

MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE - 23 December 2014

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**AGENDA ITEM NO** 1  
**APPLICATION NO** 1662/14  
**PROPOSAL** Erection of residential development consisting of 27 No two bed flats (including 4 affordable units), fifty-four allocated car parking spaces and five visitor spaces. Associated refuse and cycle stores(as amended by plans 24/07/14)  
**SITE LOCATION** Land adjoining roundabout, Bury Road, Stowmarket  
**SITE AREA (Ha)** 0.48  
**APPLICANT** Laurence Homes (Eastern) Ltd  
**RECEIVED** May 23, 2014  
**EXPIRY DATE** August 22, 2014

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**REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

- (1) it is a "Major" application for:-
- a residential land allocation for 15 or over dwellings

**PRE-APPLICATION ADVICE**

1. No pre application advice has been given in respect of this application.

**SITE AND SURROUNDINGS**

2. The application site relates to an vacant piece of land covering 0.537 hectares. The site is mainly laid to grass with parts of hard surfacing. The site undulates.

While the vacant site is not located within the Stowmarket settlement boundary, it is adjacent and enclosed by three main roads being Bury Road, the A1308 slip way and to the rear is the A14 flyover with an landscaped embankment. Bury Road and the A1308 join via a roundabout making the site a corner prominent and elevated site. To the south and southwest of the site on the opposite side of Bury Road are post war residential dwellings of two storey terrace and semi-detached. On the north west boundary are allotments fronting Bury Road and leading up to Chilton Way and recently approved Chilton Leys development.

The site is a gateway with growing importance for Stowmarket being part of a popular route through to the A14 and given the recent Chilton leys development, nearby football ground and the recycle centre.

**HISTORY**

## 3. Summary of planning history relevant to the application site is:

2096/10	Reserved matters application (appearance and landscaping) pursuant to outline planning permission 0233/07. Proposed three storey office development for B1 business use. As amended by plans received 9 Nov 2010	Granted 21/01/2011
0233/07	Outline Permission for Three storey office development for B1 business use	Granted 18/07/2007
1471/06	Outline planning application for 24 apartments above ground floor office accommodation.	Refused 02/11/2006
883/04	Construction of class B1 business use building, together with access and car park	Approved 15/09/04
OL/121/02	Construction of class B1 business use building, together with access and car park	Approved 28/10/02

**PROPOSAL**

## 4. The proposal is for 27 consisting of four three storey blocks that in design terms are similar to recent development in Chilton Way being from the same developer. These buildings essentially front the Bury Road and A1308 hiding to the rear the parking areas, associated cycle and refuse stores.

**Block A (6 units, each 2 bed)**

Fronting Bury Road this block is located next to the main entrance and designed to face the road and access drive. It is proposed to be 9.8metres (6.5 metres to eaves). It includes dormers, balconies and central gable feature in render. The majority of the building is buff brick with red brick plinth.

**Block B (6 units, each 2 bed)**

Also fronting Bury Road this double gable rendered building would be 10.4 metres high (7.5 metres to eaves). The development includes balconies.

**Block C (9 units, each 2 bed)**

This significant building is proposed to overlook the Bury Rd roundabout junction. It includes a mix of render and buff brick, with a rendered polygonal

plan tower (11.7 metres high) and rendered plinth ground detail. The main building is 11.3 metres high (7.6 metres to eaves)

Block D (6 units, each 2 bed)

The final block will front the A1308, essentially two buff brick blocks of flats with a rendered recessed staircase and over sailing roof that ties it together. The building is proposed at 11.5 metres (7.6 metres to eaves).

The 27 flats will be served by 54 car parking spaces and a further 6 spaces for visitors. The site would be served by two accesses, the main one being from Bury Road. There is no individual garden or amenity space, but the site includes refuse and cycle stores.

**POLICY**

5. **Planning Policy Guidance**

See Appendix below.

**CONSULTATIONS**

6. **Stowmarket Town Council (Full)**

That no objection be raised to the grant of planning permission, however, the Town Council is disappointed to see that the access/egress on to the A1308 has not been removed.

The Town Council has grave concerns regarding the access/egress on to the A1308 which it regards to be dangerous and ill thought out. The Town Council is disappointed to learn that the Highways Agency has raised no objection to the access/egress.

The Town Council would also wish to see landscaping to be included at the front of the site to improve amenity for all as this is a gateway into the town

**The Environment Agency (Summary)**

No objections, recommends sustainable design options.

**The Highways Agency (Summary)**

Development not considered to have an impact.

**Natural England (Summary)**

Provides advisory guidance

**Suffolk County Council - Highways (Summary)**

Recommends conditions on accesses and visibility (Case officer note: comments on pedestrian access have been addressed)

**MSDC - Community Development Officer (Summary)**

Recommends OSSI contribution of £148,635.00 is sought.

**MSDC - Environmental Health - Noise/Odour/Light/Smoke/Emissions. (Summary)**

I note the content of the Hodgson & Hodgson Group Ltd Noise Assessment Report, dated 21 March 2014, and recommend that the specification detailed in section 5.3 is made a condition if planning permission is granted.

I would also recommend the details of 5.4 are made a requirement through an appropriately worded condition

**Suffolk County Council-Landscape Development Officer (Summary, Conclusion Below)**

The three blocks of flats and parking proposed will have a high visual impact on the appearance of this site leaving little space for landscape and habitat mitigation. The proposed scheme will appear dominant and somewhat urban within this edge of town situation. I am not entirely satisfied that it will be possible to achieve the level planting indicated on the Strategic Landscape Proposals plan given the other constraints which will apply. However the plan sets out a good approach with desirable elements. The perimeter hedge and trees are extremely important and subject to position and species choice could enhance the view of the buildings by offering a green framework. A reduction in the number of units, with a resulting reduction in parking provision would allow for more open space between the building units, refuse buildings, parking areas and the surrounding road. The parking indicated close to the slip road (52 – 54 and visitors) could be removed leaving a planting space as previously indicated under the business use consent. If a planning consent is forthcoming then I advise that the following conditions relating to landscape matters should be included: tree protection, arboricultural method statement (including relationship to new services and drainage), hard and soft landscape detail, boundary details, external lighting and landscape management.

**Fire Service Hq - County Fire Officer**

Recommends fire hydrants are installed, to be conditioned

**SCC - Corporate S106 (Summary)**

Provides a mix of advisory information and requests from the Suffolk County Council. In summary:-

£48,724.00 is sought for education

£18,273 is sought for pre school

£4,860.00 is sought for libraries.

**Anglian Water**

Seeks conditions on surface and foul water drainage and management.

## Suffolk County Council, Archaeological Service

Recommends a programme of Archaeological works. (Case officer note: No requirement was placed on the implemented office block approved on this site in 2007)

### LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.

**None received**

### ASSESSMENT

8. There are a number of considerations which will be addressed as follows.

- Principle of Development and Policy Position
- Highway and Access Issues
- Design and Layout
- Residential Amenity
- Landscaping
- Biodiversity
- Environment and Flood risk
- Consultee and Representatives Comments

#### ● PRINCIPLE OF DEVELOPMENT AND POLICY POSITION

##### Local Plan

Members will be aware that the weight to be attached to the 1998 Local Plan must be considered carefully by reference to the NPPF to ensure consistency. Regard must also be had to the Stowmarket Area Action Plan and relevant policies in that document.

The proposed development lies literally outside the settlement boundary of Stowmarket, accordingly in planning terms it is defined as the countryside. That said the site lies on the town side of the A14 and is physically and unusually well related to the built up area.

##### The Core Strategy and Core Strategy Focused Review (CSFR)

Policy CS5 provides that *"All development will maintain and enhance the environment, including the historic environment, and retain the local distinctiveness of the area"*.

The Core Strategy Focused Review (CSFR) was adopted by Full Council on 20 December 2012 and should be read as a supplement to Mid Suffolk's adopted Core Strategy (2008). This document updates some of the policies of the 2008 Core Strategy. The document does introduce new policy considerations, including Policy FC 1 - Presumption in favour of sustainable development that refers to the National Planning Policy Framework (NPPF) objectives and Policy FC 1.1 - Mid Suffolk approach to delivering Sustainable Development that provides *"development proposals will be required to demonstrate the principles*

*of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to the Mid Suffolk context through the policies and proposals of the Mid Suffolk new style Local Plan. Proposals for development must conserve and enhance the local character of the different parts of the district. They should demonstrate how the proposal addresses the context and key issues of the district and contributes to meeting the objectives and the policies of the Mid Suffolk Core Strategy and other relevant documents."*

#### The Stowmarket Area Action Plan (SAAP)

The Stowmarket Area Action Plan was adopted 21st February 2013. This provides a number of new policies in respect of specific sites as well as overarching policies that apply to relevant housing or commercial development within the defined Action Plan area. This site is within the defined Action Plan area, but is not a site that has a specific designation or policy requirement as a result of this adopted document.

Chilton Leys was one such land designation close to the site, but during the adoption of the development brief for the site land serving Chilton Fields/Stowmarket Rugby Club was withdrawn. This results in a shortfall of around 200 homes identified for Stowmarket's needs in the Area Action plan period and no review is planned for Area Action Plan to designate further sites at this time. The shortage does affect the 5 year housing supply figures across the district as a whole as the 200 (phased part thereof) have currently been removed from its calculation.

Mindful of the NPPF it is relevant to consider the adequacy of housing supply in the District and this site would potentially make a positive contribution to housing land supply in Stowmarket. Officers are continuing to review the interim position with the supply across the District and a verbal update will be given at your meeting.

#### NPPF

The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012. It provides that the NPPF *"does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise"*.

The NPPF also provides (para 187) that *"Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area."*

Section 6 of the NPPF for housing provides that (para 49) Housing applications should be considered in the context of the presumption in favour of sustainable development.

Section 7 of the NPPF refers to design. It provides that good design is a key

aspect of sustainable development; it should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state it is "proper to seek to promote or reinforce local distinctiveness" (para 60) and permission should be "refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions" (para 64).

Other Policy Requirements

To be secured by a planning agreement the following obligations are offered as part of the development:-

- In respect of the Council's Open Space and Social Infrastructure policy, a contribution of £88,276.00 is to be provided prior to the first occupation of the 10th unit. This represents 60% of the sought contribution of £148,635.00.
- The proposal also includes the provision of 4 affordable (social rent) two bed units on site. The policy requirement for this site would be 100% affordable being outside the settlement boundary or up to 35% subject to viability. The proposal represents about 15%.
- The full contribution of £48,724.00 for education provision (not including pre school or libraries) is proposed.

While the obligations offered do not meet all policy expectations, they are considered to represent a good amount of the requirements set out, except for affordable housing. The scheme has been subject to a viability assessment by your officers and the obligation offered are agreed to be the limit of what can be achieved without affecting the viability of the site.

Evaluation

The proposed development is outside the settlement boundary defined in 1998 and it is strictly contrary to 1998 Local Plan policy. However, the principles of NPPF and SAAP and consideration of the harm and burden of the development need to be weighed as well as the benefit of providing for the development of two bed flats within easy access of a very sustainable location.

In this case:-

- The location is acknowledged in terms of being part of Stowmarket's urban corridor, adjacent to the main highway network running the length of the town and within walking distance of extensive parts of the town including all of its jobs, transport, recreation, services and shops. It is physically and visually well related to the built up area.
- Access to all these town features would be via lit and paved footways.

- The location is part of the urban environment of Stowmarket. While there are allotments next to the site, the site is otherwise surrounded by roads including the A14, housing development and recreational developments.

- There are no wider landscape issues, views of the site would be in a urban context only.

The planning history of this site is extensive. Office development was approved on this site as far back as 1994 under planning permission 0088/94/OL and office development is understood to have been commenced. It is of weight that the site has not served as any functional agricultural use in the last twenty years, has been accepted as developable land for urban uses in that time and could be argued to be previously developed land in part.

In summary the site has been accepted as available for redevelopment in economic terms as part of the urban area of Stowmarket. The physical enclosure and integration of the site to the town is quite specific. Often proposals on the edge of settlements will have significant harm to the character of the rural area and landscape, but this would not likely be the case due to the location and surrounding road infrastructure features. The site is in relation to a town, rather than a smaller village, and its impact is not likely to be as significant on the character and sustainability of the town compared to similar development elsewhere in connection with less sustainable centres.

While the proposal is not in accordance with the development plan in terms of the settlement boundary, it is considered very much part of the built up area of the town and accords with the principles for development set out by the NPPF in your officers opinion.

**• HIGHWAY AND ACCESS ISSUES**

The access arrangements are similar to the previous office developments approved on this site and have not been resisted previously. The main entrance would be from Bury Road and the county highways authority have recommended conditions. During the course of the application a pedestrian path link was added to the scheme to resolve concerns of the highways authority and to ensure integration with the town.

**• DESIGN AND LAYOUT**

The proposed layout seeks to use the buildings to hide the parking from view that is significant to ensure adequate provision. The rear area contains various service elements needed for flats such as bin and cycle stores. At the same time the buildings are away from the A14 and seek to act as frontage development in line with other development in the area. The design consists of a range of flat blocks of differing designs and include a range of materials to add interest that are also not uncommon within this area of Stowmarket. The design incorporates a regular change in depths for each block to break up the overall massing and this is also achieved by not consisting of a single block of flats. On balance the design is not considered to result in harm to the character of the area.

**• RESIDENTIAL AMENITY**



Policies within the adopted development plan require, inter alia, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. It is considered that this proposal does not give rise to any concerns of loss of neighbour amenity by reason of form and design and the distance to the nearest neighbours across Bury Road. No objections from third parties to the development have been received for consideration on this basis.

#### ● LANDSCAPING

SCC Landscaping officer has outlined the development as being dominant and urban and this is agreed, but equally this site has been agreed to be a urbanised site and set against a backdrop of significant infrastructure. While reservations and suggestions are outlined by the landscape officer, they have gone on to recommend conditions that form part of the recommendation below.

#### ● BIODIVERSITY

There are no recordings of protected species or their habitats in the immediate area and the site has been found to have low ecological value. It is highly unlikely that any protected species would be found within this site and as such no risk of commission of an offence to protected species and this proposal is not considered to be harmful in terms of biodiversity issues.

#### ● ENVIRONMENT AND FLOOD RISK

The site is not within a flood zone and there are no sufficient environment or flood risk issues raised that would warrant refusal.

#### ● SUMMARY OF REASONS FOR APPROVAL

The development is not in accordance with the development plan, but this is considered to be the only reason to seek refusal of the development. In this very rare instance, the present circumstances of the site in terms of location, relationship with the town, the site's history and provisions of the NPPF are considered on balance to be given more weight. The development would secure housing development for the town and contribute towards economic growth.

### RECOMMENDATION

**That, authority be delegated to the Corporate Manager Development Management to grant planning permission subject to the prior completion of a Section 106 agreement and terms to his satisfaction for:-**

- Contribution to Open Space and Social Infrastructure policy of £88,276.00
- Provision of 4 on site affordable homes
- Contribution of £48,724.00 for education provision

**and that such full Planning Permission be subject to the following conditions:-**

- Standard Time Limit
- Approved Plans
- Conditions on surface and foul water drainage and management. (In accordance

with Anglian Water)

- Landscaping plan to be implemented as submitted
- Landscape management plan
- Tree protection
- Lighting scheme
- Boundary treatment
- Minimal sound mitigation measures are achieved for glazing and vents as detailed on page 11 to 12 of the submitted Noise Assessment (Dated 21/03/2014)
- Rainwater harvesting and sustainable design measures.
- Fire Hydrants
- Archeological Brief
- Highways conditions
- Construction management plan to be agreed.

Philip Isbell  
Corporate Manager - Development Management

John Pateman-Gee  
Senior Planning Officer

## **APPENDIX A - PLANNING POLICIES**

### **1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review**

- Cor1 - CS1 Settlement Hierarchy
- Cor2 - CS2 Development in the Countryside & Countryside Villages
- Cor4 - CS4 Adapting to Climate Change
- CSFR-FC2 - PROVISION AND DISTRIBUTION OF HOUSING
- CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
- CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

### **2. Mid Suffolk Local Plan**

- GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
- H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
- SC4 - PROTECTION OF GROUNDWATER SUPPLIES
- H13 - DESIGN AND LAYOUT OF HOUSING DEVELOPMENT
- T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT
- H16 - PROTECTING EXISTING RESIDENTIAL AMENITY
- E6 - RETENTION OF INDIVIDUAL INDUSTRIAL AND COMMERCIAL SITES
- H2 - HOUSING DEVELOPMENT IN TOWNS

### **3. Planning Policy Statements, Circulars & Other policy**

- NPPF - National Planning Policy Framework

## **APPENDIX B - NEIGHBOUR REPRESENTATIONS**

No letters of representation have been received.