established Trip Rate Information Computer System (TRICS) database, would be estimated to be 112 when a 10% reduction for linked trips between the various uses on the site are taken into consideration. This would be an average of approximately two a minute. Even if linked trips were not included and vehicles leaving the DVSA site were also taken into consideration, it would lead to a limited number of vehicles leaving the site per minute. There would be no facilities provided for HGV fuelling, as such, other than service and delivery vehicles, there would be limited HGV movements associated with the site. The estimated total trips generated by the proposal would not significantly add to the existing flow in the weaving section.
14. In terms of speed, the minimum weaving length set out in the DMRB is 100m at 50kmph. The length of the weaving section adjacent to the appeal site would be approximately half this length. The appellant's speed survey² indicates an average speed of vehicles on the section of the A1088/A14 eastbound off-slip road up to the A1088/Church Road, Woolpit Interchange roundabout of 29.6mph with an 85th percentile of 33.8mph. Due to the relatively short and winding nature of the proposed site egress, even though it would be uncontrolled, it is unlikely that vehicles would be travelling at speed when exiting, particularly as the roundabout and oncoming vehicles approaching from the A14 exit slip would be visible to drivers when on the egress slip road and as such, drivers would be aware of the need to filter on to the main carriageway.
15. Notwithstanding that the weaving section would be extremely short with little time for vehicles to change lanes before the A1088/Church Road, Woolpit Interchange roundabout, the egress would be improved by the proposed mitigation of rumble strips, road markings and signage. The appellant has carried out a Stage 1 Road Safety Audit³ (RSA) with recommendations that, subject to road marking and signage amendments, would be acceptable. I note that neither Suffolk County Council as Highway Authority (SCC), nor Highways England (HE), following an assessment of the appellant's speed survey and RSA, objected to the proposed egress arrangement.
16. I am aware that a previous application for a similar proposal to this appeal was refused in 2019⁴ for reasons related to highway safety. Although SCC objected to that scheme, evidence indicates that that proposal was for a larger scheme than the one before me and it is unclear what information was before SCC in the previous application. In any event, I am required to reach conclusions based on the individual circumstances of this appeal.
17. Subject to the implementation of the recommended amendments to the appellants' Stage 1 RSA at Stage 2, in the absence of any other Stage 1 RSA and irrespective of whether DMRB or Manual for Street guidance is used, on the basis of the evidence before me, I am satisfied that a safe and suitable egress would be achieved. Furthermore, any departure procedure required by the DMRB would form part of a S278 highway agreement. Consequently, with regard to the proposed egress, on the basis of the submissions before me, it

¹ Transport Assessment, by Dynamic Transport Planning, dated October 2021

² Appendix 3, Transport Assessment 3701021, Dynamic Transport Planning, October 2021

³ Stage 1 Road Safety Audit Report, RSK Associates, November 2019

⁴ LPA Ref: DC/17/02349

has been demonstrated that proposal would comply with paragraph 114d of the Framework which states that development should ensure that the impacts from the development on the transport network (in terms of capacity and congestion) or on highway safety, can be cost effectively mitigated to an acceptable degree.

18. The Council's 'Appeal Statement on matters of Highway Design and Road Safety'⁵ (HDRS) suggests that average trip rates employed in the appellant's TA have been diluted by the selection of inappropriate proxy sites within the TRICS database. Neither SCC nor HE raised a concern regarding the TRICS information or the way it had been calculated and in the absence of substantiated evidence to indicate which sites or why the selection was inappropriate, I have no reason to find the TRICS information unacceptable.
19. Indeed, estimated trip generation has been assessed on the basis of new trips when it is likely that a considerable percentage of actual trips would be undertaken by vehicles already travelling on the surrounding highway network. Additionally, acceptable traffic count data has been relied upon and committed developments specifically requested by SCC have been incorporated into the traffic modelling. The TRICS database selection parameters include similar uses and gross floor areas to the proposal and although the site selection parameters vary considerably, they include edge of town locations and offer robust comparisons in relation the proposal before me. Consequently, suitable estimation of the traffic attraction of the proposal has been demonstrated.
20. Concerns have been raised by interested parties regarding the effects of the proposal on the propensity for queuing on the A14 westbound off-slip road which currently ends in a T-junction with priority given to traffic on the A1088. This junction has been demonstrated to be close to capacity in the TA baseline assessments.
21. However, I am aware from the submitted information, that there is a future proposal to upgrade this junction to a roundabout as a requirement of a nearby residential planning permission⁶. SCC initially required that this roundabout be implemented prior to the proposed appeal development taking place. However, the Council's 28 September 2022 committee report confirms that the risk of the roundabout not being provided 'is considered to be low and short term, as the S278 Agreement for the provision of the roundabout in question is currently progressing'. As such, SCC subsequently accepted that this requirement was unnecessary.
22. Although the S278 Agreement relating to the roundabout has not been provided with this appeal and there is no guarantee that it would be constructed, at my site visit I observed that the approved residential development off The Street, Woolpit had begun and was actively being marketed through signage at the site. Accordingly, I am satisfied that there would be considerable certainty that the roundabout would be likely to be implemented prior to the 2031 assessment year whereupon the junction of the A1088 and the A14 westbound off-slip would operate significantly above current priority junction capacity.

⁵ Appeal Statement on matters of Highway Design and Road Safety by Transport Planning Associates, dated November 2023

⁶ LPA Ref: DC/21/01132 and DC/18/04247

23. Paragraph 115 of the Framework advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. However, to contemplate the dismissal of the appeal on this basis, there would need to be clear evidence to substantiate that this would be the case. On the basis of the evidence before me, it has not been demonstrated that this would be the case.
24. For the reasons given above, having regard to the Framework, I conclude that the proposal would not result in any unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe. The proposed development would accord with Policies LP09, LP29 and SP05 of the JLP which require, amongst other things, that proposals demonstrate adequate highway capacity and access with sufficient on-site parking, that significant impacts on highway safety or the function of the highway network should be mitigated and that development will not have a severe impact on the road network.

Planning Obligation

25. The appeal site is located between Elmswell and Woolpit and would be accessible by foot or cycle from both settlements. However, access to the appeal site would be almost entirely focused on trips by vehicles. It would conflict with paragraph 116 of the Framework which advises that development should give priority first to pedestrian and cycle movements, and which should facilitate access to high quality public transport, address the needs of people with disabilities and reduced mobility in relation to all modes of transport and create places that are safe, secure and attractive and which minimise the scope for conflicts between pedestrians, cyclists and vehicles. Paragraph 108 also states that opportunities to promote walking, cycling and public transport use should be identified and pursued from the earliest stages of development proposals.
26. There is no footway or cycle path between Elmswell and Woolpit despite the relatively short distance and a significant concern has been raised by local residents that the proposed development would attract visits by foot or cycle from nearby settlements along unsafe roads. SCC has sought a financial contribution toward the provision and monitoring of a pedestrian refuge and associated connections on the A1088 between the site and the proposed Elmswell to Woolpit community footway scheme which would be routed on the opposite side of the A1088 to the appeal site.
27. The aim of this provision would be to improve the connectivity of nearby settlements to the appeal scheme and offer a choice of sustainable transport. Policy LP29 of the JLP sets out the need for new development proposals to contribute to the delivery of sustainable transport strategies.
28. A completed and signed UU to secure the highways financial contribution is submitted as part of the appeal, dated 21 November 2023. SCC have provided a CIL compliance statement confirming its view that the obligation meets the CIL tests.
29. I am satisfied that the UU would be necessary to make the development acceptable, would be directly related to the development, and would be fairly related in scale and kind. Therefore, it would meet the tests set out in Regulation 122 of the CIL Regulations and paragraph 57 of the Framework.

Other Matters

30. The site lies within the setting of several designated heritage assets, the Grade I listed building, St Mary's Church, Woolpit; Grade II* listed building St John's Church, Elmswell and Grade II listed building, Crossways. I have a statutory duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) to pay special attention to the desirability of preserving the buildings or their settings.
31. Having considered the development and visited the site, I consider the proposal would not have an adverse effect on the listed buildings, their settings or any features of special architectural or historic significance which they possess. This is due to the physical and visual separation of the proposal from these designated heritage assets, the proximity of the existing DVSA building and functional A14 infrastructure already surrounding the appeal site. In this regard the scheme would not alter how these assets are experienced and consequently the significance of them would not be affected. As such there would be no conflict with Section 66 of the LBCA Act or Section 16 of the Framework in this regard.
32. I have taken careful account of all the representations before me, including in respect of the need for a filling station, a fast-food outlet and coffee shop, given that there are others nearby and that the sale of petrol and diesel vehicles is intended to be phased out by 2030.
33. The primary purpose of the development would be to provide roadside services for motorists owing to the site's position along a major transport route. There are therefore specific locational requirements for the proposed scheme. I note the presence of other roadside services along the A14, however, the Council have not objected to the location of the proposal or its effect upon businesses in surrounding towns and villages and, on the basis of the information before me, there is no convincing evidence to disagree.
34. Whilst the presence of the proposal would inevitably urbanise the appeal site, it would not appear out of context here, owing to the site's position on the fringe of Elmswell and Woolpit, adjacent to a gyratory and an existing DVSA site. Furthermore, the provision of landscaping adjacent to the A14 and the DVSA site would help to partially screen the proposal.
35. I acknowledge the comments from Suffolk Police and local residents regarding the significant potential for the risk of crime and antisocial behaviour at the site. It is clear from the evidence provided that 24 hour petrol filling stations with accompanying food outlets and ATM machine have the potential to attract criminal activity. I note that the appellant has engaged with Suffolk Police and a number of recommended secure by design features would be included in the proposal. A planning condition requiring implementation of measures to design out crime and an associated management plan would reduce the risk of the appeal site being used for crime and anti-social behaviour to an acceptable degree. This would ensure the proposal complied with paragraph 96 of the Framework to achieve safe places so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion.
36. In relation to protected and priority species and habitats, subject to the implementation of the mitigation measures and net gains for biodiversity

identified in the appellant's habitat survey⁷, no objections have been raised by the Council's Ecologist and I have been provided with no convincing evidence to conclude otherwise with regard to this matter. While the proposed external lighting would result in relatively high lux levels for security and safety reasons, given the location of the proposal adjacent to the A14 and the current relatively low foraging and commuting value of the site for bats, the proposal is considered acceptable in this regard.

37. A fuel storage feasibility assessment has been submitted with the appeal and I note that the Environment Agency and the Council's environmental protection officer considers that the issue of contamination could be adequately addressed by condition. On the evidence before me, I have no reason to disagree.
38. There is insufficient evidence before me to enable me to conclude that litter would be a problem of such magnitude as to warrant dismissal of the appeal.
39. I am satisfied that the proposed buildings would be sited sufficient distance from neighbouring dwellings to avoid any adverse effects such as loss of light, outlook or privacy. There is no doubt that the proposed development would generate a certain amount of noise and disturbance, when open, from customers and their vehicles. It could also be perceived to be a source of odour. However, noise at the site is unlikely to be distinguishable from the existing noise arising from the adjacent road network. Although there may be more vehicular movements generated as a result of the proposal in and around the site, I am satisfied that the proposal would not create noise or odour levels that would significantly exceed existing levels to the extent that it would adversely affect the living conditions of the occupiers of neighbouring properties. I note no objection has been received from the Council's environmental protection officer in this regard and this reinforces my assessment.
40. I have paid regard to other concerns raised by interested parties, such as the effects of the proposal on diet, climate change and other environmental considerations but these matters have not been substantiated and do not affect my findings on the main issue.

Conditions

41. I have considered the use of conditions in line with the guidance set out in the Government's Planning Practice Guidance (PPG) and the Framework. I have taken the Council's suggested conditions into consideration and imposed most of these with some amendments and adjustments for clarity, brevity, or to avoid duplication. The appellant has confirmed agreement to the Council's suggested conditions, which includes pre-commencement conditions.
42. I have imposed the standard condition with respect to timeframe and approved plans as advised by the PPG for clarity and certainty [Conditions No.1 and 2].
43. It is necessary for details relating to forward visibility improvements at the egress of the site, a construction management plan, surface water construction management and land contamination to be submitted prior to the commencement of development. I consider these pre-commencement conditions to be so fundamental to the development that it would have been otherwise necessary to refuse permission. These are required prior to

⁷ Extended Phase 1 Habitat Survey, Rachel Hacking Ltd, October 2021

construction commencing as they would affect the ground within the footprint of the buildings and highway safety with regard to safe access for site clearance and construction vehicles. These measures would ensure appropriate management of contamination and the construction phases at an early stage to protect neighbouring living conditions, flood risk, highway safety and the environment and to ensure details are available to contractors before work commences [Nos.3, 4, 5 and 6].

44. In order to ensure that the surface water arising from the proposed development can be appropriately drained and maintained and does not either cause off-site or on-site flood risk, a condition is necessary requiring the development to be constructed in accordance with the agreed drainage details [Nos.7 and 8].
45. In the interests of biodiversity, conditions are necessary requiring the recommendations of the agreed habitat survey are implemented as well as the submission and implementation of details of biodiversity mitigation and enhancement [Nos.9 and 10].
46. In order to ensure that sufficient areas for vehicles to be parked and manoeuvre in accordance with Suffolk Guidance for Parking 2019, that provision is made for inclusive parking facilities and to promote sustainable transport, conditions are necessary requiring the provision of cycle and motorcycle parking and electric vehicle charging points [Nos.11 and 16]. To help the transition to a low carbon future details of energy efficiency measures to be incorporated into the scheme are also reasonable and necessary [No.12].
47. Notwithstanding the submitted landscape plan, additional and varied tree planting would be required in order to minimise the visual effects of the development and in the interests of protecting the character and appearance of the area. Therefore, a condition is necessary requiring the submission and implementation of details of landscaping [No.13].
48. To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely and that drivers of vehicles on the public highway have sufficient warning of a vehicle emerging, in the interests of highway safety and the free flow of traffic, it is necessary to ensure the agreed highway mitigation measures are implemented prior to the development being operational [Nos.14 and 15].
49. Implementation of the agreed lighting details is necessary to ensure that light pollution and effects on biodiversity are minimised whilst also ensuring opportunities for the potential for crime and the fear of crime are also limited. [No.17].
50. In the interests of safeguarding future residents from odour pollution, a condition requiring details of fume and odour measures is necessary [No.18]. In order to ensure that adequate provision is made for waste storage and collection, and to ensure the sustainable management of waste, a condition is necessary requiring the submission of these details [No.19].
51. In accordance with paragraph 96 of the Framework, a condition to secure measures to limit the potential for crime and the fear of crime at the site are necessary [No.20]. Having regard to the recommendations of the Fire Authority due to the nature of the proposed use, a condition requiring fire hydrants is

necessary [No.21]. The protection of the visibility splay is necessary in the interests of highway safety [No.22].

Conclusion

52. For the reasons given above, based on the evidence before me, having considered the development plan along with all other relevant material considerations, I conclude that the appeal should be allowed.

A Veevers

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 1453-1 (site location plan)
 - 1453-9 (site location plan)
 - 1453-17 (site layout as existing)
 - 1453-18a (Proposed site layout)
 - 1453-19a (PFS plans & elevations)
 - 1453-20a (Drive Through restaurant plans & elevations)
 - 1453-21a (Drive through coffee shop plans & elevations)
 - 1453-22 (Petrol canopy typical building information)
 - 1453-23a (EV canopy plan & elevations)
 - 1453-24 (Substation details)
 - 1453-25 (Electric meter kiosk ET6 type)
 - 1453-26 (Electric meter kiosk ET14 type)
 - 1453-27a (Proposed site elevations)
 - ED133/TOO (Topographical survey)
- 3) No development shall take place until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority.

The CMP shall include the following:

 - 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
 - m) monitoring and review mechanisms
 - n) details of deliveries times to the site during construction phase

Construction of the development shall be carried out in accordance with the approved CMP for the duration of construction.
- 4) No development shall take place 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 site clearance operations) has been submitted to and agreed in writing by the Local Planning Authority.

The CSWMP shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- a) Temporary drainage systems
- b) Measures for managing pollution / water quality and protecting controlled waters and watercourses
- c) Measures for managing any on or offsite flood risk associated with construction

The development shall be implemented and thereafter managed and maintained in accordance with the approved CWWMP for the duration of construction.

- 5) No development shall take place until the following has been submitted to and agreed in writing by the Local Planning Authority:
 - a) A strategy and implementation timetable for investigating any contamination present on site (including ground gases, where appropriate). Subsequent investigation shall be carried out in accordance with the approved strategy and timetable.
 - b) A written report shall be submitted to and approved in writing by the Local Planning Authority detailing the findings of the investigation referred to in (a) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate). Subject to the risk assessment, the report shall include a Remediation Scheme and implementation timetable.

Any remediation work shall be carried out thereafter in accordance with the approved Remediation Scheme and implementation timetable.

Prior to construction of any building following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation Scheme.

- 6) Before the egress is first used for vehicular traffic, including construction and site clearance vehicles, forward visibility splays shall be provided as shown on Drawing No. 64352 - CUR -00 - XX - DR - TP - 75005 P04 (Appendix 4 of the Transport Assessment 3701021 dated October 2021) and thereafter retained in the specified form for the duration of the development.
- 7) The development hereby permitted shall be carried out in accordance with the strategy for the disposal of surface water including the following:
Drainage Strategy Report (No Ref) Rev 0;
Drainage Note: 'EG site, Elmswell Responses to LLFA comments Rev 1';
Drawing Ref: 2656-004 Rev C (Proposed Site Layout, Petrol Station & Drive Thru Offers Proposed Drainage);
Drawing Ref: 2656 006 Rev A (Proposed Site Layout, Petrol Station & Drive Thru Offers Proposed Sections through Porous Areas);
Drawing Ref: 2656-007 Rev B (Proposed Site Layout, Petrol Station & Drive Thru Offers Porous Paving Area);
Drawing Ref: 2652-008 Rev B (Proposed Site Layout, Petrol Station & Drive Thru Offers Flow Exceedance Drawing); and,
Flood Risk Assessment dated Oct 2021, ref: NS_0124_45 V1.0.

The development shall be completed in accordance with the drainage strategy prior to first occupation of any building and thereafter managed and maintained in accordance with the approved strategy in perpetuity.

- 8) Within 28 days of practical completion of the last unit hereby approved, a 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 drainage strategy and flood risk assessment approved under condition 7. The report shall include details of all SuDS components and piped networks in a form which shall first have been agreed in writing with the Local Planning Authority.
- 9) The development hereby permitted shall be carried out in accordance with the recommendations contained in the Extended Phase 1 Habitat Survey (Rachel Hacking Ltd, October 2021) and retained as such thereafter.
- 10) No development above slab level shall take place until a Biodiversity Enhancement Strategy for Protected and Priority Species (BES) has been submitted to and approved in writing by the local planning authority. The content of the BES shall include the following:
 - a) Conservation objectives for the proposed enhancement measures;
 - b) Detailed designs to achieve stated objectives;
 - c) Locations of proposed enhancement measures by appropriate maps and plans;
 - d) Persons responsible for implementing the enhancement measures; and,
 - e) Details of initial aftercare and long-term maintenance (where relevant).

The development shall be implemented in accordance with the approved BES prior to occupation of any building and thereafter managed and maintained in accordance with the approved BES.

- 11) No development above slab level shall take place until details of the areas and infrastructure to be provided for parking powered two-wheeled vehicles and secure cycle storage have been 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.
- 12) No development above slab level shall take place until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - Details of measures to ensure the development is zero carbon ready;
 - Details of heating for each building;
 - Details of a scheme for waste reduction; and
 - A timetable for implementation of the water, energy and resource efficiency measures.

The development shall be implemented in accordance with the approved water, energy and resource efficiency measures prior to occupation of any

building and thereafter managed and maintained in accordance with the approved details thereafter.

- 13) A) Notwithstanding the submitted landscaping plan ref: DEP Landscape Architecture Ltd Planting Plan 3653 10 Revision A, no development above slab level shall take place until a scheme of hard, soft and boundary treatment landscaping works for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- i) proposed changes in ground levels,
 - ii) the spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained,
 - iii) the spread, girth and species of all proposed trees, shrubs and hedgerows which shall include mixed species tree planting along the northern boundary,
 - iv) details of the amenity lawn mix, which shall include a flowering lawn mix,
 - v) an implementation and management programme, including phasing of work where relevant.
- B) All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping works shall be carried out in accordance with the approved details and implementation programme.
- C) Any trees, hedges, shrubs or turf identified within the approved landscaping works (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and species.
- 14) The development hereby permitted shall not be brought into use until measures at the existing vehicular access and carriageway have been provided as shown on drawing no. 64352 - CUR -00 - XX - DR - TP - 75002 P01. The measures shall include a minimum 2 metre wide centrally hatched area within the A1088 carriageway to accommodate potential future crossing facilities. The measures shall be retained in the specified form thereafter.
- 15) The development hereby permitted shall not be brought into use until improvements at the existing vehicular egress and adjoining carriageway have been provided as shown on drawing no. 64352 - CUR -00 - XX - DR - TP - 75005 P04. The measures shall be retained in the specified form thereafter.
- 16) The development hereby permitted shall not be brought into use until the areas within the site shown on drawing no. 1453-18a for the purposes of loading, unloading, manoeuvring and parking of vehicles and electric vehicle charging points have been provided. These areas and charging points shall be retained and maintained as such thereafter.
- 17) The development hereby permitted shall not be brought into use until the lighting details indicated in Drawing Ref: D44482/LC/B dated 23 February

2022, Kingfisher Lighting Ltd have been implemented. The lighting shall be maintained and retained in the specified form in perpetuity.

- 18) Before the use of each individual building hereby permitted takes place, equipment to control the emission of fumes and smell from the premises shall be installed in accordance with a scheme to be first submitted to and approved in writing by the local planning authority. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with that approval and retained for so long as the use continues.
- 19) The development hereby permitted shall not be brought into use until details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins has been 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 as such thereafter.
- 20) The development hereby permitted shall not be brought into use until details of measures to mitigate crime, in accordance with Suffolk Constabulary's response dated 27th September 2022, has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and maintained in accordance with the approved measures and retained and maintained as such thereafter.
- 21) The development hereby permitted shall not be brought into use until details of the provision of fire hydrants, including a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants shall be installed in accordance with the approved details and maintained and retained as such thereafter.
- 22) Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

END OF CONDITIONS