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MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 30 September 2015

AGENDA ITEM NO 2
APPLICATION NO 2028/15
PROPOSAL Demolition of existing single storey light industrial buildings and the proposed construction of 14 No flats and office block (B1 Use) and associated car parking, cycle and bin stores
SITE LOCATION Land Off, Creeting Road West, Stowmarket
SITE AREA (Ha) 0.25
APPLICANT Laurence Homes
RECEIVED June 9, 2015
EXPIRY DATE September 22, 2015

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The Head of Economy considers the application to be of a controversial nature having regard to the location and nature of the application.

PRE-APPLICATION ADVICE

1. The site of this application has formed part of extensive pre-application advice dating back to 2006. Previous pre-application advice has generally been based around encouraging a wider redevelopment of the area including land to the north and east of the site.

Due to land ownership issues only the area as submitted is emerging for redevelopment at this time.

SITE AND SURROUNDINGS

2. The application site is currently an industrial unit part of which is currently occupied by Central Tyre. Existing buildings on the site include single storey commercial/industrial units with concrete hardstanding to the south and rear.

The site is located on the eastern side of the railway line with the railway station (grade II listed building) approx. 30m to the north west of the site.

Railway station parking areas are located to between the application site and railway line and to the south of the site. A footbridge over the railway line is to the immediate north west of the site.

To the east of the site is the Council Depot for Council HGVs including waste collection. To the north of the site is a gym and associated parking. Further industrial and commercial buildings are in the vicinity of the site to the north and south.

Residential properties front onto Creeping Road West, including some examples of modern three storey dwellings. The locality generally experiences a high level of on street parking.

HISTORY

3. The planning history relevant to the application site is:

3287/10	Change of use and alterations to form a health and fitness centre (D2 assembly and leisure).	Granted 20/01/2011
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PROPOSAL

4. The development proposes to provide 14no. new dwellings and B1(a) office space.

It is proposed to construct separate blocks, 2 residential and 1 office, all of which would be three storeys in height. The development includes associated parking and services at the site.

The development would provide 14no. 2 bed flats and 322sqm of B1(a) office space.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. **Stowmarket Parish Clerk**

That no objection be raised to the grant of planning consent subject to the following:

i) That sufficient provision is made for car parking on-site as it is vital that there be no increase on on-road car parking as a consequence of this development; and

ii) That due consideration be given to the landscaping of the site to ensure that the planting be adequate to the scale of the development as outlined in planning policy **GP1** 'landscaping should be regarded as an integral part of design proposals'.

MSDC - Environmental Health - Noise/Odour/Light/Smoke/Emissions

Environmental Health Officers have considered the application and supporting information and are of the opinion that there are two notable noise sources in the vicinity of the site, the railway line and nearby traffic noise on Navigation Approach. It is also noted that the nearby Council Depot creates notable noise and is open from 05:00 hours.

The submitted noise assessment demonstrates that noise levels within the development would be within the upper limits but could be achieved at an acceptable level. However, night time noise would be an issue and mitigation is required including high quality acoustic glazing and windows to remain closed to avoid premature waking and sleep loss.

If social and economic benefits of the proposal outweigh the impacts on residential amenity then Environmental Officers could support the application subject to conditions.

MSDC Economic Development

No objection.

This site is adjacent to the Station Quarter and has been identified as suitable for mixed used re-development. It currently contains a number of local businesses and the Council depot as well as some commercial buildings that have been vacant for a long time. Stowmarket has limited provision for office accommodation within the wider town centre and existing office buildings such as Wharfside House are in high demand. The Economic Development team are currently working with several small multi-media and IT businesses that are based in and around Stowmarket that would like to expand, but are having difficulty in finding suitable offices to expand into.

This proposal is well located within the town as it is adjacent to the Railway Station and its car park and also within walking distance of the town centre.

The proposal for B1(a) office use is compatible with the close proximity of residential development.

The remaining businesses in the Creeping Road area should not be affected by the office use, however the residential accommodation is near to the Council depot, which sometimes operates outside traditional working hours and also needs to have a clear access along Creeping Road for its refuse collection and other large vehicles.

The site is also next to a busy and noisy rail track – I, therefore support the Senior Environmental Health Officers recommendation on the need for noise insulation

MSDC - Strategic Housing

No affordable housing requirement as the proposed number of units is below the threshold as set out in Altered Local Plan Policy H4. No objection subject to condition that the internal space standards – GIFA are provided at 59.8 sqm for

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1 bed 2 person flats and at 70 sqm for 2 bed 4 person flats.

SCC - Corporate S106

Contributions would be required towards SCC Infrastructure summarised as follows:

Primary education - £24,362
Secondary education - £18,355
Libraries - £3,024
Waste - £714
Total - £46,455

MSDC Strong Communities

OSSI contributions would be based on £1835 per person. Based on 3 people using a 2 bedroom flat a total OSSI contribution of £77,070 is required.

MSDC Viability Consultant

MSDC's Viability Consultant has assessed the proposed development and has provided comments that set out that a total of £104,088 can be secured from the residential and office units with the development remaining viable.

Suffolk County Council - Highways

No objections subject to conditions

Suffolk County Council - Archaeological Service

No objections subject to conditions

MSDC - Environmental Health - Land Contamination

No objections subject to conditions

MSDC Community Planning, Heritage & Design

From a heritage perspective the proposal is likely to have a neutral impact upon the setting of Stowmarket Railway Station. In particular it is unlikely to impinge upon the setting and significance of the asset.

From a design perspective the proposed response is rather bland and mundane. There would appear to be an opportunity here to consider something modern and 'of the moment'. The proposed pastiche 'mill style' blocks are not very inspiring and a more imaginative approach could possibly make better use of the site. Better on site landscaping is also required to reduce the dominance of surface level parking.

Historic England

No comment

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.

Objection

- Road infrastructure and local residents will suffer from adverse traffic impact.

ASSESSMENT

8 The application is considered in relation to the following key issues:

- Principle of development
- Design and layout
- Residential amenity/noise
- Highways/Parking
- Financial contributions
- **Principle of development**

The Council acknowledges that it is unable to demonstrate a five-year supply of deliverable housing land, as required by paragraph 47 of the Framework. Accordingly, in accordance with paragraph 49 of the Framework, the proposal should be considered in the context of the presumption in favour of sustainable development. For the purposes of decision taking, that means granting planning permission unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework, taken as a whole.

The proposed development is close to the town centre of Stowmarket and is therefore considered to be a sustainable location, in keeping with the requirements of the NPPF, Core Strategy Focussed Review FC1 and FC1.1.

SAAP Policy 7.6 – Narrow Mixed Use Corridor sets out that development proposals within the mixed use corridor will be permitted if it:

- Takes into account existing town centre uses;
- Is compatible with neighbouring land uses in terms of design layout and operation;
- Will advance pedestrian and cycling facilities within the plan area;
- Will make a positive contribution to the objectives of the Stowmarket Area Action Plan; and
- It is consistent with other policies of the development plan.

As the development proposes a mix of residential and B1(a) office use, it is considered to comply with SAAP Policy 7.6 subject to the proposed development being compatible with the surrounding uses.

Local Plan Policy H17 also requires that where new development would be exposed to excessive noise levels from nearby premises it should be refused. This policy is in line with the principles of NPPF paragraph 17 which seeks to

secure high quality design and a good standard of amenity for future occupants of land and buildings.

It has to be recognised at the outset that the new homes would be located in close proximity to Stowmarket railway station and Navigation Approach passing in an elevated position approx. 40m from the site. The site is moreover surrounded by a mix of industrial and commercial uses, including MSDC Depot with use starting from 0500 hours and with railway related parking likely to include commuters. Any consideration of the application needs to have regard to the foreseeable potential impact on future residential amenity of noise from nearby properties and at the same time it is appropriate to ensure that the proposed residential use does not compromise the ongoing operation of nearby uses and is broadly compatible therewith.

The principle of a mixed use development in a sustainable location within a defined 'mixed use corridor' is supported, subject it being compatible with the surrounding uses. It is this question which a comprehensive redevelopment would more effectively manage rather than a piecemeal approach. Nevertheless the public benefit of housing land supply in a broadly sustainable location must weigh as a material consideration in favour of this application on its own merits subject to the evaluation of compatibility.

- **Design and layout**

NPPF paragraphs 56 - 58 require any new development to be of good quality design. This is reiterated as Core Strategy CS5 which requires new development to protect or enhance the character and appearance of the area and to respect the local distinctiveness of its setting.

The application proposes a total of 3no. three storey blocks with hipped roof including slate roof tiles, facing brickwork with elements of smooth faced render and contrasting brick details. The site is outside of a conservation area but is within the setting of the nearby railway station which is a grade II listed building. The existing site comprises functional commercial buildings which contribute little to visual amenity or positive local distinctiveness in the area of the station. To this extent a redevelopment of the site would, on balance, have a neutral effect on the setting of the station.

The surrounding buildings include a mix of commercial and industrial units. These too contribute little to visual amenity or positive local distinctiveness and are functional reflecting the past evolution of this rail side area. Members will be aware that permission has recently been granted for a mixed residential and hotel redevelopment the Station Quarter on the opposite side of the railway line and a design influence is also taken from Pickerel Court, approx. 100m to the west of the site.

Amended plans have been received that are considered to improve the appearance of the principal elevations of the development. In particular, improvements have been made to the front elevation of the office block which would be the primary view when entering the site.

Based on the amended plans, the design and layout of the site is considered to be acceptable of an acceptable appearance in relation to its surroundings and in

particular the adjacent listed building.

- **Residential amenity / noise**

Any residential development on the site is required to have regard to potential adverse impact on the amenity of occupants from surrounding uses as set out in Local Plan Policy H17 and NPPF paragraph 17. Members will be aware that other redevelopments both within Stowmarket (former Bosch Atco site) and Thurston (former Granary site) have been accepted in close proximity to the railway line and in proximity to neighbouring commercial uses though the potential noise & amenity factors in each case have been site specific.

The applicant has submitted a Noise Assessment that has considered by MSDC Environmental Health Officers. It is noted that the main noise sources are the railway line to the rear of the site and Navigation Approach to the south of the site. It is also noted that the neighbouring site is the Council Depot where work starts at 05:00.

Environmental Health Officers note that *'the individual external noise events will have a significant and adverse impact on the internal noise climate of the residential premises, causing premature waking and sleep loss with standard thermal double glazed windows open or closed'*. With acoustic mitigation and keeping windows closed, internal noise levels can be achieved at an acceptable level.

Based on the information contained within the noise assessment it is technically possible to provide internal space with noise levels within the required standards. However, this is dependent upon windows remaining closed which will to some measure impact upon the enjoyment of occupants of the dwellings. Clearly purchasers of properties in this location will be aware of the relationship of the site with adjacent uses and can be expected to appreciate that this central location will have somewhat compromised amenity characteristics to balance with its convenience.

Taken in the round Officers take a pragmatic view that the scheme will make contribution to the supply of homes in the District which is a matter of public benefit and in a sustainable central location and that on balance the compromised amenity aspects will be foreseeable for future purchasers and not an overriding and unacceptable feature.

- **Economic development**

The proposed development would replace the existing commercial buildings, including an active use at Central Tyres, with a new B1(a) office block. MSDC Economic Development have expressed demand for B1(a) office space in the Stowmarket area and support the provision of office space close to the centre of Stowmarket despite the loss of the existing active unit.

As the proposed development includes 14no. flats, there is potential for the proposed residential use to conflict with existing industrial uses that surround the site, particularly the Council Depot. Conflict could include complaints regarding noise, highway issues or hours of operation. Officers would aim to ensure that any residential use should ensure that it does not lead to unnecessary pressure to restrict the operation of existing industrial uses which could compromise their

ongoing viability.

Based on the submitted noise assessment and comments from SCC Highways it is considered that the potential for conflict with surrounding uses could be limited to an acceptable level through the use of conditions. Although not ideal, there are social and economic benefits which must be carefully balanced in assessing the merits of this case.

- **Highways/Parking**

The proposed development includes 25 no. spaces for residential parking and 12 no. spaces for the proposed office.

Creting Road West is noted as being an area where parking and highway access are a particularly important issue. Suffolk County Council Highways have considered the proposal and are of the opinion that the development provides adequate highway access and parking provision against current standards. There are no objections to the proposed development subject to conditions.

- **Section 106 contributions**

The scheme of 14 dwellings would be subject to requirements to provide contributions towards Suffolk County Council Infrastructure including primary education, secondary education, libraries and waste totalling £46,455.

The proposed development is also subject to contribution towards the provision of open space, sport and recreation facilities at a rate of £1835 per person. Based on an application of the SPD - Open Space and Social Infrastructure contributions would total £77,070.

Following discussions with the applicant it has been agreed to consider the viability of the development and potential for Section 106 contributions on an 'open book' basis. The Council considers that it would be viable to provide contributions up to a maximum of £104,088.

- **Conclusion**

It is acknowledged that the Council currently has an undersupply of housing land. As the site is located close to the centre of Stowmarket and benefits from good access to local services, facilities and access to public transport, it is considered to be in a sustainable location where the presumption is in favour of the development. However, the site is within an area designated as being a mixed use corridor and the proposed residential flats would be surrounded by industrial and commercial uses.

Whilst residential and B1(a) office development in a mixed use area is acceptable in principle, it is important to have regard to the surroundings by not compromising the ongoing feasibility of neighbouring uses sites and not putting future occupants at risk of significant adverse impacts on residential amenity. The NPPF and Local Plan also require that regard is given to quality over the lifetime of the development. In this case, enjoyment of dwellings would be impacted by the proximity of the site to the railway, Navigation Approach and surrounding industrial and commercial uses. This should be carefully considered when determining the application.

The applicant has demonstrated that it is technically possible to provide residential development with internal noise levels at an acceptable level. However, this is reliant on stringent acoustic measures and would rely on windows being closed to limit potential sleep loss. This will have an impact on the enjoyment of the dwellings for the lifetime of the development but is a matter which future occupants will be able to weigh up having regard to the convenience and other benefits from this central location. In this respect the railway side location is comparable to other developments in the District.

The proposed development would replace existing functional commercial buildings and provide new B1(a) office space. This is considered to be a net gain with regards to potential economic development. However, the inclusion of residential development within close proximity to existing industrial and commercial uses has the potential to lead to tension between users in the future unless carefully

Considering the demand for housing in sustainable locations, it is your Officers opinion that the proposed development would provide much needed residential accommodation in a sustainable location. Whilst there would be a degree of impact on residential amenity from surrounding uses, the level of impact can be managed to an acceptable level. The proposed development also provides an employment use in a suitable location, close to the town centre. The site is in an area allocated mixed use and is in close proximity to other residential developments, such as the Station Quarter.

Taking all material considerations into account, it is your officer's opinion that the proposed development would provide residential and employment uses in a sustainable location. It is therefore recommended that planning permission be granted subject to a 106 agreement being completed to secure appropriate contribution towards the provision of local infrastructure.

RECOMMENDATION

That authority be delegated to The Corporate Manager for Development Management to grant planning permission subject to the prior completion of a Section 106 on terms to his satisfaction to secure the following head of terms and that such permission be subject to the conditions as set out below:

- **Contribution towards the provision of Suffolk County Council Infrastructure**
- **Contribution towards the provision of open space and social infrastructure**

Conditions:

1. Development shall be commenced within 3 years of decision
2. The development shall be completed in accordance with approved plans
3. A scheme of hard and soft landscaping shall be agreed prior to commencement
4. The hard and soft landscaping shall be implemented as agreed
5. Materials TBA
6. Details of acoustic insulation shall be submitted and agreed prior to commencement and thereafter implemented as agreed

7. The access shall be laid out in accordance with SCC Highways requirements
8. The access shall include an impervious mat as required by SCC Highways
9. Details of a means to prevent surface water drainage onto the high TBA
10. Any gates shall be set back a minimum of 5m from the highway edge
11. The parking areas shall be completed in accordance with plans and made available prior to occupation
12. A scheme of archaeological investigation TBA
13. The development shall be undertaken in accordance with the agreed scheme of archaeological investigation
14. A scheme of contamination assessment shall be agreed prior to commencement and the development implemented in accordance with agreed details.

Philip Isbell
Corporate Manager - Development Management

Mark Pickrell
Senior Planning Officer

APPENDIX A - PLANNING POLICIES

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

Cor11 - CS11 Supply of Employment Land
CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT
Cor1 - CS1 Settlement Hierarchy
Cor3 - CS3 Reduce Contributions to Climate Change
Cor4 - CS4 Adapting to Climate Change
Cor5 - CS5 Mid Suffolks Environment
Cor6 - CS6 Services and Infrastructure
Cor7 - CS7 Brown Field Target
Cor9 - CS9 Density and Mix
Cor11 - CS11 Supply of Employment Land
CS SAAP - Stowmarket Area Action Plan

2. Mid Suffolk Local Plan

HB13 - PROTECTING ANCIENT MONUMENTS
HB9 - CONTROLLING DEMOLITION IN CONSERVATION AREAS
H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
HB8 - SAFEGUARDING THE CHARACTER OF CONSERVATION AREAS
HB1 - PROTECTION OF HISTORIC BUILDINGS
H4 - PROPORTION OF AFFORDABLE HOUSING IN NEW HOUSING DEVELOPMENT
H14 - A RANGE OF HOUSE TYPES TO MEET DIFFERENT ACCOMMODATION NEEDS
E2 - INDUSTRIAL USES ON ALLOCATED SITES
E5 - COU WITHIN EXISTING INDUSTRIAL/COMMERCIAL AREAS

T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT
H13 - DESIGN AND LAYOUT OF HOUSING DEVELOPMENT
H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
E3 - WAREHOUSING, STORAGE AND DISTRIBUTION, AND HAULAGE DEPOTS
T11 - FACILITIES FOR PEDESTRIANS AND CYCLISTS
H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS
E4 - PROTECTING EXISTING INDUSTRIAL/BUSINESS AREAS

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

C01/03 - Safeguarding aerodromes, technical sites and military explosives
NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letters of representation have been received from a total of 1 interested party.

The following people **objected** to the application