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Application No:	B/05/00589/RES
Location:	Land at County Farm (East), Church Field Road, Chilton, Sudbury
Proposal:	Submission of details pursuant to outline planning permission B/01/01747/OUT – the siting, design and external appearance of, and the landscaping of the site for the erection of Industrial/commercial development – Classes B1, B2 and B8 and construction of vehicular/pedestrian access (as amended).
Applicant:	Caverswall Holdings Limited

**SCREENING OPINION**

**TOWN AND COUNTRY PLANNING ACT, 1990**

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
(ENGLAND AND WALES) REGULATIONS, 1999 (AS AMENDED)**

The Babergh District Council is of the opinion that the proposed development, namely the construction of industrial and commercial buildings, falls within a description of development given in Schedule 2, Paragraph 10 of the Regulations. Having taken into account the indicative thresholds and the selection criteria in Schedule 3 of the Regulations an Environmental Impact Assessment is required and an Environmental Statement shall be submitted to the District Council for the following reasons.

**STATEMENT OF REASONS**

The application is for approval of reserved matters under outline planning permission B/01/01747/OUT. The outline planning permission approved the development of a community hospital on the North West part of the site and erection of industrial/commercial development – Classes B1, B2 ad B8 on the remainder of the site and construction of vehicular/pedestrian access. The development site is 9.75 hectares and is located on land at County Farm fronting Church Field Road and Waldingfield Road, Chilton, Sudbury, Suffolk. The permission was supported by a number of conditions.

The application for approval of reserved matters applies only to the industrial/commercial element of the outline permission. This equates to 7.89 hectares. The application relates to the siting, design and the external appearance of, and the landscaping of the site for the erection of Industrial/commercial development and construction of vehicular/pedestrian access.

Three large industrial buildings are proposed for the site totalling 32,679m<sup>2</sup>, use classes for each of the buildings are not specified as the applicant wants to maintain flexibility within the B1, B2 and B8 classes specified in the outline permission. Buildings A, B and C are 12,960m<sup>2</sup>, 11,664m<sup>2</sup> and 8,053m<sup>2</sup> in size respectively. The three buildings are to be finished in matching materials and colours (Recess Wall Panels – Goosewing Grey, Wall Panels – Hamlet, Roof – Merlin Grey). Buildings A and B are both to have a ridge height of 15 metres with an eaves height of 11 metres, Building C would have a ridge height of 13 metres and an eaves height of 8 metres. The buildings are to be constructed at existing ground levels involving only minimal earth disturbance.

### **The Site and its Surrounding Area**

The site comprises undeveloped and unmanaged land at present. The land immediately surrounding the proposal is used as follows:

- A strategic landscaping belt, protected by a Tree Protection Order (TPO) abuts the site on its northern and eastern boundaries.
- A Road Used as a Public Path (RUPP) runs in close proximity to the eastern boundary of the site.
- An Industrial Estate is located to South East, South and South West of the proposal. This Industrial Estate is accessed off Church Field Road.
- Outline Planning Permission was granted for a community hospital immediately to the West of the proposal.
- St Mary's Church, a grade I listed building is located to the South East of the proposal.
- Chilton Hall, a grade II\* listed building is located to the North East of the proposal, a minimum of 220 metres away. The grounds of Chilton Hall are registered as a park and garden of special historic interest. Chilton Hall is a residential property.
- A residential area is located immediately to the West of Waldingfield Road. This includes a number of residential properties which front onto the Waldingfield Road. These properties are located immediately to the West of the hospital site, the distance between them and the proposal is not known.

### **Potential Receptors**

The site was archaeologically evaluated in 1996 and partially excavated in 1998. The results of these evaluations are not known although when consulted at the outline application stage Suffolk County Councils Archaeological Officer stated 'in view of this previous work, I am only requesting a watching brief on the ground works for this development'.

There are no ecological designations, either of a statutory or non statutory level, in the vicinity of the proposal. The Environment Agency, Natural England and Suffolk Wildlife Trust do not identify any as being present or likely to be impacted upon by the proposal. Common Lizards and Great Crested Newts have been identified in the vicinity of the proposal. Common Lizards are found on land adjacent to Waldingfield Road with Great Crested Newts found to be present in ponds on the grounds of Chilton Hall. The Wildlife Trust in their consultation response dated January 2006 state that habitats adjacent to the site also support protected species such as bats.

The site is not located in an area designated statutorily for its landscape or visual importance. Nevertheless a grade I and grade II\* listed building and a registered park and garden of special historic interest are located near to the proposal. Given their location in such close proximity to the proposal and their listed and registered status these buildings and gardens are highly sensitive to impacts which may affect their setting and tranquillity.

The site is not located within or adjacent to an Air Quality Management Area (AQMA). The location of the site, adjacent to an industrial estate and the industrial estates access road, would indicate that receptors to the South of the site are not particularly sensitive to impacts such as noise, air quality, visual and severance. Given the location of the site on the edge of Sudbury however, receptors located to the North and East of the site are currently surrounded by undeveloped agricultural land. These receptors are likely to be much more sensitive to impacts associated with noise, air quality, visual and severance from the construction and operation of the proposal.

It is not known whether there are any water courses in the vicinity of the proposal or what the quality of them may be. Maps of the site indicate a drain and a number of ponds but no rivers or streams. In their response to the outline planning application the Environment Agency indicated that pollution to the water environment had been given insufficient consideration at that time. A condition was attached to the permission which required that a scheme for managing surface water drainage be approved by the local planning authority prior to the development going ahead.

## **Potential Impacts**

### *Archaeological Impacts*

There is the potential for impacts to unknown archaeological resources on the site as a result of the construction of the buildings proposed. Considering the archaeological evaluations that have previously been undertaken on the site however, the likelihood of significant impacts is reduced and the inclusion of a standard condition requesting a watching brief during ground works and the implementation of appropriate mitigation should archaeological resources be discovered during the works would further reduce the risk of significant impacts to archaeological resources.

### *Ecological Impacts*

The absence of ecological designations in the vicinity of the proposal cannot be used to conclude with certainty that no significant ecological impacts are likely to result from the construction and operation of the proposal. Their absence does however, indicate that significant ecological impacts are less likely to occur. Ecological impacts can potentially still occur in relation to important species and their habitats that are present in the locality. It is also important to note that undeveloped land can gain in ecological value over time as plants and animals begin to colonise the site.

Consultation that has previously been undertaken with both statutory and non statutory consultees identified that a small population of common lizards is present in the area and that a population of great crested newts is thought to be present in the gardens of Chilton Hall. Common Lizards are protected from killing and injury under the Wildlife and Countryside Act (1981). Great Crested Newts are fully protected by National and

European Law. The applicants propose the use of amphibian netting to prevent lizards and newts getting on to the development site during construction thereby avoiding impacts to both species. Bat populations are also identified as being present in habitats adjacent to the proposal, considering 24 hour operations are proposed for the site the likelihood of impacts to local bat populations should be investigated.

#### *Landscape and Visual Impacts*

The absence of statutory Landscape designations cannot be used to conclude with any certainty that significant impacts of a landscape and visual nature are not going to arise as a result of the proposals. The development of a strategic landscaping belt to help screen views of the site indicates that at one time it was considered that development of the site for employment use would give rise to significant landscape and visual impacts. The location of the site indicates that receptors of impacts would be limited to residents of properties along Waldingfield Road, residents of the individual properties scattered across land on the fringe of Sudbury and users of the public rights of way in the area.

Given a formal proposal is now in place for this site the adequacy of this measure to mitigate the likely landscape and visual impacts of this specific proposal should be assessed to ensure that significant impacts do not remain. Furthermore, it is not clear how long the landscaping belt has been planted and when it is expected to reach maturity. Significant impacts of a temporary nature are therefore likely if the planting has not yet reached maturity. An assessment of impacts should consider the potential seasonality of any impacts, for example, where planting is of deciduous species the potential for significant landscape and visual impacts to occur during the winter period should be assessed. The proposed 24 hour operations on site indicate that as external lighting will be required there is the potential for light pollution to result in significant visual impacts.

Impacts to users of the RUPP and public footpaths in the vicinity of the proposal are also likely, and an assessment should be undertaken to establish the significance of these impacts.

#### *Cultural Heritage Impacts*

The presence of a grade I and a grade II\* listed building in the vicinity of the proposal along with a registered park and garden of special historical importance makes cultural heritage impacts as a result of the proposal possible. These impacts would be most likely to occur in the form of effects on the setting of the buildings and the garden by virtue of the proposals proximity to the buildings and garden and the size and massing of the buildings included within the proposal. The impacts could take the form of visual impacts or noise impacts affecting the tranquillity and setting of the gardens.

#### *Environmental Impacts from Traffic*

Changes in traffic flows on the local road network have the potential to result in significant environmental impacts. The most common of these impacts is generally air quality and noise, although severance and vibration impacts can also occur. Each of these impacts can potentially result in health effects. The highest magnitude environmental impacts arise at times when there is greatest change in traffic flows.

Considering the potential for 24 hour operations of the site, and the nature of the activities to be undertaken, the times of greatest change to traffic flows are unlikely to occur during traditional peak traffic flow times. Instead they will occur at other times during the hours of operation when flows are less intense. IEA Guidelines recommend that where traffic flows are likely to be altered by 30%<sup>1</sup> then significant environmental impacts are likely and further assessment should be undertaken.

Outline planning permission for a community hospital was granted on the adjoining land. Hospitals need to be easily accessible. Increases in traffic flows along Church Field Road and Waldingfield Road would have the potential to result in severance type impacts for people trying to access the hospital site if this proposal is pursued.

The planning application states that approximately 400 cars are anticipated to access the site each day and that the number of LGV, HGV and buses are not known at this time. The noise impact assessment submitted in support of the application<sup>2</sup> identifies that traffic flows along Church Field Road are anticipated to increase from 2390 to 3218 vehicles over 18 hours. This is an increase of approx 35% in total traffic flows. In relation to commercial vehicles<sup>3</sup> an increase from 218 to 326 is proposed over 18 hours. This equates to an approximate 50% increase. The basis of the predictions contained within the noise impact assessment is unknown at this time, and it is noted that predictions only relate to the sites access road. In summary, the figures indicate that further assessment is required to determine whether significant environmental impacts are going to arise as a result of changes to traffic flows on the local road network because of the operation of the proposal.

#### *Air Quality Impacts*

In addition to air quality impacts identified as potentially arising from traffic, impacts can also arise as a result of emissions from activities that take place on the site. The application identifies that printing activities will take place on site. Depending on the scale and nature of the printing operations, the activities may fall under the requirements of the Pollution Prevention and Control (PPC) Regulations 2002<sup>4</sup> by virtue of their emissions to air, in particular the emission of volatile organic compounds (VOC's). No information is provided on the nature and scale of the printing activities that are likely to take place on the site and as such an assessment is required to predict whether significant air quality impacts are likely.

#### *Noise Impacts*

In addition to noise impacts arising from traffic, impacts can also arise as a result of emissions from activities that take place on the site. For this proposal in particular,

<sup>1</sup> The 30% change can relate to total traffic flows or any component of the flow. For example a change in HGV flows of 30% or more is likely to give rise to significant environmental impacts.

<sup>2</sup> Housley, Richard (November 2005) *Noise Impact Assessment of Proposed New Warehousing and Distribution Centre, Prolog, Church Field Road, Sudbury, Suffolk*, Acoustic Design Consultants, p32.

<sup>3</sup> It is not stated whether these are likely to be LGV's or HGV's for the purpose of this screening opinion a worst case scenario is assumed that all are HGV's.

<sup>4</sup> Printing activities fall under schedule B of the PPC Regs, as such they would fall within the regulation of the local authority.

impacts could arise from the printing activities proposed on site or the warehousing and distribution activities, in particular the movement and reversing of delivery vehicles and fork-lift trucks.

Outline approval was granted for a community hospital on the adjoining site. An application was made to extend the time period for the submission of reserved matters but it was not determined before the former provisions of Section 73 of the Town and Country Planning Act were repealed. Notwithstanding this point the principle of a community hospital being constructed on the adjoining land has been accepted and is a material consideration. Hospitals are particularly sensitive to noise impacts and if this proposal proceeds there could be noise impacts for hospital patients.

A noise impact assessment has been submitted in support of the application. This recommends a number of mitigation measures to ensure significant noise impacts are not received by neighbouring properties to the proposal. A five metre high noise bund is to be located between the proposal and the neighbouring hospital site and a four metre high noise bund is to be located between the proposal and Chilton Hall. In addition to these noise bunds a number of other mitigation measures are recommended in the noise impact assessment. Given the need for such mitigation measures it is likely that significant noise impacts will occur as a result of the proposal.

#### *Water Impacts*

The proposal will introduce hard standing to an area which is currently open ground. This will inevitably have impacts on the run off characteristics of the site. To address this issue the proposal includes the development of a balancing pond to attenuate surface water flows. Assuming the balancing pond is of a capacity adequate to attenuate the sites runoff for a period of time sufficient to reduce surface run off flows to their current levels no significant impacts should arise as a result of the proposals.

With the exception of a drain and a small number of ponds located to the north of the site there appears to be limited scope for significant impacts to the surface water environment. No information is provided relating to groundwater resources in the area and an assessment is required to identify whether any impact to this resource is likely.

#### *Socio-Economic Impacts*

A number of positive socio-economic impacts are likely as a result of the proposal. The proposal anticipates the creation of approximately 500 jobs on the site. There will be benefits to the local economy that arise as a result of the proposals. In addition there will be benefits to the local economy that arise as a result of construction, e.g. construction jobs, purchase of materials (if local), indirect benefits associated with spending of new employees e.g. lunch, local shopping, fuel. In the absence of sufficient information an assessment is required in order to determine whether these effects are significant or not.

As the site is currently undeveloped it is not clear if it has any amenity value to the local population. For example if the site is accessible it may be used for recreational activities such as dog walking. If the site is currently used in this manner, impacts to frequent users of the site may arise as a result of the proposal. These impacts are unlikely to be significant.

### *Cumulative Impacts*

Outline planning permission has been granted in the past for a community hospital on a site adjoining the development proposal. In addition there is a large parcel of land to the north west of the site which is allocated in the local plan for mixed use development. In combination the proposals within the area could potentially result in significant environmental impacts.

### **Conclusions**

The District Council is of the view that the proposal would have a significant urbanising impact on the environment by virtue of its size, character, and cumulative effect with other development given that the site is currently undeveloped and lies on the edge of Sudbury.

In the absence of sufficient information to demonstrate that the development can be appropriately mitigated, the proposal would have an impact upon the setting of Grade I and II\* Listed Buildings, a registered park and garden of special historic interest. A strategic landscaping belt has been planted on the site to mitigate potential landscape and visual impacts but the effectiveness of this measure for these specific proposals is uncertain. Published guidance indicates that further assessment of the environmental impacts resulting from changes to traffic flows on the local road network is required and further consideration is required to the potential noise implications arising from the suggested operating hours.

The Environmental Impact Assessment will need to focus on those issues where significant environmental impacts are likely. It is recommended that a formal scoping process be undertaken to ensure that resources are focused on those areas of greatest need. Additional details on the scoping procedure can be found in Circular 2/99: Environmental Impact Assessment.

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