

# Public Document Pack

## **DEVELOPMENT CONTROL COMMITTEE B**

<b>DATE</b>	<b>Wednesday 6 April 2016</b>
<b>PLACE</b>	<b>Council Chamber, Council Offices, High Street, Needham Market</b>
<b>TIME</b>	<b>9.30 a.m.</b>

Please ask for: Val Last  
Direct Line: 01449 724673  
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E-mail: val.last@baberghmidsuffolk.gov.uk

29 March 2016

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and press are not lawfully excluded. Any member of the public who attends the meeting and wishes to be filmed should advise the Committee Clerk.

### **AGENDA**

1. Apologies for absence/substitutions
2. To receive any declarations of pecuniary or non-pecuniary interest by members
3. Declarations of lobbying
4. Declarations of personal site visits
5. Confirmation of the minutes of the meeting held on 16 March 2016

### **Report SA/09/16 (to follow)**

6. To receive notification of petitions in accordance with the Council's Petition Procedure
7. Questions from Members

The Chairman to answer any questions on any matters in relation to which the Council has powers or duties which affect the District and which fall within the terms of reference of the Committee of which due notice has been given in accordance with Council Procedure Rules.

8. Schedule of planning applications

**Report SA/10/16**

**Pages 1 to 84**

**Note:** *The Chairman may change the listed order of items to accommodate visiting Ward Members and members of the public.*

9. Site Inspection

**Note:** *Should a site inspection be required for any of the applications this will be held on Wednesday, 13 April 2016 (exact time to be given). The Committee will reconvene after the site inspection at 12:00 noon in the Council Chamber.*

***Would Members please retain the relevant papers for use at that meeting.***

10. Urgent business – such other business which, by reason of special circumstances to be specified, the Chairman agrees should be considered as a matter of urgency

**(Note:** Any matter to be raised under this item must be notified, in writing, to the Chief Executive or District Monitoring Officer before the commencement of the meeting, who will then take instructions from the Chairman.)

#### **Notes:**

1. The Council has adopted a Charter for Public Speaking at Planning Committees. A link to the full charter is provided below.

<http://www.midsuffolk.gov.uk/assets/UploadsMSDC/Organisation/Democratic-Services/Constitution/Revised-2015/Pages-22-25-Charter-on-Public-Speaking-Planning-Committee-Extract-for-web.pdf>

Those persons wishing to speak on a particular application should arrive in the Council Chamber early and make themselves known to the Officers. They will then be invited by the Chairman to speak when the relevant item is under consideration. This will be done in the following order:

- Parish Clerk or Parish Councillor representing the Council in which the application site is located
- Objectors
- Supporters
- The applicant or professional agent / representative

Public speakers in each capacity will normally be allowed 3 minutes to speak.

2. Ward Members attending meetings of Development Control Committees and Planning Referral Committee may take the opportunity to exercise their speaking rights but are not entitled to vote on any matter which relates to his/her ward.

**Members:**

Councillor Kathie Guthrie – Chairman – Conservative and Independent Group  
Councillor Roy Barker – Vice-Chairman – Conservative and Independent Group

**Conservative and Independent Group**

Councillors: Julie Flatman  
Jessica Fleming  
Glen Horn  
Barry Humphreys MBE  
Dave Muller  
Jane Storey

**Green Group**

Councillor: Keith Welham

**Liberal Democrat Group**

Councillor: Mike Norris

**Substitutes**

Members can select a substitute from any Member of the Council providing they have undertaken the annual planning training

**Ward Members**

Ward Members have the right to speak but not to vote on issues within their Wards

# Mid Suffolk District Council

## Vision

**“We will work to ensure that the economy, environment and communities of Mid Suffolk continue to thrive and achieve their full potential.”**

## Strategic Priorities 2014-2019

### 1. Economy and Environment

***Lead and shape the local economy by promoting and helping to deliver sustainable economic growth which is balanced with respect for wildlife, heritage and the natural and built environment.***

#### Outcomes

- Strong and productive relationships with business, visitors and partners are established.
- Investment is secured and employment opportunities are developed through existing and new business including the delivery of more high value jobs.
- Local skills provision is more aligned to the local economy with our education and training equipping people for work.
- Key strategic sites are developed and an infrastructure is in place that delivers economic advantage to existing and new business.
- The natural and built environment and our heritage and wildlife are balanced with growth.
- Our market towns are accessible and sustainable vibrant local and regional centres.
- Growth achieved in the key sectors of food, drink, agriculture, tourism, advanced manufacturing (engineering), logistics and energy sectors of the local economy.
- Potential from the green economy is maximised, for homes and businesses.
- Our environment is more resilient to climate change and flooding, water loss and emissions are reduced.
- A cleaner, safer and healthier environment is delivered providing a good quality of life for residents and visitors.

### 2. Housing

***Ensure that there are enough good quality, environmentally efficient and cost effective homes with the appropriate tenures and in the right locations.***

#### Outcomes

- That the supply of housing meets the needs and demands of all and supports diverse vibrant communities.
- Appropriate amenities and infrastructure for core villages acting as hubs for their surrounding areas.
- A high standard of housing that is energy efficient, accessible, of good quality, in the right locations and with the right tenures.
- People are able to move more readily and have the choice and ability to access appropriate housing.

### **3. Strong and Healthy Communities**

***Encourage and support individuals and communities to be self sufficient, strong, healthy and safe.***

#### Outcomes

- Vibrant, healthy, sustainable and resilient communities maximising their skills and assets.
- Individuals and communities taking responsibility for their own health, wellbeing, fitness and lifestyles.
- Communities feel safer and there are low levels of crime.
- Communities are better connected and have a strong and productive relationship with Mid Suffolk District Council.

# Suffolk Local Code of Conduct

## 1. Pecuniary Interests

Does the item of Council business relate to or affect any of your/your spouse /partner's pecuniary interests?

Yes

No

No interests to declare

Declare you have a pecuniary interest

Leave the room. Do not participate or vote (Unless you have a dispensation)

Breach = criminal offence

## 2. Non-Pecuniary Interests

Does the item of Council business relate to or affect any of your non-pecuniary interests ?

Yes

No

Declare you have a non-pecuniary interest

Participate fully and vote

Breach = non-compliance with Code

## SA/09/16

### MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **DEVELOPMENT CONTROL COMMITTEE B** held at the Council Offices, Needham Market on 16 March 2016 at 09:30 am

**PRESENT:** Councillor Kathie Guthrie – Chairman – Conservative and Independent Group  
Councillor Roy Barker – Vice-Chairman – Conservative and Independent Group

#### **Conservative and Independent Group**

Councillor: Jessica Fleming  
Nick Gowrley \*  
Glen Horn  
Barry Humphreys  
Dave Muller  
Jane Storey

#### **Green Group**

Councillor: Keith Welham

#### **Liberal Democrat Group**

Councillor: Mike Norris

#### **Denotes substitute \***

**Ward Members:** David Burn  
Elizabeth Gibson-Harries

**In attendance:** Senior Development Management Planning Officer (JPG)  
Planning Officer (GW/SS/SB)  
Senior Legal Executive  
Enabling Officer Heritage  
Tourism Development Officer  
Infrastructure Officer  
Governance Support Officer (VL/KD)

#### **SA62 APOLOGIES FOR ABSENCE/SUBSTITUTIONS**

Councillor Nick Gowrley was substituting for Councillor Julie Flatman.

#### **SA63 DECLARATIONS OF PECUNIARY/NON-PECUNIARY INTEREST**

None declared.

#### **SA64 DECLARATIONS OF LOBBYING**

Councillor Jessica Fleming declared she had been lobbied on Application 4195/15.

## SA65 DECLARATIONS OF PERSONAL SITE VISITS

None declared.

## SA66 QUESTIONS FROM MEMBERS

None received.

## SA67 SCHEDULE OF PLANNING APPLICATIONS

Application Number	Representations from
4195/15	Mike Bootman (Parish Council) Graham Hodson (Supporter) Gina Alliston (Supporter) Sarah Roberts (Agent)
4372/15	Nicolaas Joubert (Objector) Michael Lyndon-Stanford (Objector) Craig Beech (Agent)
4373/15	Michael Lyndon-Stanford (Objector)
4226/15	Paul Burd (Parish Council)

### Item 1

Application	4195/15
Proposal	Erection of 21 dwellings, 3no. new highways accesses, associated parking, turning and on-site open space provision as amended by drawing no's 01L, 22A and 25, received 20 January 2016, re-positioning plot 11 and altering proposed access.
Site Location	<b>PALGRAVE</b> – Land at Lion Road, Lion Road
Applicant	Danny Ward Builders

The Case Officer referred Members to the tabled papers which detailed amended recommendations.

Mike Bootman, speaking on behalf of the Parish Council, recommended refusal for a number of reasons:

- The Planning Officers had not taken into account the growing pressure on Diss infrastructure
- The school was at capacity and had no ability to expand
- The proposed footpath stopped short of any existing footpaths, which would mean that pedestrians would need to cross a main road
- The Core Strategy Focused Review stated consultation would be held with neighbouring Authorities, and this did not happen.

Graham Hodson and Georgina Alliston, supporters of the application, shared the speaking time allowed. Georgina Alliston made Members aware she was employed at the school and advised the school did have capacity to accommodate further admissions. The school also had children from outside the area attending. She also commented that there was the ability to utilise the community centre, once any



potential safeguarding issues had been investigated and resolved. Graham Hodson said he believed the majority of residents were happy with the proposed development.

Sarah Roberts, Agent, began by stating that the Planning Department had been involved in this application from the start and there had been much pre-application consultation and she felt that all matters raised during the application process had been dealt with. The Council did not have a five year land supply, and the site had been accepted as suitable for development in principle and was a sustainable location.

Councillor David Burn, Ward Member, began by stating that it was important that views of the local residents regarding road safety were taken into account. The amenities in Palgrave, were situated on the opposite side of a busy and wide road, which pedestrians would have to cross in order to access them. He advised that there was concern over potential reliance on Diss and its available services, as well as the availability of school places.

Members were generally satisfied with the application as it was felt that the proposed site had good transport links, had been well thought out with regards to site layout, and was in keeping with the village. However Members requested that all dwellings within the proposal were built to Lifetime Home Standards.

The recommendations were proposed with the inclusion of a condition that all dwellings were to be designed to meet Lifetime Homes Standards.

By 9 votes to 0 with 1 abstention

#### **Decision –**

**(1) That the Professional Lead – Growth and Sustainable Planning be authorised to secure a planning obligation under Section 106 of the Town and Country Planning Act 1990 to provide:**

29% Affordable Housing

Provision of open space to be maintained in perpetuity and agreement of Estate Management Plan for the long term maintenance

Contribution of up to £148,635 is sought towards Open Spaces and Social Infrastructure towards repairs, renovations and improvements to the Community Centre and Playing Field facilities

Primary School – (£12,181 x 7 places) £85,635 to be spent on:

- Option A
  - a) Refurbish an area of the Parish Community Centre so that the school could extend the use of this with Y6 pupils teaching them off-site to create more space in the school (it is not possible to extend the school as there is no space on site to allow this)
  - b) Contribute towards a Multi-Use Games Area to provide enhanced outdoor PE facilities

- c) Help fund the provision of a mini bus to make sharing facilities with other schools in the partnership easier
- Option B (In the event Option A is not secured)
  - a) Contribute towards other Primary Schools serving the village

Secondary School – (£18,355 x 3 places) £55,065

Sixth Form – (£19,907 x 1 place) £19,907

Contribution of £4,536 shall be paid toward Eye Library

Contribution of £1,071 is sought for improvement, expansion or new provision of waste disposal facilities

**(2) In the event that the applicant fails to provide an executed Section 106 planning obligation on terms to the satisfaction of the Professional Lead – Growth and Sustainable Planning by 10 April 2016 that the Professional Lead be delegated authority to proceed to determine the application and secure appropriate developer contributions by a combination of Section 106 planning obligation (for on-site contributions and obligations) and the Council’s CIL charging schedule. To prevent duplication of developer contributions this is achieved by:**

- [a] Having regard to those matters which would have been planning obligations under Section 106 and which are details in the Council’s CIL charging regulation 123 infrastructure list, to omit those from the requisite Section 106
- [b] To secure those matters which are not infrastructure items by the requisite Section 106
- [c] To secure those matters which are not infrastructure items by the requisite Section 106
- [d] To secure 1 additional dwelling as to contribute towards affordable housing dwelling to secure 35% Affordable Housing Provision or an equivalent commuted sum

**(3) That, subject to the completion of the Planning Obligation in Resolution (1) or CIL in Resolution (2) above to the satisfaction of the Professional Lead – Growth and Sustainable Planning, the Professional Lead be authorised to grant full planning permission subject to the following conditions:**

1. Time limit
2. Approved plans
3. Details of materials to be agreed
4. Highways condition regarding vehicular access
5. Highways condition regarding estate roads and footpaths
6. Highways condition regarding footways and carriageways
7. Highways condition regarding parking and manoeuvring
8. Highways condition regarding visibility splays

9. Highways condition regarding new footway
10. Surface Water Management details to be agreed
11. Archaeology condition regarding implementation of works and post investigation assessment
12. Details of soft landscaping to be agreed
13. Details of hard landscaping to be agreed
14. Details of external lighting to be agreed
15. Development to accord with arboricultural method statement
16. In accordance with recommendations and enhancements detailed in ecological report
17. That all dwellings shall be designed to meet Lifetime Homes Standards.

**(4) That in the event of the Planning Obligation and/or CIL regulation referred to in Resolution (1) or (2) above not being secured the Professional Lead – Growth and Sustainable Planning be authorised to refuse full planning permission for reason(s) including:**

Inadequate provision of open space and/or infrastructure contrary to policy CS6 or the Core Strategy 2008 without the requisite S106 Obligation or CIL being in place

Item 2

Application        0412/16  
 Proposal            Remove existing rough cast render and replace with Grey Hardie-Plank  
 Site Location      **NEEDHAM MARKET** – 38 Burton Drive IP6 8XD  
 Applicant          Mr M Rawlings

Councillors Wendy Marchant, and Mike Norris, Ward Members, both gave their support to the application.

Members questioned the Officer on the suggested materials to be used and if they would be in keeping with existing dwellings; it was confirmed that they would be.

By a unanimous vote

**Decision** – That Full Planning Permission be granted subject to the following conditions

- Implementation – Standard time condition
- Approved documents

Item 3

Application        4028/15  
 Proposal            Application for Outline Planning Permission for the erection of 15 new dwellings  
 Site Location      **YAXLEY** – Land off Cherry Tree Close IP23 8DH  
 Applicant          Dove Farm Developments Limited

Councillor David Burn, Ward Member, advised the Committee that he believed this development was unsustainable and it was deeply unpopular with residents and he urged Members to refuse the application as per the Officer's recommendations. He

said there were parking concerns raised by residents and there was no longer a Post Office or village shop, only the public house remained.

By a unanimous vote

**Decision** – That authority be delegated to the Corporate Manager – Development Management to refuse the application for the following reasons:

1. The proposal is not considered to form sustainable development within the criteria set out by the NPPF, by reasons of the location of the site in relation to services resulting in reliance on the private motor car, and the risk of harm to biodiversity, contrary to the requirements of paragraph 7 to improve biodiversity, such that the proposal is considered to be contrary to the principles of sustainable development. Furthermore the proposal lacks social and economic benefits to outweigh this. No exceptional circumstances or other material considerations have been demonstrated to outweigh the harm identified in this respect. The proposal is therefore considered to be contrary to the NPPF, Policies CS2 and CS5 of the Mid Suffolk Core strategy (2008), Policies GP1 and CL8 of the Mid Suffolk Local Plan (1998) and policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review (2012)
2. The application as submitted fails to demonstrate that the development would not risk harm to biodiversity by reason of insufficient information with regards to the need for a reptile survey, such that the proposal is contrary to paragraphs 109 and 118 of the NPPF, Policy CS5 of the Mid Suffolk Core Strategy (2008), Policy FC1 of the Core Strategy Focused Review (2012) and Policy CL8 of the adopted Mid Suffolk Local Plan (1998)
3. The application as submitted fails to demonstrate that the proposed development would not increase the risk of flooding off-site through adequate mitigation measures compliant with national or local standards. As such the proposal conflicts with the aims of Paragraph 107 of the NPPF and Paragraph 107 of the associated Practice Guidance, Policy CS4 of the Mid Suffolk Core Strategy (2008) and Policies FC1 and FC1.1 of the Core Strategy Focused Review (2012)
4. The proposal would make inadequate provision/contributions for community and other facilities/services for the occupants of the dwellings. The applicants have not entered into the necessary legal agreement, which is required to ensure the following are provided:
  - The provision of 35% of the dwellings as on-site Affordable Housing
  - Financial contributions toward primary and secondary school places, libraries and waste
  - The adoption of the access to the site and estate road within the site
  - Management Plan to deal with the provision and maintenance of open space

The proposal is therefore contrary to the NPPF, saved Policy CS6 of the Mid Suffolk Core Strategy (2008), Policy FC1.1 of the Coe Strategy Focused review (2012) and saved Altered Policy H4 of the adopted Mid Suffolk Local Plan First Alteration

#### Item 4

Application	4372/15
Proposal	Demolition of 4no. modern agricultural buildings. Partial demolition of cattle shed and elements of Castle Farm Barns. Conversion of barns to 3no. dwellings comprising rebuilding and repair of existing structures, new cartlodge to barn 3, landscaping to provide surfaced access, parking and amenity spaces. Installation of 3no. sewage package treatment plants and air source units to serve new dwellings.
Site Location	<b>WINGFIELD</b> – Castle Farm, Vicarage Road IP21 5RB
Applicant	Warren Hill Farms

The Case Officer advised the Committee of a late representation that would be covered during the presentation. An incorrect date in Recommendation 1 was also highlighted and corrected. It should read 8 April 2016 and not 10 April 2016.

The Enabling Officer – Heritage, advised the Committee that there was a slight discrepancy in the drawings, which marginally affected the positioning of the windows. The Senior Development Management Planning Officer advised the Committee that resolving this could be delegated to Planning Officers.

Nicolaas Joubert and Michael Lyndon-Stanford shared the allowed speaking time, as objectors. They began by advising the Committee of the significance of the setting of the adjacent Wingfield Castle and the impact that this proposal would have. The development would cause a separation between the castle and the barns, and as this was a domestic development would sever the link that currently existed. Members were asked to refer to the consultation response from Historic England. The NPPF required the best method of conservation to be investigated and this would be the repair and retention as agricultural buildings.

Craig Beech, the Agent stated that alternative options for the barns had been considered, however the buildings were not suitable for modern agricultural use as the ceilings were too low and the vehicular access would not be wide enough. He advised that the barns had been on the Building at Risk register since 2009, and this proposal would remove the buildings from this. The scheme was sympathetic and maintained the historic fabric of the barns, where possible original beams would be kept and room splitting would follow existing layout. Comments raised at previous appeal had been taken into account. He answered Members queries regarding the use of fixed shutters in the proposal, and confirmed that the windows at the front of the proposal were large enough to escape through.

Councillor Elizabeth Gibson-Harries, Ward Member, advised that the castle had been restored and sensitively maintained by the current owners who, concerned for the future of the barns and their restoration, had suggested an alternative by offering to purchase and restore them. Due to the rural location of the proposed site and as the lanes and roads leading into the village were extremely narrow, there was concern regarding additional traffic.

Members debated the application and agreed that the proposal would preserve the grade two listed buildings, and it had been sensitively designed. It would also ensure that the buildings were preserved and removed from the Buildings at Risk register.

The recommendations were proposed with delegation to Officers to seek amended plans for windows and with the inclusion of further conditions:

- Addition of owl boxes
- Recycle materials where possible
- No external lighting (removal of PD for such lighting)
- Removal of PD for outbuildings and other structures

By a unanimous vote

#### **Decision –**

**(1) That the Professional Lead – Growth and Sustainable Planning be authorised to secure a Unilateral Undertaking to provide:**

- Contribution of £86,010 towards Affordable Housing
- Open Spaces and Social Infrastructure contribution of £12,189

**(2) In the event that the applicant fails to provide an executed Unilateral Undertaking on terms to the satisfaction of the Professional Lead – Growth and Sustainable Planning by 10th April 2016 that the Professional Lead be delegated authority to proceed to determine the application and secure appropriate developer contributions by a combination of Section 106 planning obligation (for on-site contributions and obligations) and the Council's CIL charging schedule. To prevent duplication of developer contributions this is achieved by:-**

a] having regard to those matters which would have been planning obligations under Section 106 and which are details in the Council's CIL charging regulation 123 infrastructure list, to omit those from the requisite Section 106;

[b] to secure funding for those remaining infrastructure items removed from the Section 106 planning obligations under the CIL charging schedule, and;

[c] to secure those matters which are not infrastructure items by the requisite Section 106.

**(2) That, subject to the completion of the Planning Obligation in Resolution (1) or CIL in Resolution (2) above to the satisfaction of the Professional Lead – Growth and Sustainable Planning and receipt of amended plans for windows, the Professional Lead be authorised to grant full planning permission subject to the following conditions:**

- Time Limit
- Accord with Approved Plans subject to amended plans for windows being received
- Construct visibility splays
- Agree all external materials and finishes
- Submit timber survey and repair schedule to be agreed
- Agree fenestration details
- Agree details of Air Source Heat Pump

- Implementation of landscaping
- PD removal for extensions, roof alterations, roof enlargements, microwave antenna and porches (reason to protect the amenity of future occupiers of the barns)
- Accord with recommendations and enhancements within the ecology surveys including bat and great crested newts
- Notwithstanding details submitted, means of Insulation shall be agreed
- Schedule of repairs to single storey wings
- Owl boxes
- Recycle materials where possible
- No external lighting (removal of PD for such lighting)
- Removal of PD for outbuildings and other structures

**(4) That in the event of the Planning Obligation and/or CIL regulation referred to in Resolution (1) or (2) above not being secured the Professional Lead – Growth and Sustainable Planning be authorised to refuse full planning permission for reason(s) including:**

- **Inadequate provision of open space and/or infrastructure contrary to policy CS6 or the Core Strategy 2008 without the requisite 8106 obligation or CIL being in place**

Item 5

Application	4373/15
Proposal	Demolition of 4no. modern agricultural buildings. Partial demolition of cattle shed and elements of castle farm barns. Conversion of barns to 3no. dwellings comprising rebuilding and repair of existing structures, new cartlodge to barn 3, landscaping to provide surfaced access, parking and amenity spaces. Installation of 3no. sewage package treatment plants and air source units to serve new dwellings at Castle Farm, Vicarage Road, Wingfield, Suffolk.
Site Location	<b>WINGFIELD</b> - Castle Farm, Vicarage Road, Wingfield, IP21 5RB
Applicant	Warren Hill Farms.

Michael Lyndon-Stanford an objector, reiterated his comments from the previous application.

Members debated the item and requested a condition that materials were recycled where possible.

By a unanimous vote

**Decision** – That, the Corporate Manager- Development Management, be delegated to grant Listed Building Consent subject amended plans for windows being received and subject to the following conditions:-

- Time Limit
- Accord with Approved Plans
- Agree all external materials and finishes
- Submit timber survey and repair scheduled to be agreed
- Agree fenestration details

- Implementation of landscaping
- Notwithstanding details submitted, means of Insulation shall be agreed
- Schedule of repairs to single storey wings
- Recycling of materials where possible.

#### Item 6

Application	4226/15
Proposal	Variation of condition 3 of planning permission 2689/15 "Use of land for the stationing of 23 holiday lodges" to permit extended occupation of lodges.
Site Location	<b>WORTHAM</b> – Honeypot Farm, Bury Road, Wortham, IP22 1PW
Applicant	Mr Feeney

Following the Officer presentation issues raised by Members were clarified including:

- How the use for 'holiday purposes' could be policed
- How to define 'principle home address'.

Paul Burd, speaking for the Parish Council said that the Parish Council was trying to prevent the site becoming residential and to maintain it as holiday accommodation only. It was disappointing that following the previous deferral the applicant had been unwilling to enter into discussions to find a more appropriate proposal. The sole aim of the application was to maximise the value of the site. The number of lodges proposed was of too high a density and a valuable wildlife area would be destroyed.

Councillor Diana Kearsley, Ward Member, commenting by email said she endorsed the Parish Council comments. She believed the sale of the lodges with the proposed condition would result in little control over occupancy with a likelihood that they would become permanent homes for 11 months of the year. This would breach the condition and stretch the amenities and infrastructure of the village beyond its limits. The applicant and agent had chosen to ignore the opportunity to discuss a compromise and had not listened to the concerns of residents. She asked the Committee to readdress the contents of the Parish Council response, and the well-constructed reasons made, which had resulted in the previous deferral for negotiation regarding the condition relating to the period of occupancy.

The Tourism Development Officer advised that additional tourist accommodation was supported to encourage people to the area which would boost the local economy. It was felt the original condition did not encourage people to stay for longer periods, particularly out of season. It was possible for records to be maintained and monitored to ensure that a lodge was not a permanent residence.

Although having sympathy with the applicant that the existing condition could impede the sale of the lodges, Members expressed concern that approval could result in them being used as a permanent residence. Members requested the application be deferred for Officers to negotiate with the applicant regarding a modified condition that gave more flexibility while safeguarding occupancy and gave reassurance to the community that the lodges would not be used as a permanent residence.

Member opinion was divided with some considering that the revised condition was appropriate and enforceable. Others felt that it could lead to the lodges becoming permanent homes and not tourist accommodation resulting in an unsustainable



development. Concern was expressed as to whether it would be possible to monitor and enforce occupation if the revised condition was approved.

By 6 votes to 4

**Decision –** Refuse the application for the following reason:

- Variation of the condition would, if approved, fail to safeguard the use of the lodges only for just holiday/tourism purposes which would increase the risk of temporary and permanent residential use, even as a secondary residence, from occurring. Such residential use on this site would be considered to be unsustainable development and such harm would not be outweighed by the economic gains to the area of active tourism and turnover of regular tourists/visitors. On this basis the current condition imposed is considered to accord to Policies H11 and RT19 of the Local Plan and CS2 of the Core Strategy and if varied would otherwise be contrary to said policies and Policies H7 (Housing), Altered H4 (Affordable) of the Local Plan, Core Strategy Policies CS1 and CS6 and NPPF (Paragraphs 17, 19, 55, 70)

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Chairman

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## SA/10/16

### MID SUFFOLK DISTRICT COUNCIL

#### DEVELOPMENT CONTROL COMMITTEE – 6<sup>th</sup> APRIL 2016

#### INDEX TO SCHEDULED ITEMS

<u>ITEM</u>	<u>REF. NO</u>	<u>PROPOSAL &amp; PARISH</u>	<u>MEMBER/WARD</u>	<u>OFFICER</u>	<u>PAGE NO</u>
1	2375/15	<p><b><u>In the Parish of Stowmarket</u></b>                      Outline application with all matters reserved except access for erection of 52 dwellings and commercial use of land (4975 sqm) for B1 (office only), A1 (Pharmacy only) and/or D1 (Doctor's Surgery only).</p>	Cllr B Humphreys Cllr D Muller Cllr G Green	JPG	1 - 56
2	0587/16	<p><b><u>In the Parish of Stowmarket:</u></b>                      Erection of two 3 bed detached houses</p>	Cllr G Brewster Cllr N Gowrley	GW	57 - 84

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MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE - 16 March 2016

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AGENDA ITEM NO 2  
 APPLICATION NO 0587/16  
 PROPOSAL Erection of two 3 bed detached houses  
 SITE LOCATION Heathervale, Combs Lane, Stowmarket IP14 2NL  
 SITE AREA (Ha) 0.1  
 APPLICANT Mr & Mrs P Coll  
 RECEIVED February 5, 2016  
 EXPIRY DATE April 2, 2016

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**REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

The applicant is a member of staff.

**PRE-APPLICATION ADVICE**

1. Pre-application advice was sought in respect of this proposal, initially in 2014.

**SITE AND SURROUNDINGS**

2. The application site is located to the south of Combs Lane, with the northern boundary of the site abutting the lane. The southern and eastern boundaries are enclosed by hedgerows, whilst to the west the site abuts Heathervale, an existing residential dwelling.

The surrounding area is open countryside, with the exception of Heathervale and two additional neighbouring properties to the west.

**HISTORY**

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

0027/01/OL USE OF LAND FOR ERECTION OF ONE Refused 20/07/2001  
 DETACHED DWELLING AND GARAGE.

**PROPOSAL**

4. The proposal is to erect two 3 bedroom dwellings each with a two bay garage, which would be situated to the front of the application site.

**POLICY****5. Planning Policy Guidance**

See Appendix below.

**CONSULTATIONS****6. Stowmarket Parish Council**

No reply received.

**MSDC Arboricultural Officer**

The trees potentially affected by this proposal are of insufficient amenity value to warrant being a constraint.

**Environmental Health, Land Contamination**

The application site appears to be on or adjacent to a former landfill according to the envirocheck report. On the basis of this we would recommend that the attached condition be included with any permission that may be granted for the site.

**Additional Reply:**

I have received correspondence from Landmark who undertake the enviroscreen assessments regarding the location of the landfill that they highlighted in the report. It would seem as they too are uncertain as to the location of the landfill and in many respects cannot validate their original assertion that the landfill is in the vicinity of the site.

In light of this I feel that it would be inadvisable to continue to recommend that conditions in my previous response because neither ourselves, the Environment Agency nor Landmark can say with any certainty where this landfill was located. In light of this I retract my original recommendation.

**Environment Agency**

There are no EA constraints associated with this site.

**SCC Highways**

No objection, subject to condition.

**SCC Archaeology**

No grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. Any permission granted should be the subject of a planning condition to record and advance understanding of the significance of the heritage asset before it is damaged or destroyed.

## 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
- Design and Layout
- Highway and Access
- Residential Amenity
- Landscape
- Biodiversity
- Environment and Flood Risk

### ● PRINCIPLE OF DEVELOPMENT

#### National Planning Policy Framework

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 (paragraph 14) that there is " a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking". This paragraph continues "for decision-taking this means approving proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted".

#### Development Plan

The application site is not within a settlement boundary and is considered to be new residential development in the countryside, and which would be contrary to Core Strategy Policies CS1 and CS2 and Local Plan Policy H7.

However paragraph 49 of the NPPF states that:

*"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."*

Mid Suffolk District Council does not have this housing land supply at this time

and as such the relevant policies set out above are not considered to be up to date and on this occasion are not considered to justify refusal in this respect. Indeed paragraph 14 of the NPPF states in this respect:

*"For decision-taking this means:*

*approving development proposals that accord with the development plan without delay; and*

*where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*

*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted"*

In the light of this the development plan is considered out of date such that the in principle objection on the basis of housing policies does not justify refusal at this time. However, the NPPF nevertheless requires that development be sustainable and that adverse impacts do not outweigh the benefits to be acceptable in principle.

Paragraph 7 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:

*"an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure:*

*a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*

*an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."*

The application site is just under 800m from the shops and services in Combs Ford. The majority of this distance is along a footpath, with street lighting. Approximately 200m of this distance is not on a footpath, however this is a limited distance such that the less favourable conditions for pedestrians would only be experienced for a very short part of the overall journey and which is to a wide range of facilities and services, and which would be extremely sustainable with regards to cycling. The re-development of the land having previously been in use as a plant nursery/garden centre is further a consideration in this regard, the loss of which is considered to weigh in favour in this respect.



Furthermore there are regular bus services operating from Combs providing access to Stowmarket and Ipswich and subsequently further afield. These bus services are sufficiently regular and at times such that these would support sustainable access to services and employment opportunities.

With regards to the other strands of environmental sustainable development, there are various protected species records in the locality, predominantly related to the river, which is to the North of Combs Lane. The site itself having previously been in use for plant nursery/garden centre is previously developed land with little landscaping and bordering an existing residential dwelling, has limited habitat scope and as such the proposal is not considered to risk harm to protected species, whilst enhancement could be secured by way of condition.

Furthermore the proposal includes photovoltaic panels and will use air source heat pumps in accord with the requirements of the NPPF to adapt to climate change and move to a low carbon economy.

The proposal would support services in Combs Ford both in respect of the social and economic roles of sustainable development. The proposal would also provide employment during the construction of the development.

In the light of this overall sustainability within all three roles and no adverse impacts in this regard the proposal is considered sustainable development within the meaning set out in the NPPF.

- **DESIGN AND LAYOUT**

The two proposed dwellings are set back within the site, adjacent to the neighbouring dwelling and create a gradually receding row with the existing dwellings.

The design of the properties themselves is considered to respect the neighbouring property which is in part a bungalow with a two storey side extension whilst also being individual in their own right, and as such are not considered to be unacceptable in this respect.

The siting of the garages to the frontage of the properties is a somewhat prominent location, however given the set back of the dwellings with regards to the neighbouring properties, the screening which can be retained by condition and the rural barn style proposed this is not considered to result in harm to warrant refusal in this respect.

- **HIGHWAY AND ACCESS**

Parking and turning space is provided on the application site for each property whilst Suffolk County Council Highways have confirmed that appropriate visibility splays can be achieved, subject to a condition in this respect.

As such the proposal is not considered to risk harm to highway safety.

- **RESIDENTIAL AMENITY**

The site is situated within predominantly open countryside and screened such that the only property which may be affected by the proposal is Heathervale.

The proposed dwellings would be situated so as to limit any impact on the outlook from that dwelling and further designed so as not to result in overlooking, subject to the en-suite window, landing and secondary window to bedroom 2 to plot 2 being obscurely glazed. Conditions provide sufficient control in that respect and as such the proposal is not considered to cause unacceptable harm to neighbouring residential amenity.

- **LANDSCAPE**

The application site is situated just outside, to the south of, the Special Landscape Area, however as previously developed land adjacent to existing dwellings and being well screened the proposal is not considered to result in unacceptable harm to the landscape to warrant refusal on this basis.

With regards to the trees on the site the arboricultural officer confirms that these are of insufficient amenity value to warrant being a constraint. A scheme for landscaping to ensure appropriate retention and landscaping on the site provides control in this regard.

- **BIODIVERSITY**

Various protected species have been identified in the vicinity of the application site, however these are primarily related to the Rattlesden River and floodplain. The site itself being previously developed and adjacent to an existing residential dwelling without any significant landscaping is such that the proposal is not considered to risk harm in this respect and enhancements can be secured by means of condition.

- **ENVIRONMENT AND FLOOD RISK**

The site is outside flood zones and the proposal is in part on previously developed land. As such the proposal is not considered to result in harm to warrant refusal in this respect.

- **CONCLUSION**

The application site is situated within the countryside, however would fall to be considered as sustainable development within the definition set out in the NPPF. Furthermore the proposal is not considered to risk significant harm to the landscape, residential amenity, highway safety or biodiversity. The development is considered to be in accordance with the relevant Local Plan, Core Strategy and Core Strategy Focused Review policies and the objectives of the NPPF.

## **RECOMMENDATION**

**That the Professional Lead - Growth and Sustainable Planning be authorised to grant planning permission subject to the following conditions:**

- Standard time limit
- Approved plans
- Provision visibility splay

- Provision parking and turning area prior to first occupation
- Archaeological investigation and assessment
- Implementation and retention of photovoltaic cells and air source heat pumps
- Landscaping scheme and implementation
- Obscure glaze en-suite window, landing window and secondary window to bedroom 2 on Plot 2
- Biodiversity measures
- Materials to be agreed

Philip Isbell  
Corporate Manager - Development Management

Gemma Walker  
Senior Planning Officer

## **APPENDIX A - PLANNING POLICIES**

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

**CSFR-FC1.1** - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

**CSFR-FC1** - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

**Cor1** - CS1 Settlement Hierarchy

**Cor2** - CS2 Development in the Countryside & Countryside Villages

**Cor5** - CS5 Mid Suffolks Environment

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

**GP1** - DESIGN AND LAYOUT OF DEVELOPMENT

**H13** - DESIGN AND LAYOUT OF HOUSING DEVELOPMENT

**H16** - PROTECTING EXISTING RESIDENTIAL AMENITY

**HB1** - PROTECTION OF HISTORIC BUILDINGS

**SB2** - DEVELOPMENT APPROPRIATE TO ITS SETTING

**CL8** - PROTECTING WILDLIFE HABITATS

**T10** - HIGHWAY CONSIDERATIONS IN DEVELOPMENT

**H7** - RESTRICTING HOUSING DEVELOPMENT

**CL11** - RETAINING HIGH QUALITY AGRICULTURAL LAND

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

**NPPF** - National Planning Policy Framework

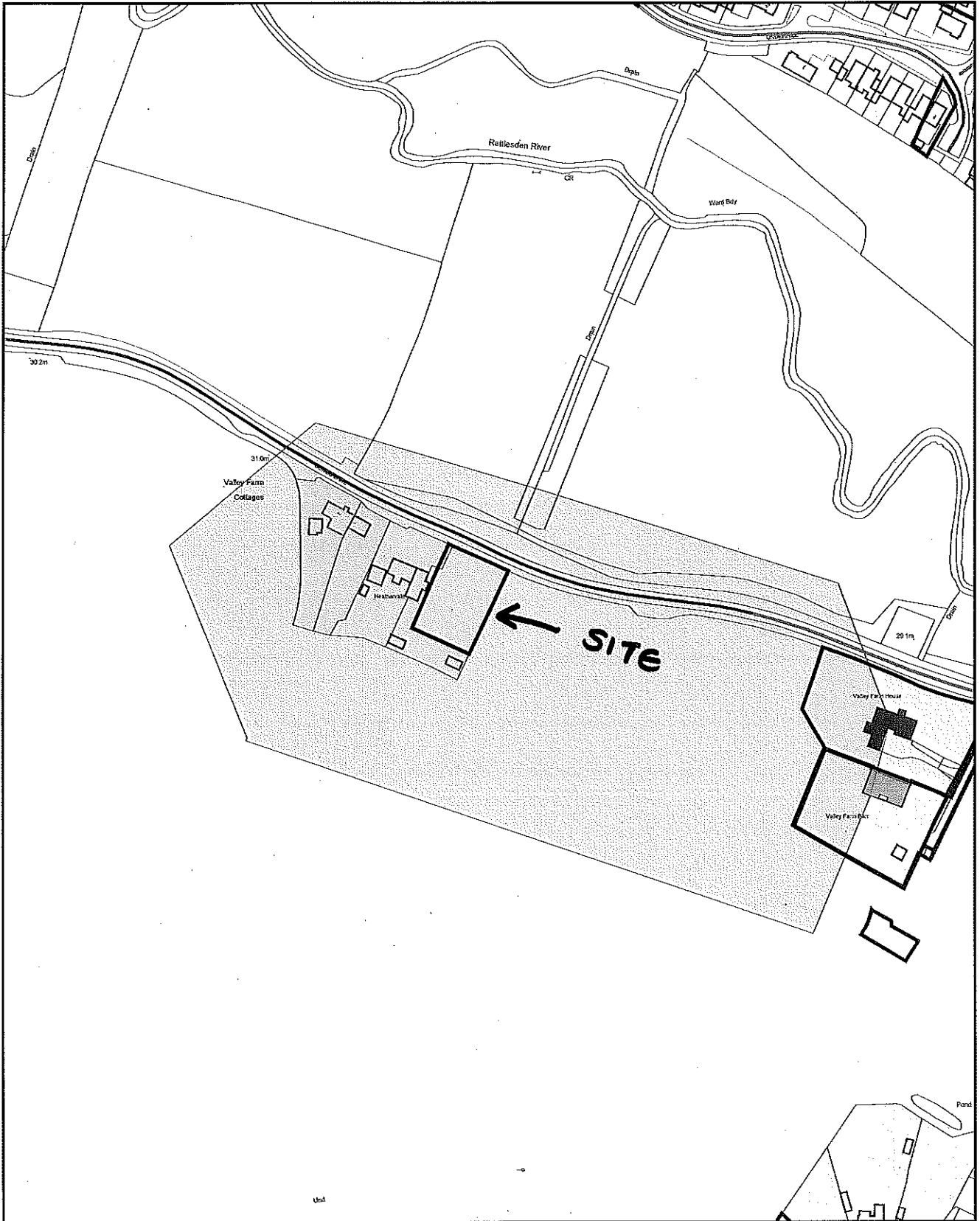
## **APPENDIX B - NEIGHBOUR REPRESENTATIONS**

Letter(s) of representation(s) have been received from a total of **0** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

The following people **commented** on the application:



**Title:** Neighbs Cons LBs

**Reference:** 0587/16

**Site:** Heathervale  
Combs Lane Stowmarket IP14 2NL



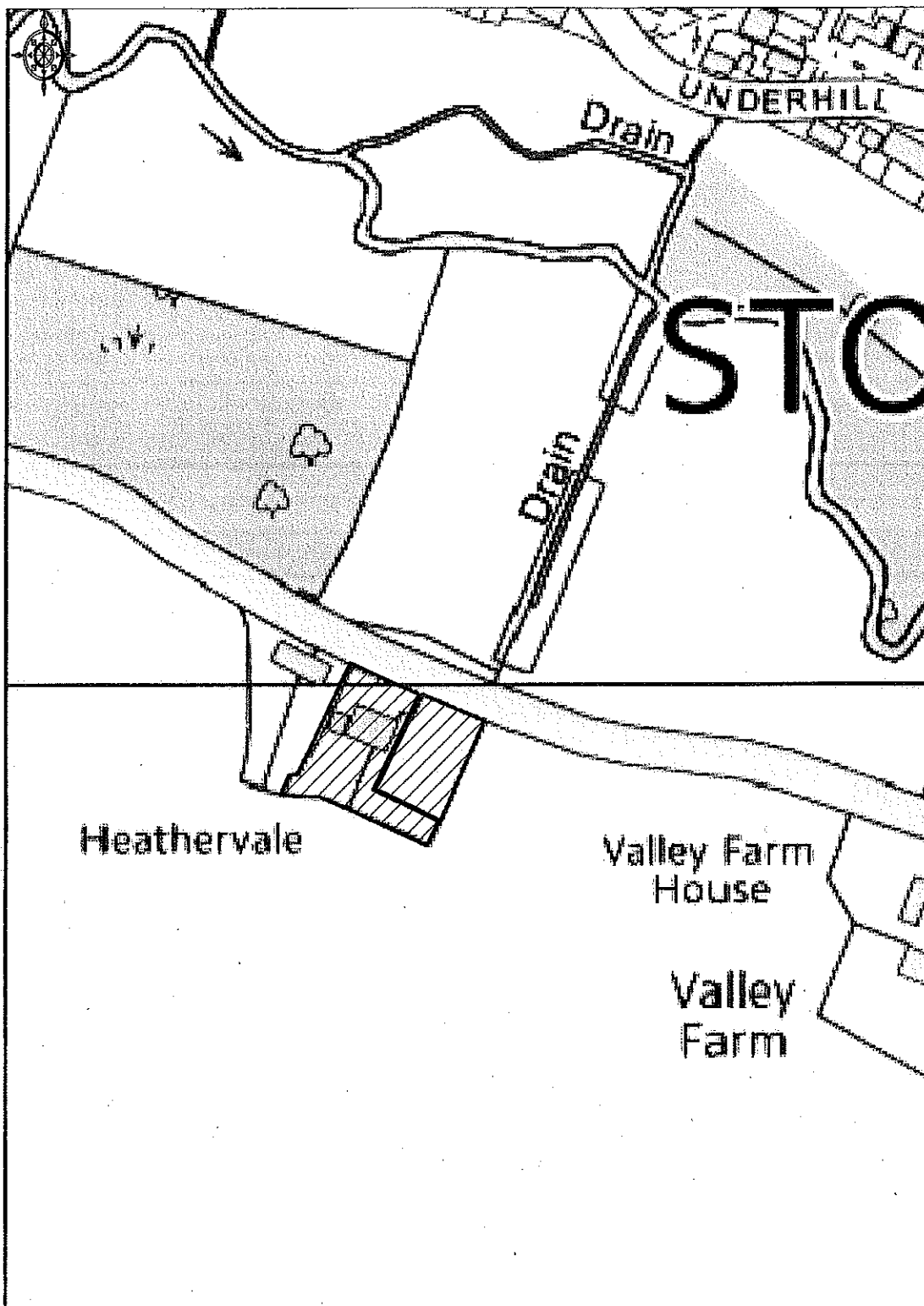
**MID SUFFOLK DISTRICT COUNCIL**  
 131, High Street, Needham Market, IP6 8DL.  
 Telephone : 01449 724500  
 email: customerservice@csduk.gov.uk  
 www.midsuffolk.gov.uk



SCALE 1:2500

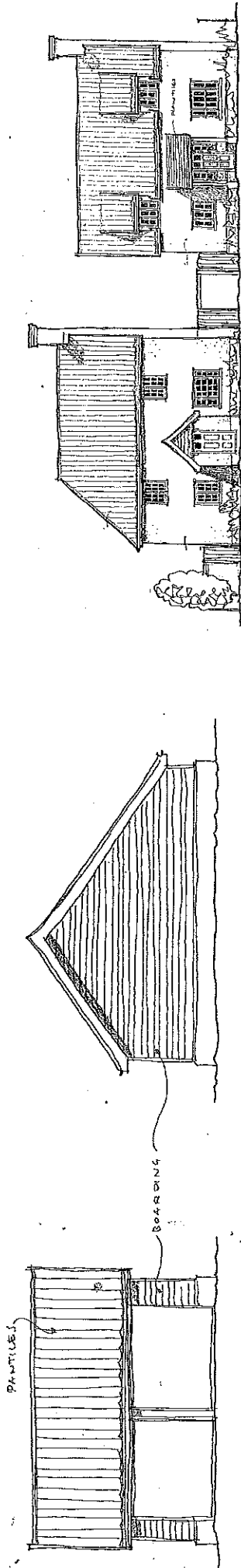
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 Ordnance Survey Licence number 100017810

Land Adjacent to Heathervale, Combs Lane, Stowmarket



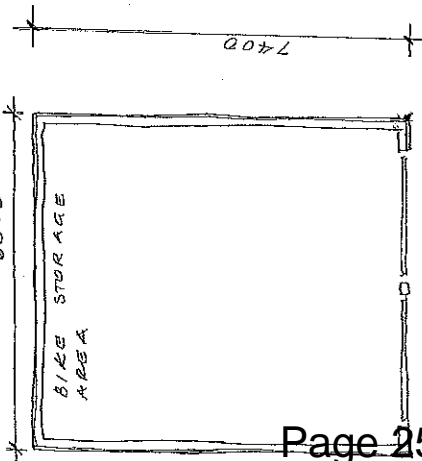
Ordnance Survey © Crown Copyright 2016. All rights reserved.  
License number 100027432, Floral Scale - 1:2500

Site Location Plan 14.648/001  
Prepared by Boyer (February 2016)

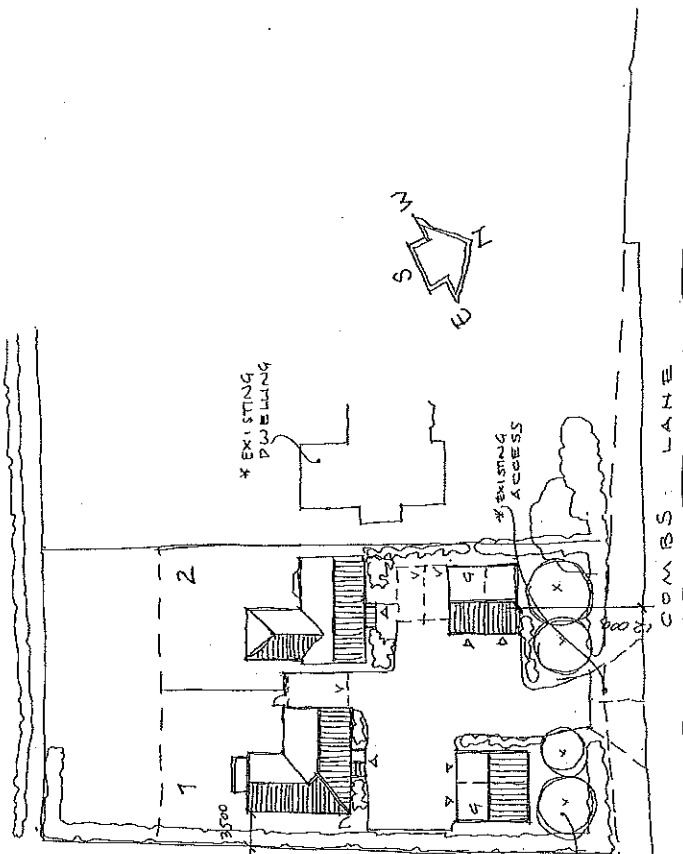


STREET ELEVATION ~ 1:200

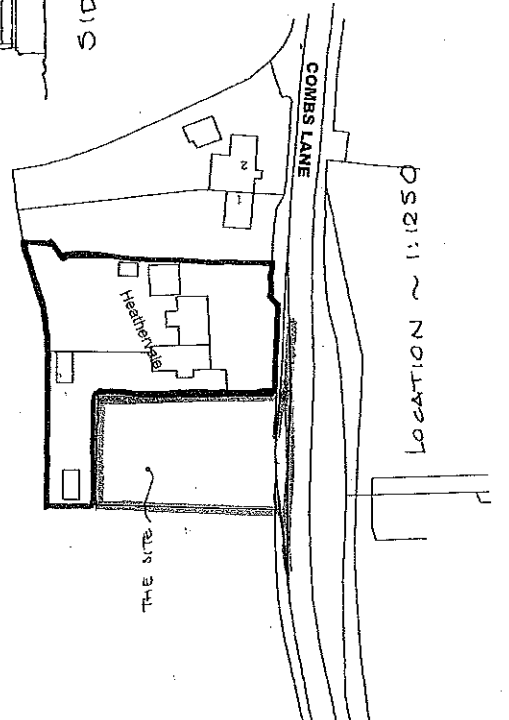
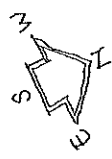
FRONT ELEVATION ~



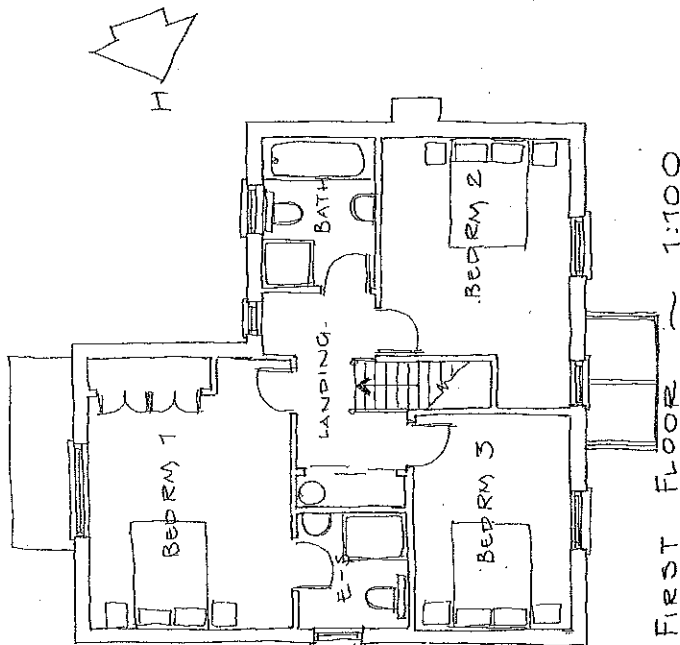
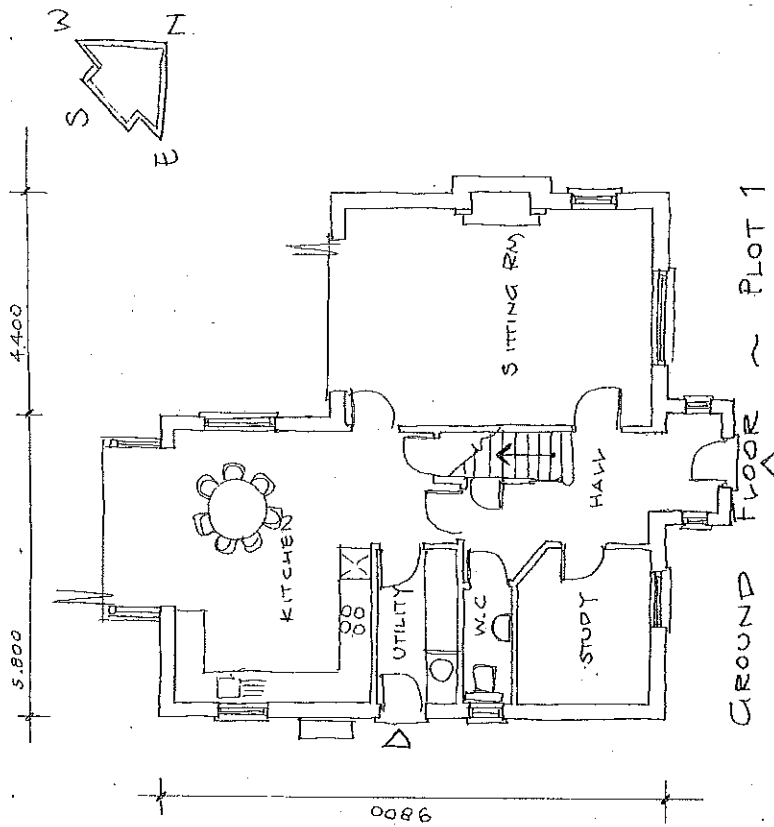
CARAGING PLAN ~ PLOTS 1 & 2



SITE LAYOUT ~ 1:500



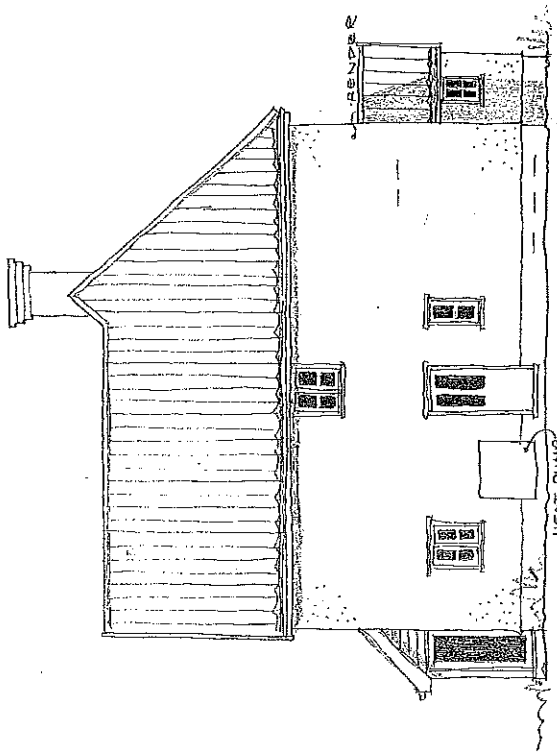
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Drawing:	DETAILED PLANNING	Contract:	4109
		Drwg No.:	01 A
BROWN & SCARLETT ARCHITECTS		1 Old Hall Barns, Thurston Road Pakenham, IP31 2NG	
		Tel: 01284 768800	
		info@brownandscarlett.co.uk	



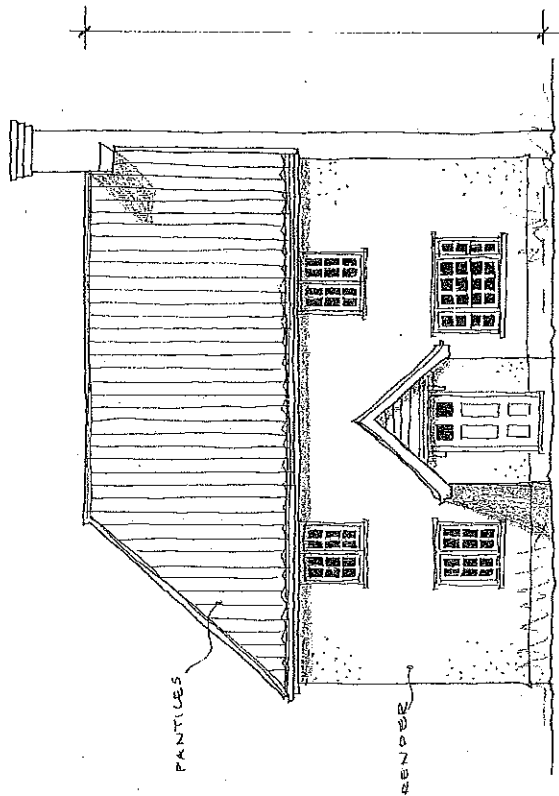
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Drawing:	DETAILED PLANNING	Contract:	4109
		Drg No.:	02

**BROWN & SCARLETT**  
**ARCHITECTS**  
 1 Old Hall Barns, Thurston Road  
 Pakenham, IP31 2NG  
 Tel: 01284 768800  
 info@brownandscarlett.co.uk

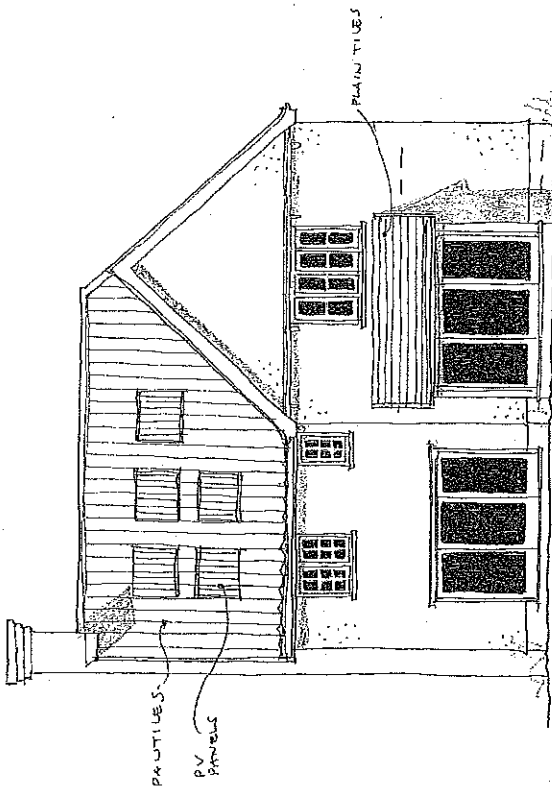




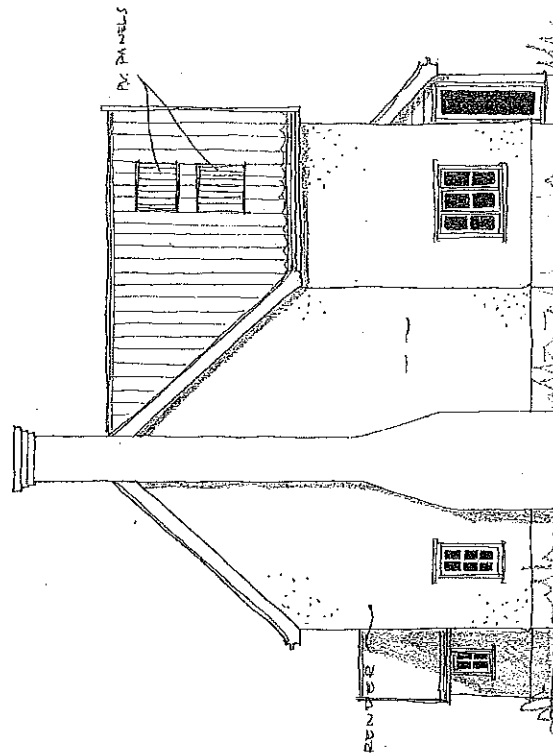
EAST ELEVATION - 1:100



NORTH ELEVATION (FRONT) - PLOT 1



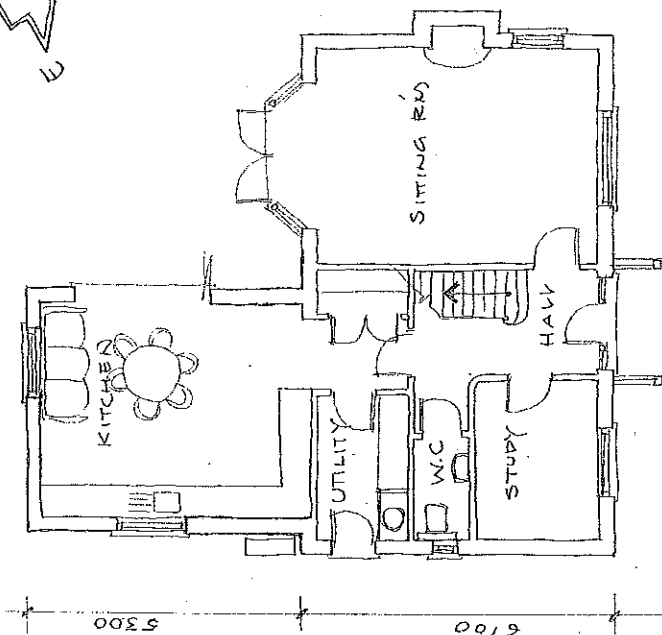
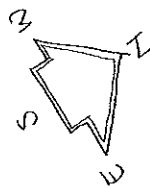
SOUTH ELEVATION



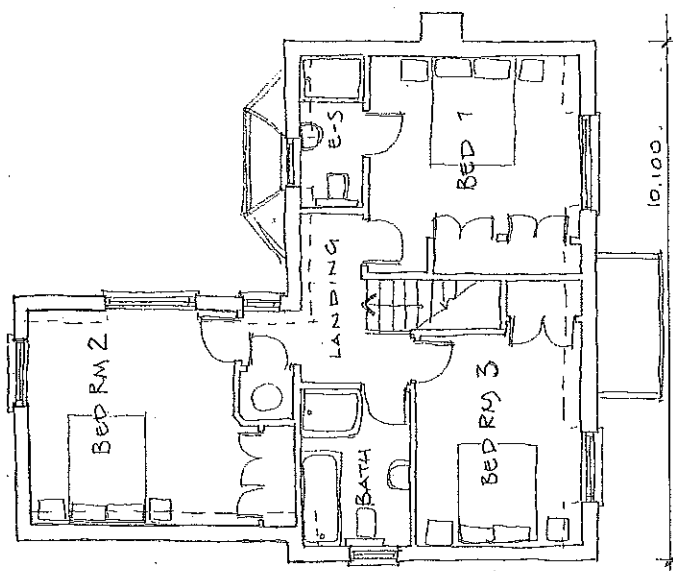
WEST ELEVATION

Client	MR & MRS COLL	Scale	1:100
Project	PROPOSED 2 NEW DWELLINGS LAND ADJ. BEATHERVEALE, COMBS LANE, STOWMARKET, IP14 2NL	Date	JAN 2016
Drawing	DETAILED PLANNING	Contract	4109
		Drg No.	03

**BROWN & SCARLETT ARCHITECTS**  
 1 Old Hall Barris, Thurston Road  
 Pakenham, IP31 2NG  
 Tel: 01284 768800  
 info@brownandscarlett.co.uk

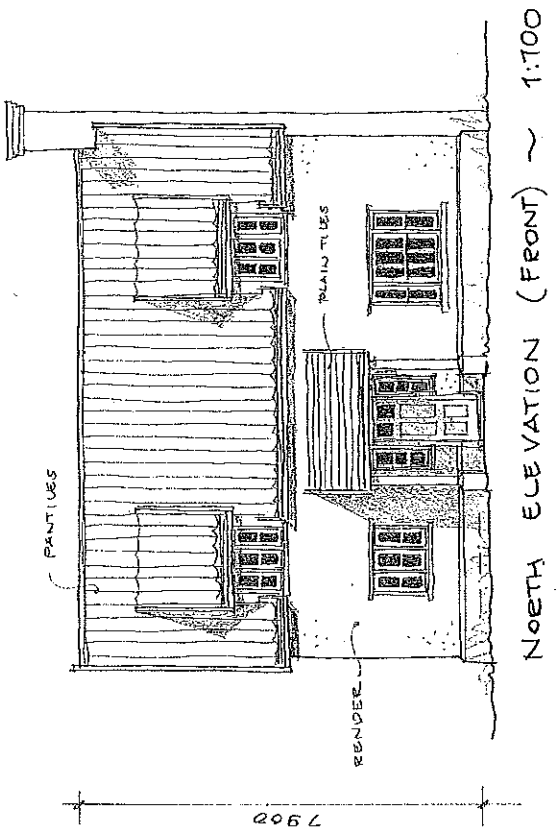


GROUND FLOOR ~ PLOT 2

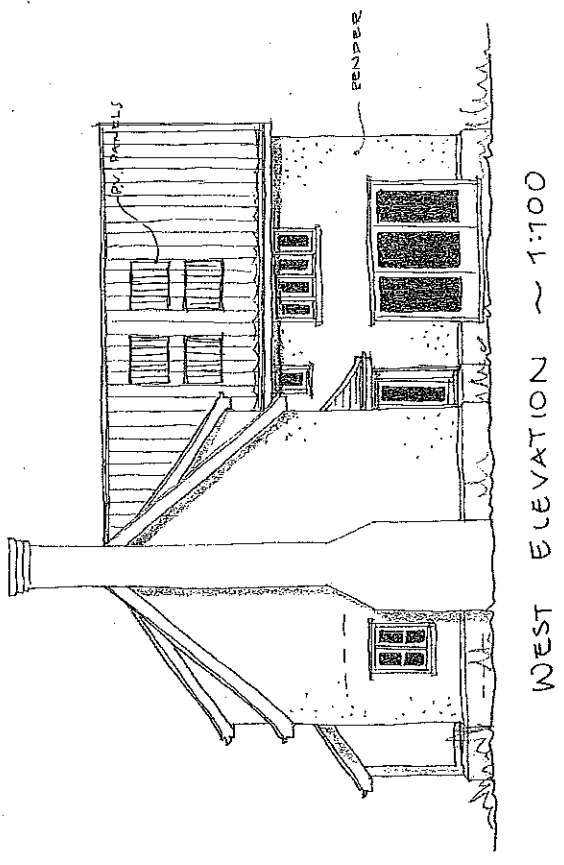


FIRST FLOOR ~ 1:100

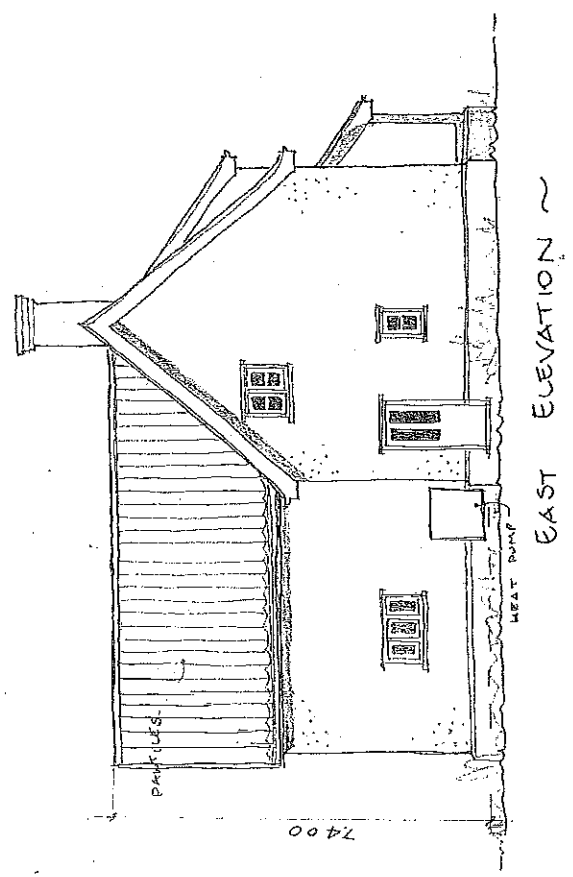
Client: MR & MRS COLL	Scale: 1:100	<b>BROWN &amp; SCARLETT ARCHITECTS</b>
Project: PROPOSED 2 NEW DWELLINGS LAND ADM. LEATHERVALE, COMBS LANE, STOWMARKET, IP14 2NL	Date: JAN 2016	1 Old Hall Barns, Thurston Road Pakenham, IP21 2NG
Drawing: DETAILED PLANNING	Contract: 4109 Drg No. 04 A	Tel: 01284 768800 info@brownandscarlett.co.uk



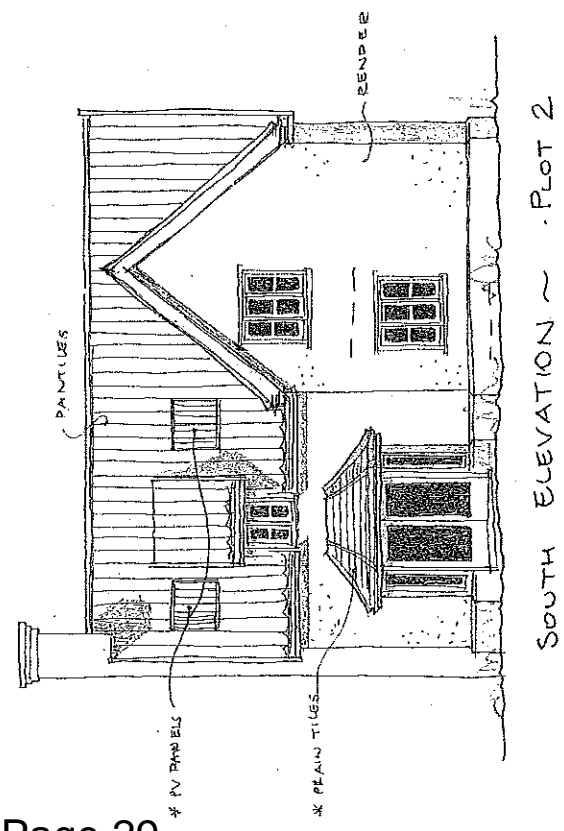
NORTH ELEVATION (FRONT) ~ 1:100



WEST ELEVATION ~ 1:100



EAST ELEVATION ~



SOUTH ELEVATION ~ PLOT 2

Client: MR & MRS COLL	Scale: 1:100	<b>BROWN &amp; SCARLETT ARCHITECTS</b>	
Project: PROPOSED 2 NEW DWELLINGS LAND ADJ. HEATHERVALE, COMBS LANE, STOWMARKET, IP14 2NL	Date: JAN 2016	1 Old Hall Barns, Thurston Road Pakenham, IP31 2NG	
Drawing: DETAILED PLANNING	Contract: 4109	Tel: 01284 768800	
	Dwg. No. 05	info@brownandscarlett.co.uk	

**Alex Peck**

---

**From:** David Pizzey  
**Sent:** 01 March 2016 11:07  
**To:** Gemma Walker  
**Cc:** Planning Admin  
**Subject:** 0587/16 Heathervale, Stowmarket.

**Categories:** Red Category

Gemma

The trees potentially affected by this proposal are of insufficient amenity value to warrant being a constraint.

David

**David Pizzey**  
Arboricultural Officer  
Hadleigh office: 01473 826662  
Needham Market office: 01449 724555  
[david.pizzey@babberghmidsuffolk.gov.uk](mailto:david.pizzey@babberghmidsuffolk.gov.uk)  
[www.babergh.gov.uk](http://www.babergh.gov.uk) and [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)  
Babergh and Mid Suffolk District Councils - Working Together

---

**From:** [planningadmin@midsuffolk.gov.uk](mailto:planningadmin@midsuffolk.gov.uk) [mailto:[planningadmin@midsuffolk.gov.uk](mailto:planningadmin@midsuffolk.gov.uk)]  
**Sent:** 29 February 2016 14:41  
**To:** David Pizzey  
**Subject:** Consultation on Planning Application 0587/16

Correspondence from MSDC Planning Services.

Location: Heathervale, Combs Lane, Stowmarket IP14 2NL

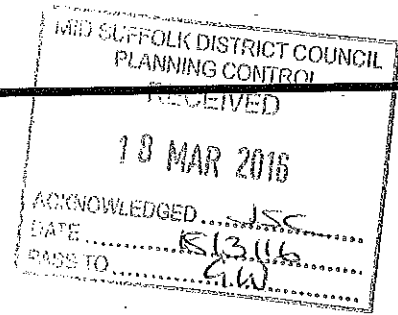
Proposal: Erection of two 3-bed detached houses

<b>Planning Control Received</b>	
<b>01 MAR 2016</b>	
Acknowledged .....	AP
Date .....	2/3/16
Pass To .....	an

We have received an application on which we would like you to comment. A consultation letter is attached. To view details of the planning application online please click [here](#)

We request your comments regarding this application and these should reach us within 21 days. Please make these online when viewing the application.

Jane Cole



From: Nathan Pittam  
 Sent: 18 March 2016 09:42  
 To: Planning Admin  
 Subject: 0587/16/FUL. EH - Land Contamination.

M3 : 175641

0587/16/FUL. EH - Land Contamination.

Heathervale, Combs Lane, STOWMARKET, Suffolk, IP14 2NL.

Erection of two 3 bed detached houses.

Further to my previous correspondence relating to the above application I have received correspondence from Landmark who undertake the enviroscreen assessments regarding the location of the landfill that they highlighted in their report. It would seem as though they too are uncertain as to the location of the landfill and in many respects cannot validate their original assertion that the landfill was in the vicinity of the development site. In light of this I feel that it would be inadvisable to continue to recommend the condition in my previous email because neither ourselves, the Environment Agency nor Landmark can say with any degree of certainty where this landfill was located. In light of this I retract my original recommendation

Regards

Nathan

On 8 Mar 2016, at 16:00, Charles Krolik-Root <[Charles.Krolik-Root@landmark.co.uk](mailto:Charles.Krolik-Root@landmark.co.uk)> wrote:

Good afternoon Karen,

I have just received some information back from our Data Team.

The particular landfill dataset that is used in these reports which triggered the alert at your property was created during the 1990s by a company called Sitefile who worked alongside Landmark Information Group. Different forms of data were collated from a number of Local Authorities. Some of these provided maps with the landfills clearly marked and some provided 1km square grids which were indicative of the general area within which the landfill operated.

All of this information is held at our Exeter office in paper format so that we are able to refer back to it in cases such as this. This particular dataset was created at a time when the Environment Agency were taking over a lot of the landfill registers so the Local Authority departments which managed the data were closed down. For this reason we sometimes hold records that neither the Local Authority or the Environment Agency hold – we were given the only copy.

One of my colleagues has found the paper file and in the case of this feature, the locational information we were provided with was a 1km sq grid reference. This means that when the database was created, a 250m radius circle will have been 'dropped' on the general area where the landfill was thought to be.

I have carried out a historical map review of the area around your property and have not been able to find any areas of worked ground or areas marked as refuse tips in the vicinity of your property.

According to our data the landfill is just recorded as "Landfill At Stowmarket" and the grid reference we were provided was 604000, 258000. There are no records of what waste was accepted. We only hold the license key which is '39DAGSAL' and the License Number which is 907/01/13/06. It might

be worth checking to see whether this license key relates to any of the Local Authority's records and whether they have a more accurate placement for the landfill.

Given the uncertainty in the actual location of this landfill and that it is sometimes the case that we hold the only remaining paper copy of the record it seems sensible that some further investigation is required as to the actual location of this landfill and whether our entry relates to a landfill that the Local Authority do have the records for.

Please feel free to pass this information onto the Local Authority or Environment Agency as we would like to see this issue resolved since as you say, the concern not only lies with the planning application but also with your family home.

I'm sorry I cannot be of more help at this stage. If you do choose to pass this information on to the Local Authority and find that you have more questions for us then please do get in touch, or if you have any specific questions about the risks associated with historical landfill sites then do also get in touch either by email or by calling our office where I'm sure someone will be happy to help.

Kind regards,

Charles Krolik-Root BSc (Hons) MSc AIEMA  
Assistant Consultant

Argyll Environmental (Part of Landmark Information Group Ltd)

E: [charles.krolik-root@landmark.co.uk](mailto:charles.krolik-root@landmark.co.uk)  
T: +44 (0) 845 458 5250  
A: 1st Floor, 98 – 99 Queens Road, Brighton, BN1 3XF

-----Original Message-----

From:  
Sent: 05 March 2016 07:28  
To: Argyll Orders <[orders@argyllenviro.com](mailto:orders@argyllenviro.com)>  
Subject: Enviroscreen certificate no. 14.648\_EPO2, dated 21 July 2015

Dear Enviroscreen,

Our planning advisors commissioned the above report from you on, our behalf, to support a planning application at Heathervale, Stowmarket. The application has now been submitted to the local authority and the Environmental Protection team at Mid Suffolk District Council have responded to the consultation.

I have since spoken to them because their response to the planning department refers to your report, and based upon your findings they are suggesting a condition be added to any granted planning permission. They themselves however can find no evidence of any land contamination, potential gases or identification of a landfill site in any of their records. They have also been in contact with the Environment Agency who likewise can find no information to support your comments. They are however obliged to make reference to your report as you have raised some potential concerns.

If planning permission is granted we will, of course, commission an investigation into this, as per the condition that will be imposed.

My concern however, regardless of the planning application is that we live in a property on the site. Your certificate mentions the need to attach this to our deeds (in which there is not currently any record of these possible issues), it discusses possible impact on property value, and more importantly I am concerned that we might be living with our family on a site where you mention potential gases etc.

The Environmental Protection Team have recommended that I contact you to request information on the data sources that you have used to compile the report, as I mentioned earlier we can find no other records to support this, and they find this somewhat unusual. This is really important to us, and not just because of the planning application, but because this is our home.

My request therefore is to ask if you would be kind enough to point me in the direction of these data sources so that we can understand where this has come from, what the impact might be and consider what next steps we need to take.

I look forward to hearing from you.

Regards,

Sent from my iPad

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**Alex Peck**

---

**From:** Nathan Pittam  
**Sent:** 02 March 2016 09:01  
**To:** Planning Admin  
**Subject:** 0587/16/FUL. EH - Land Contamination  
**Attachments:** 058716FUL.doc

**Categories:** Red Category

**M3 : 175641**  
**0587/16/FUL. EH - Land Contamination.**  
**Heathervale, Combs Lane, STOWMARKET, Suffolk, IP14 2NL.**  
**Erection of two 3 bed detached houses.**

Many thanks for your request for comments in relation to the above application. I have reviewed the application and note that the development site appears to be on or adjacent of a former landfill according to the submitted envirocheck style report. On the basis of this we would recommend that the attached condition be included with any permission that may be granted for the site.

Regards

Nathan

Nathan Pittam BSc. (Hons.) PhD  
 Senior Environmental Management Officer  
 Babergh and Mid Suffolk District Councils – Working Together  
 t: 01449 724715 or 01473 826637  
 w: [www.babergh.gov.uk](http://www.babergh.gov.uk) [www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)

Planning Control  
 Received

02 MAR 2016

Acknowledged .....  
 Date ..... 2/3/16  
 Pass To ..... CW



**BABERGH/MID SUFFOLK DISTRICT COUNCIL**

**MEMORANDUM**

TO: Chief Planning Control Officer For the attention of: Planning

FROM: Nathan Pittam, Environmental Protection Team DATE: 2.3.16

YOUR REF: 0587/16/FUL. EH - Land Contamination. of two 3 bed detached houses.

SUBJECT: Erection of two 3 bed detached houses.  
Address: Heathervale, Combs Lane, STOWMARKET, Suffolk, IP14 2NL.

**Please find below my comments regarding contaminated land matters only.**

The Environmental Protection Team has no objection to the proposed development, but would recommend that the following Planning Condition be attached to any planning permission:

Proposed Condition: Standard Contaminated Land Condition (CL01)

*No development shall take place until:*

1. *A strategy for investigating any contamination present on site (including ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.*
2. *Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.*
3. *A written report shall be submitted detailing the findings of the investigation referred to in (2) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate) for approval by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme as required.*
4. *Any remediation work shall be carried out in accordance with the approved Remediation Scheme.*
5. *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.*

*Reason: To identify the extent and mitigate risk to the public, the wider environment and buildings arising from land contamination.*

**It is important that the following advisory comments are included in any notes accompanying the Decision Notice:**

*"There is a suspicion that the site may be contaminated or affected by ground gases. You should be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.*

Planning Control Received	
<b>02 MAR 2016</b>	
Acknowledged .....	
Date .....	
Pass To .....	ES/CL/DC - 010/v2 <i>aw</i>

**78.**

*Unless agreed with the Local Planning Authority, you must not carry out any development work (including demolition or site preparation) until the requirements of the condition have been met, or without the prior approval of the Local Planning Authority.*

*The developer shall ensure that any reports relating to site investigations and subsequent remediation strategies shall be forwarded for comment to the following bodies:*

- *Local Planning Authority*
- *Environmental Services*
- *Building Inspector*
- *Environment Agency*

*Any site investigations and remediation strategies in respect of site contamination (including ground gases, where appropriate) shall be carried out in accordance with current approved standards and codes of practice.*

*The applicant/developer is advised, in connection with the above condition(s) requiring the submission of a strategy to establish the presence of land contaminants and any necessary investigation and remediation measures, to contact the Council's Environmental Protection Team."*

Nathan Pittam  
Senior Environmental Management Officer

SEARCHED  
SERIALIZED  
INDEXED  
MAY 20 2009  
FBI - MEMPHIS

Your Ref: MS/0587/16  
 Our Ref: 570\CON\0679\16  
 Date: 21/03/2016  
 Highways Enquiries to: kyle.porter@suffolk.gov.uk



**All planning enquiries should be sent to the Local Planning Authority.**  
 Email: Planning.Control@babberghmidsuffolk.gov.uk

The Planning Officer  
 Mid Suffolk District Council  
 Council Offices  
 131 High Street  
 Ipswich  
 Suffolk  
 IP6 8DL

**For the Attention of:** Gemma Walker

**TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN MS/0587/16**

**PROPOSAL:**           Erection of two 3 bed detached houses  
**LOCATION:**           Heathervale, Combs Lane, Stowmarket, IP14 2NL

Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

**1 V 1**

Condition: Before the access is first used visibility splays shall be provided as shown on Drawing No. 01 A and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

**2 NOTE 02**

Note 2: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense.

The County Council's Central Area Manager must be contacted on Telephone: 01473 341414. Further information go to: [www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/](http://www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/).

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

Yours sincerely,

**Mr Kyle Porter**  
**Development Management Technician**  
 Strategic Development – Resource Management



## The Archaeological Service

9-10 The Churchyard, Shire Hall  
Bury St Edmunds  
Suffolk  
IP33 1RX

Philip Isbell  
Corporate Manager – Development Management  
Planning Services  
Mid Suffolk District Council  
131 High Street  
Needham Market  
Ipswich IP6 8DL

Enquiries to: Rachael Abraham  
Direct Line: 01284 741232  
Email: Rachael.abraham@suffolk.gov.uk  
Web: <http://www.suffolk.gov.uk>

Our Ref: 2016\_0587  
Date: 9 March 2016

For the Attention of Gemma Walker

Dear Mr Isbell

### **PLANNING APPLICATION 0587/16 – HEATHERVALE, COMBS LANE, STOWMARKET: ARCHAEOLOGY**

This application lies in an area of high archaeological potential recorded in the County Historic Environment Record. Scatters of Roman and medieval finds have been recorded in the direct vicinity of the proposed development area and the development site is also located in an area which is topographically favourable for early occupation, overlooking the Rattlesden River. As a result, there is a strong possibility that heritage assets of archaeological interest will be encountered at his location. Any groundworks causing significant ground disturbance have potential to damage any archaeological deposit that exists.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. In accordance with paragraph 141 of the National Planning Policy Framework, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of the heritage asset before it is damaged or destroyed.

The following two conditions, used together, would be appropriate:

1. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.

- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

2. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

**REASON:**

*To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2012).*

**INFORMATIVE:**

*The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.*

I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological investigation. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Please let me know if you require any clarification or further advice.

Yours sincerely

Rachael Abraham

Senior Archaeological Officer  
Conservation Team

**Tracey Hunter**

---

**From:** Anglian Central, Planning\_Liaison <planning\_liaison.anglian\_central@environment-agency.gov.uk>  
**Sent:** 09 March 2016 10:05  
**To:** Planning Admin  
**Subject:** EA RETURNED CONSULTATION - 0587/16 - HEATHERVALE, COMBS LANE, STOWMARKET  
**Attachments:** 4369\_001.pdf  
**Categories:** Blue Category

There are no EA constraints associated with this site. Therefore we recommend that you view the FRSA for EA comments for more vulnerable development in FZ1: <https://www.gov.uk/guidance/flood-risk-assessment-local-planning-authorities>

Regards  
 Dawn

**Dawn Porter**  
 Sustainable Places Planning Advisor

✉ Environment Agency, Bromholme Lane, Brampton, Huntingdon, Cambs: PE28 4NE  
 ☎ Internal: 51819  
 ☎ External: 020302 51819  
 📧 [dawn.porter@environment-agency.gov.uk](mailto:dawn.porter@environment-agency.gov.uk)

SEARCHED  
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**NEW: charging for planning advice**  
 We now charge developers for some of our planning advice. Please get in touch with us if you have any questions.

National Customer Contact Centre: 03708 506506  
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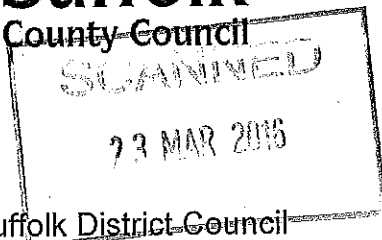
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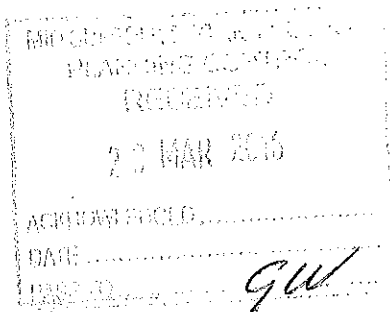


**Suffolk**

County Council



Mid Suffolk District Council  
Planning Department  
131 High Street  
Needham Market  
Ipswich  
IP6 8DL



**Suffolk Fire and Rescue Service**

Fire Business Support Team  
Floor 3, Block 2  
Endeavour House  
8 Russell Road  
Ipswich, Suffolk  
IP1 2BX

Your Ref: 16/0587/FUL  
Our Ref: FS/F221334  
Enquiries to: Angela Kempen  
Direct Line: 01473 260588  
E-mail: Fire.BusinessSupport@suffolk.gov.uk  
Web Address: http://www.suffolk.gov.uk

Date: 21/03/2016

Dear Sirs

**Land adjacent Heathervale, Combs Lane, Stowmarket IP14 2NL**  
**Planning Application No: 16/0587/FUL**

I refer to the above application.

The plans have been inspected by the Water Officer who has the following comments to make.

Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

Water Supplies

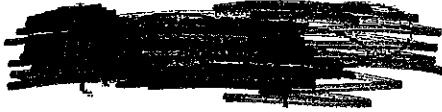
Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 500m from the proposed build site and we therefore recommend that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

Continued/

Consultation should be made with the Water Authorities to determine flow rates in all cases.

Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.

Yours faithfully

A large, dark, rectangular redaction mark covering the signature area.

Mrs A Kempen  
Water Officer

Copy: Mr J Bailey, Boyer, 15 De Grey Square, De Grey Road, Colchester CO4 5YQ  
Enc: Sprinkler information



MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE -

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<b>AGENDA ITEM NO</b>	1
<b>APPLICATION NO</b>	2375/15
<b>PROPOSAL</b>	Outline application with all matters reserved except access for erection of 52 dwellings and commercial use of land (4975 sqm) for B1 (office only), A1 (Pharmacy only) and/or D1 (Doctor's Surgery only).
<b>SITE LOCATION</b>	Land to the south of, Gun Cotton Way, Stowmarket, IP14 5UL
<b>SITE AREA (Ha)</b>	1.99
<b>APPLICANT</b>	Pigeon Investment Management Ltd.
<b>RECEIVED</b>	July 7, 2015
<b>EXPIRY DATE</b>	October 7, 2015

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**REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

it is a "Major" application for:-

- a residential land allocation for 15 or over dwellings

**PRE-APPLICATION ADVICE**

1. Pre application advice has been given on this site in respect of the principle of development and current constraints.

**SITE AND SURROUNDINGS**

2. The site lies on the southern side of Gun Cotton Way, the distributor road which provides a link between the A1120 and the B1115 Relief Road.

The land is currently vacant and grassed, and slopes gently towards the Stowmarket Sewage Treatment Works which lies to the south west of the site. To the north east on the opposite side of Gun Cotton Way is existing residential development.

The site lies within the Stowmarket Settlement Boundary and is included within the Strategic Development Area (SDA) for Stowmarket. A Local Framework Agreement and Master Plan for the development of the SDA is incorporated into the adopted Local Plan. The Local Plan allocates the application site for the purposes of B1 - light industry; B2 - general industry and B8 - warehousing storage and distribution. Vacant land to the east and west side of the application site is also designated for these purposes.

Vehicular access to the site is available from an existing roundabout constructed on Gun Cotton Way. There is a designated wildlife site within 1 km of the application site - the Cedars Park Grassland County Wildlife Site - which is a non statutory designation which forms part of the Local Wildlife Sites network

**HISTORY**

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

2463/05	Construction of one warehouse and five trade units with associated offices and car parking.	Granted 29 March 2007.
0711/11	Construction of one warehouse and five trade units with associated offices and carparking.	Granted 16/12/2011
1785/15	Residential development of 66 dwellings at land to the south of Gun Cotton Way, Stowmarket.	Withdrawn Application

**PROPOSAL**

4. The proposal is an outline application for 52 dwellings and 4975sqm for commercial/retail use. These would be B1 office, A1 (Pharmacy only) and/or D1 (Doctor Surgery only).

Beyond the stated number of dwellings and area for the commercial element, the application only includes access that would be from the existing access off the main roundabout. An indicative plan has been enclosed to demonstrate how the development might be proposed at reserved matters stage.

**POLICY**

5. **Planning Policy Guidance**

See Appendix below.

**CONSULTATIONS**

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

The Town Council recommends refusal of the application on the following grounds:

- i) That the site has been designated for commercial use intended to bring employment opportunities to the area and any change to that use would be contrary to planning policy COR11; and

ii) That, contrary to planning policies ENV05, H17 and PPS23, due to the proximity of the Anglian Water sewerage works, the site is wholly unsuitable for residential use.

*(Note: ENV05 is a Structure Plan policy that is no longer material, COR11 is Core Strategy Policy CS11 and this was replaced by FCC of the Core Strategy Focus Review and PPS23 was replaced by the NPPF)*

**Historic England (prev. English Heritage)**

Do not wish to be notified of this application

**Natural England**

No comments to make.

**MSDC - Heritage (LB, affecting LB, Con Area affecting Con Area)**

The proposal does not appear likely to affect the significance of any heritage assets.

**SCC - Rights of Way Department**

Public Footpath 39 is recorded through the proposed development area; a 1:2500 digital plot showing the definitive alignment of the route as near as can be ascertained; which is for information only and is not to be scaled from, is attached.

The presence of the public footpath has not been included on the site plan; it would appear that the location of the treatment plant will obstruct the footpath.

" The right of way must be kept clear and unobstructed for users and no structures placed upon the right of way.

" Public rights of way are protected by law. If you wish to build upon, block, divert or extinguish a right of way within the development area marked on the planning application an order must be made, confirmed and brought into effect by the local planning authority, using powers under s257 of the Town and Country Planning Act 1990.

In order not to object to the proposal, it is requested that the plans are revised to reposition the treatment plant to allow a minimum width of 1.5m for the footpath to pass unhindered.

**Suffolk County Council - Archaeological Service**

No objections, recommend Archaeological Works Conditions

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

I have no objection in principle to this application. I note from the Planning Statement that all matters are reserved except for access. The proposed point of vehicular access is acceptable as proposed from the existing roundabout

serving Cormorant Drive.

Provides Conditions and further considerations for reserved matters.

### **Highways Agency**

Offer no objection

### **Network Rail**

After reviewing the information provided in relation to the above planning application, Network Rail has no objection or further observations to make.

### **The Environment Agency**

Recommend conditions on contamination and advisory guidance.

New development within 250m of a permitted facility in this case Climax Molybdenum UK Ltd permit number SP3138ZY, could result in the community at the proposed development being exposed to: odour, noise and dust impacts. The severity of these impacts will depend on local factors e.g. the size of the facility, the nature of the activities or prevailing weather conditions. If the operator can demonstrate that they have taken all reasonable precautions to mitigate these impacts, the facility and community will co-exist, with some residual impacts. In some cases, these residual impacts may cause local residents concern, and there are limits to the mitigation the operator can apply. Only in very exceptional circumstances would we revoke the operators permit.

### **MSDC - Strategic Housing (Summary)**

Primarily, as the site is an allocated employment site within the Stowmarket Area Action Plan, it should not come forward for housing. There are also concerns over the close proximity to the Anglian water Sewerage site and the impact of odours on residential use.

### **Suffolk County Council-Landscape Development Officer and SCC Ecologist**

Recommend conditions on lighting and tree protection.

### **SCC - Corporate S106**

Based on existing forecasts we will have no surplus places available at the catchment schools to accommodate any of the pupils arising from this scheme. Based on this current position we will require contributions towards providing additional education facilities for all of the 24 pupils arising, at a total cost of £363,362 (2015/16 costs).

From these development proposals we would anticipate up to 5 pre-school pupils at a cost of £6,091 per place. We would request a capital contribution of £30,455 (2015/16 costs).

The libraries and archive infrastructure provision topic paper sets out the

detailed approach to how contributions are calculated. A contribution of £216 per dwelling is sought i.e. £11,232, which will be spent on enhancing provision at Stowmarket Library.

For waste, a contribution of £51 per dwelling is sought i.e. £2,652, which will be spent on enhancing provision in Stowmarket.

### **MSDC - Planning Policy (Full)**

Stowmarket Area Action Plan (2013) policies 7.7 and 7.8, relating to Cedars Park employment site, retain the previous employment site allocation. The employment allocation was intended to provide a buffer area between existing residential areas and the sewage treatment works.

Policy 7.8 requires a development brief that must address in particular:

- i. its role as a 'cordon sanitaire' separating the sewage treatment works from the residential areas;
- ii. the need to screen the employment use from nearby residents;
- iii. the contribution to views in, out and across Stowmarket;
- iv. the compatibility of proposed uses with the amenity of nearby residential use;
- v. the need to incorporate high standards for sustainable development;
- vi. the need to provide flexible design for employment spaces; and
- vii. the retention and appropriate management of biodiversity, habitat and protected areas and species.

A pre-application meeting on 14 April 2015 included discussion of the limitations to development near the sewage treatment works (and any future extension of the works) and the need to protect residential amenity. Also consideration of nearby industrial sites including Climax Molybdenum. A detailed assessment will be needed of the amount of separation required between these sites, the s.t.w. and residential areas.

The possibility of some frontage housing development on the south side of Gun Cotton Way, with a "buffer zone" of compatible employment use to the rear, was discussed as a means of aiding the viability of an overall employment development. This would be subject to the above considerations.

However the proposal in Planning Application 2375/15 for residential development in depth, up to the edge of the s.t.w., seems unlikely to be able to meet the criteria in Stowmarket Area Action Plan policy 7.8.

### **MSDC - Environmental Health (Summary)**

From the odour contour maps in the annex to the report, I estimate that the highest odour concentration prediction will range from 50 to 80 odour units for dwellings built along the nearest boundary with the STW. I estimate for the majority of the site i.e. greater than 50% of the land, the odour concentration predicted will be at least 20 odour units.

Having regard to the 'offensive' nature of sewage odour, I would conclude that there will be significant adverse effects on the quality of life for the occupiers of the proposed residential premises and no means of mitigating those effects.

I would therefore not support this application and recommend refusal.

**Anglian Water and Anglian Water Ltd, Planning & Equivalence Team  
(Summary)**

Further to Anglian Water's response to this consultation dated 11 August it is important that we also comment on the issue of close proximity of this proposed development to Stowmarket water recycling centre (WRC) and would draw attention to the potential for nuisance, associated with the operation of this treatment works, to effect the proposed development.

We acknowledge the Odour Assessment by Resource & Environmental Consultants Ltd titled Cedar Park, Stowmarket dated 22 April 2015 and submitted by the applicant that indicates that there is significant potential for loss of amenity to the development due to odour emissions from the operation of the WRC.

This WRC is operated in compliance with the appropriate regulatory standards and in accordance with established best practice, however, the process is inherently prone to short periods of relatively strong odorous emissions, against which there is little practical mitigation.

We would therefore not recommend sensitive (residential) development on the site and our recommendation for less sensitive development (compatible with the operations of the Water Recycling Centre) only on the site, in line with the Local Planning Authority allocation for employment use.

**SCC Flood & Water Management (Summary)**

Because the proposed development is located on a greenfield site and is greater than 1ha or 10 dwellings, there needs to be a suitable scheme implemented for the disposal of surface water. Currently the submitted SW drainage information in the FRA is insufficient and the FRA does not assess whether the development would increase flood risk off the site (contrary to NPPF Paragraph 103) or whether the development itself would be adequately protected from flooding in accordance with non-statutory technical standards for sustainable drainage systems and whether the development would cause pollution to downstream watercourses.

The proposal appears to be for surface water runoff from the site to discharge into a wider strategic SuDS system associated with the Cedars Park development. However SCC (Flood & Water Team) is unfamiliar with the drainage strategy and the information on Appendix F of the FRA is illegible.

SCC would advise that planning permission should not be granted until the above issues are resolved and therefore maintain a holding objection until an acceptable FRA and drainage design is received and approved by SCC.

**SCC Fire and Rescue Service**

Recommend installation of fire hydrants.

**LOCAL AND THIRD PARTY REPRESENTATIONS**

7. This is a summary of the representations received.

- The site is still designated for commercial uses as part of the effort to make the Cedars Park development sustainable, with employment uses conveniently close to residential areas and the centre of Stowmarket.
- Although the Mill Lane proposal will provide substantial additional area of employment land, this does not necessarily render other allocated sites redundant
- The applicant has clearly demonstrated that the site is rendered completely unacceptable for residential development due to its proximity to the sewage works.

## ASSESSMENT

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

- Principle of Development
- Obligations
- Highway and Access Issues
- Design and Layout
- Heritage
- Residential Amenity
- Landscaping
- Biodiversity
- Environment and Flood risk

9. • PRINCIPLE OF DEVELOPMENT

### 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 within the settlement boundary of Stowmarket. The local plan supports development within the settlement boundary, but in this case the site is allocated for employment.

### 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 and remains allocated for employment within this document as set out by SAAP Policies, 7.5, 7.7 and 7.8.

SAAP Policy 8.1 - Developer Contributions to a Sustainable Transport Network provides that the need to travel should be reduced and use of sustainable transport encouraged. *"Development proposals will be assessed in terms of impact on the road network, traffic capacity, highway safety, environmental impact of traffic generated, pedestrian and cycle accessibility and availability and access to public transport. The Council will require mitigating measures to be provided to the satisfaction of the highway authority where necessary."* It goes on to provide that developers will either make direct provision of the necessary transport infrastructure relating to their site or will contribute to an overall fund for provision of identified transport improvements in the Stowmarket Area Action Plan area. Viability will be taken into account.

SAAP Policy 11.1 - Developer Contributions to Infrastructure Delivery provides that all development (except householder extensions and charities) within the Stowmarket Area Action Plan will be required to provide for the supporting infrastructure they necessitate.

#### 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."*



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. This has been considered not to directly affect employment designation policy as this refers to employment and not policies that relate to housing supply. However, Para 22 of the NPPF also provides

*"Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities."*

On this basis the weight that might be applied to the employment policy could be lessened reasonably. In this case the site, along with the adjoining land, it has not been pulled forward for any implemented commercial or employment use since the initial allocation in the 1998 Local Plan, eighteen years before. Two permissions for commercial use have been granted on this site, but neither have been implemented due to lack of interest.

SAAP Policy 7.7 itself seeks to retain employment use to allow employment market to return. Accordingly this policy itself has identified the historic lack of interest and that it has been severe enough to be the point of this policy.

It has been considered that against the material growing housing need and the additional employment allocations for Stowmarket that the potential this site could be reasonably considered for other uses given the position of NPPF para 22. On this basis officers have to be pro active and sought to explore the potential for enabling development for both housing and employment uses with one element helping to enable the other. On balance, while contrary to policy in part, it has been considered the principle is considered acceptable where supporting some employment use and would encourage economic growth overall. This is considered to accord to NPPF subject to other material considerations and sustainability.

10. **• PLANNING OBLIGATIONS AND CIL**

The development would be subject to CIL. It is noted that while Education would be included in CIL, transportation would be required as the current catchment school is at capacity. Given the transport links within the Stowmarket area this is not considered an issue that would warrant refusal on sustainability grounds.

The development would provide on site public open space and 35% Affordable Housing in accordance with the development plan. While 35% would be in accordance with Affordable Housing Policy, MSDC Strategic Housing have objected to the scheme as an unsuitable location for affordable housing provision given the adjacent sewage treatment works. This issue is considered later in this report.

11. **• HIGHWAY AND ACCESS ISSUES**

The development proposes to use existing accesses and would join one of the main routes across the Cedars Park estate with short distance to the main roads

of Stowmarket and A14. Access has been designed for employment purposes and would adequately serve a mixed development. There are no objections from SCC as Highways Authority.

12. **• DESIGN AND LAYOUT**

This would be determined at reserved matters stage, but the indicative layout demonstrates that housing development that might be in keeping with the surrounding development can be achieved on this site. It is accepted that 52 dwellings as proposed along with the commercial development could be developed on this site and there is no reason to seek refusal on the level of development proposed.

13. **• HERITAGE**

There are no significant Heritage issues raised during the course of this application and no objection from the Council's Heritage officers.

14. **• 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.

The development would be located just north of Anglian Water's sewage treatment plant. This is a significant installation and serves a wide area. A number of consultation responses have referred to this matter. Analysis of odour modeling in relation to the sewage works have concluded that the proposed dwellings on this site would be exposed to high concentration of odour. Given the nature of the works this would be intrusive and harmful to amenity. Meetings with Anglian Water to see if improvements at the sewage works might be possible have not resulted in any viable solutions that would be likely to reduce the level of impact. On this basis the location for such development is unacceptable, a position recognised by policy in the allocation of this site for employment land as a buffer between Cedars Park and the sewage works. Equally the development is within 250m of Climax Molybdenum UK Ltd and this facility may also lead to harm in terms of noise, dust and odour that has not been explored and demonstrated not to cause potential detriment to amenity.

In reverse the development itself, if approved, would likely end up with residents who might then complain at the detrimental impact of the sewage works operation and other identified commercial uses. This would lead to a potential restraint on the operation of the sewage works and other uses that would threaten the viability of the works/operations, but also threaten an infrastructure provision for the area.

15. **• LANDSCAPING**

The development would be on an exposed and prominent site, but with appropriate landscaping as part of reserved matters is not likely to result in significant harm to the area to warrant refusal. Such landscaping would not mitigate the impact of odour on the development.

16. **• BIODIVERSITY**

Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions." In order for a Local Planning Authority to comply with regulation 9(5) it must "engage" with the provisions of the Habitats Directive. Given the physical nature of the site and that there are no recordings of protected species or their habitats on this site, it is unlikely that any protected species would be found within this site and as such this proposal is not considered to be harmful in terms of biodiversity issues.

17. **• ENVIRONMENT AND FLOOD RISK**

Insufficient information submitted has failed to demonstrate that the development would not pose a potential increase in flood risk. On this basis, while a solution may be possible, it currently forms a further reason for refusal.

**RECOMMENDATION**

**That authority be delegated to the Professional Lead Officer Growth and Sustainable Planning to refuse planning permission within the terms as set out below**

**That development would result in occupiers close to the sewage works and other operations and exposed new residents to unacceptable high levels of odour, dust and noise to the detriment of residential amenity. Development would add a unnecessary form of restraint on the operation of the sewage works to the detriment of this key infrastructure installation. That development has failed to demonstrate that there would not be significant risk to surface water drainage and increased flood risk. And finally, no Section 106 obligation has been secured for affordable housing.**

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**

**CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT  
CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT**

**2. Mid Suffolk Local Plan**

**RT12 - FOOTPATHS AND BRIDLEWAYS  
CL8 - PROTECTING WILDLIFE HABITATS  
SDA7 - LOCAL SHOPPING FACILITIES**

- SDA8 - PRINCIPLE ISSUES TO BE INCLUDED IN SDA OBLIGATIONS
- HB13 - PROTECTING ANCIENT MONUMENTS
- GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
- SDA1 - PROGRAMMED B1115 RELIEF ROAD
- H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
- SDA2 - ADDITIONAL SOURCES OF FUNDING FOR B1115 RELIEF ROAD
- SDA5 - AFFORDABLE HOUSING WITHIN THE SDA
- SDA6 - EMPLOYMENT LAND
- SDA3 - COMPREHENSIVE DEVELOPMENT WITHIN THE SDA
- SDA4 - SUSTAINABLE DEVELOPMENT
- H16 - PROTECTING EXISTING RESIDENTIAL AMENITY

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

NPPF - National Planning Policy Framework

**APPENDIX B - NEIGHBOUR REPRESENTATIONS**

Letter(s) of representation(s) have been received from a total of 1 interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

The following people **commented** on the application:



**Title:** Committee Site Plan

**Reference:** 2375/15

**Site:** Land to the south of, Gun Cotton Way, Stowmarket, IP14 5UL

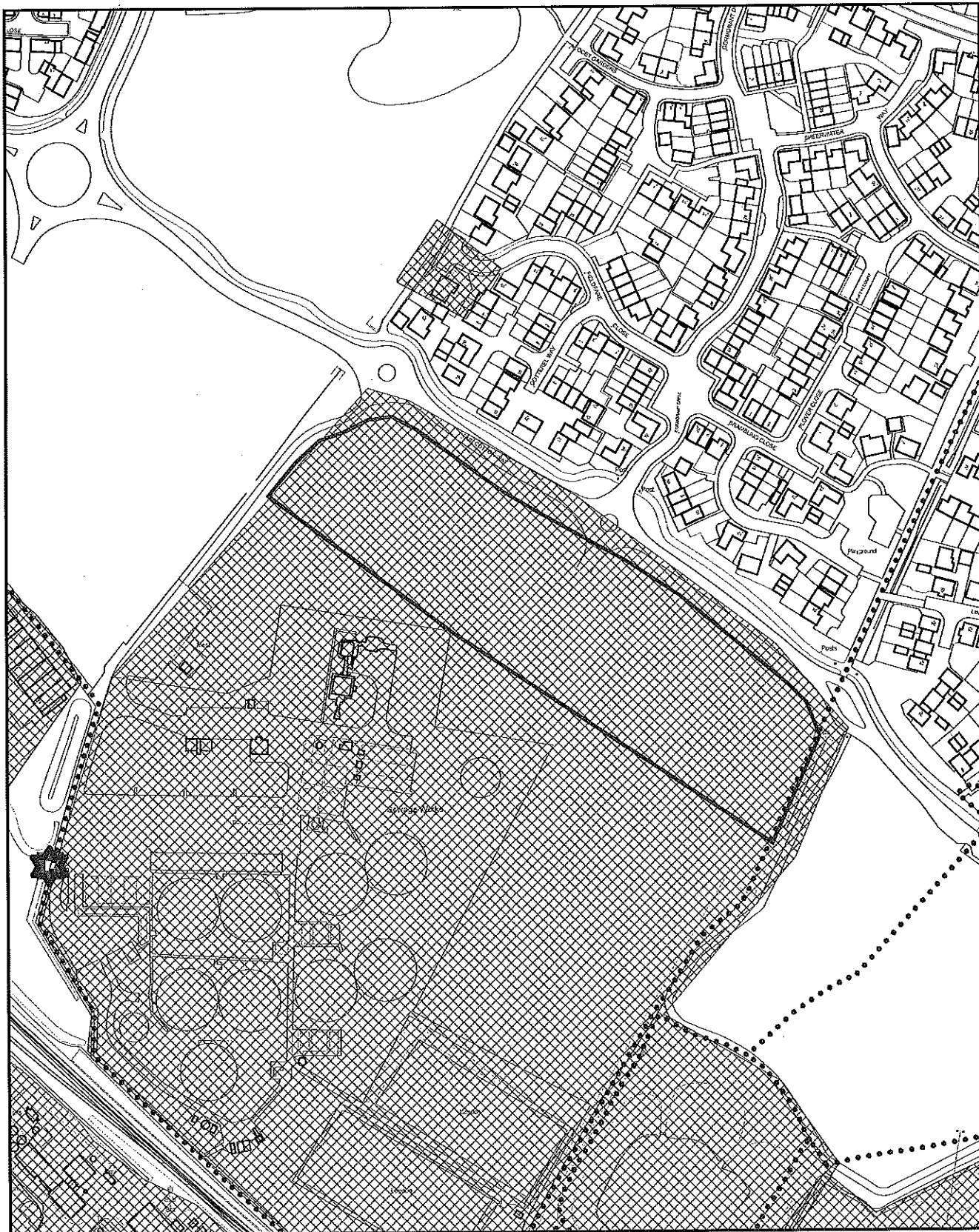


**MID SUFFOLK DISTRICT COUNCIL**  
 131, High Street, Needham Market, IP6 8DL  
 Telephone : 01449 724500  
 email: [customerservice@csduk.com](mailto:customerservice@csduk.com)  
[www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



SCALE 1:2500

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**Title:** Committee Constraints Map

**Reference:** 2375/15

**Site:** Land to the south of, Gun Cotton Way, Stowmarket, IP14 5UL



**MID SUFFOLK DISTRICT COUNCIL**

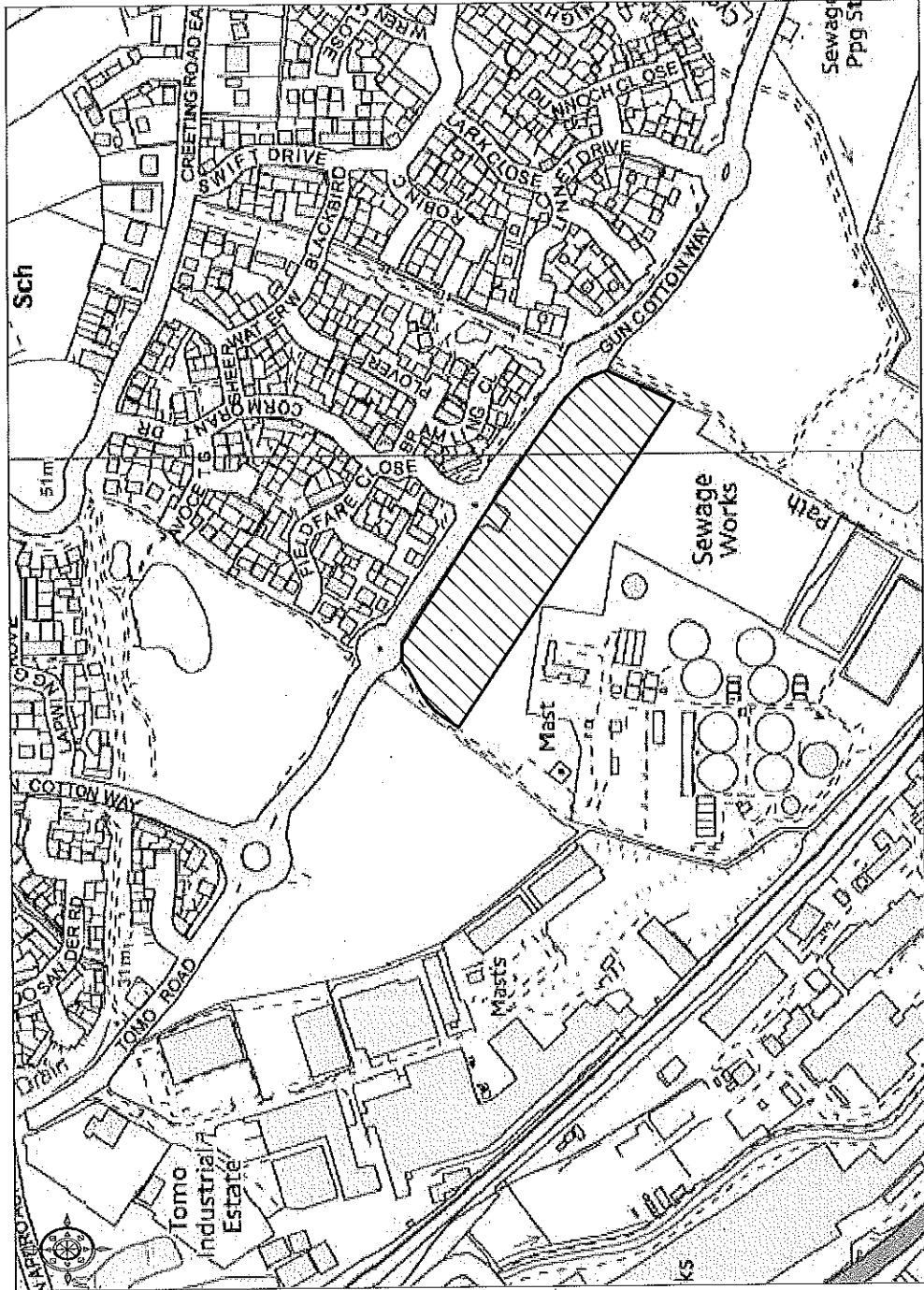
131, High Street, Needham Market, IP6 8DL  
 Telephone : 01449 724500  
 email: [customerservice@csdck.com](mailto:customerservice@csdck.com)  
[www.midsuffolk.gov.uk](http://www.midsuffolk.gov.uk)



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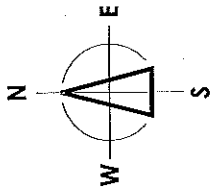
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Location Plan: Land to the south of Gun Cotton Way, Stowmarket



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PROJECTED LINE OF  
RETAINED LAND AS PER  
TITLE REQUIREMENTS

ASSUMED SITE BOUNDARY

EXTENT OF AWA  
EASEMENT BOUNDARY

SURFACE WATER SEWER

FOUL WATER SEWER

AWA EASEMENT BOUNDARY

PROPOSED CYCLE PATHWAY

NO.	DESCRIPTION	DATE
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2	ISSUED FOR PERMITTING	14/08/2014
3	ISSUED FOR PERMITTING	14/08/2014
4	ISSUED FOR PERMITTING	14/08/2014
5	ISSUED FOR PERMITTING	14/08/2014
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100	ISSUED FOR PERMITTING	14/08/2014

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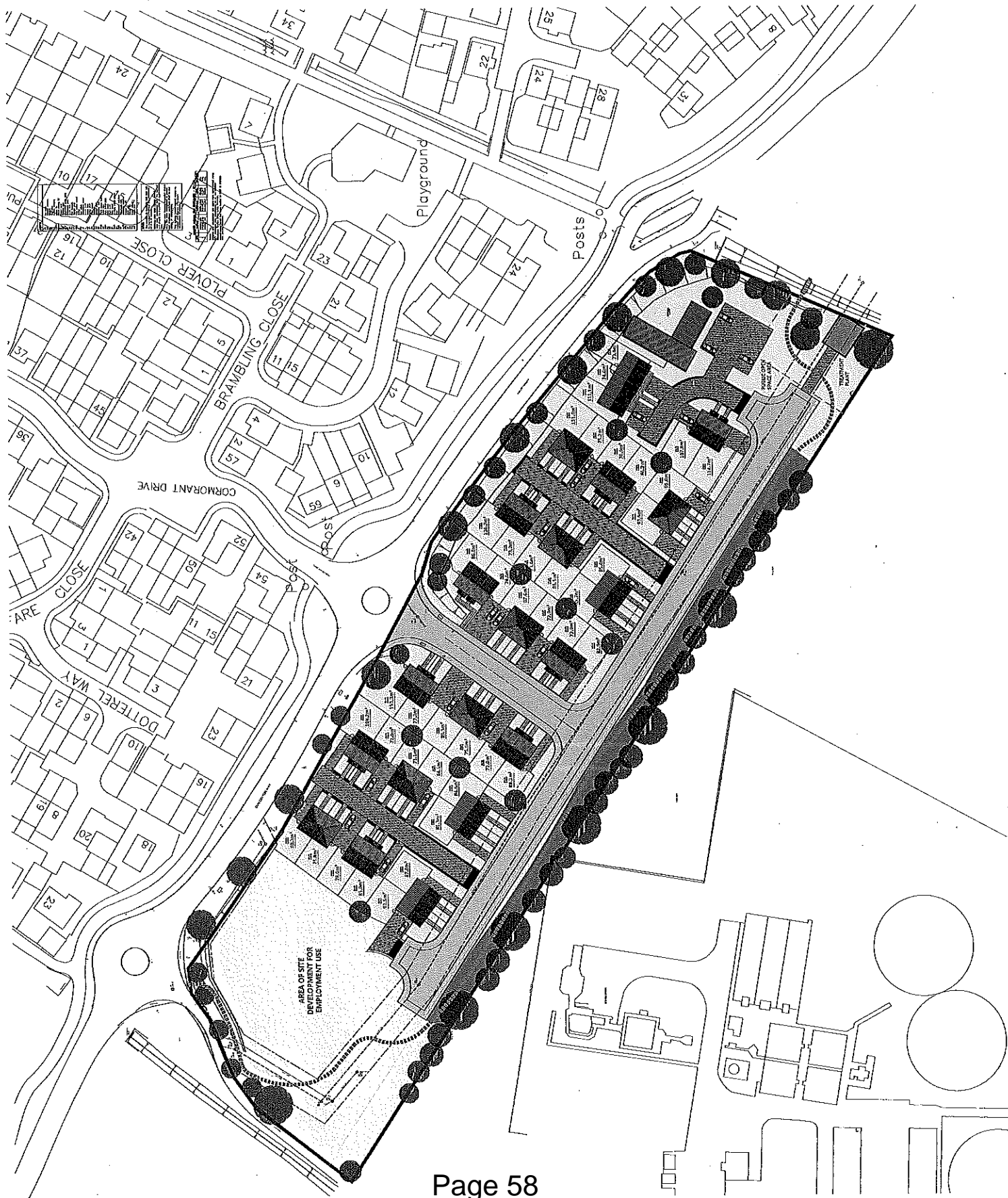
**PIGEON**  
 HOLDINGS

PROPOSED RESIDENTIAL DEVELOPMENT  
 - STONEMARKE  
 SCHEMATIC SITE PLAN

Scale: 1:500 @ A1  
 Date: 14/02/2014  
 PCT

14-L08-P002 G

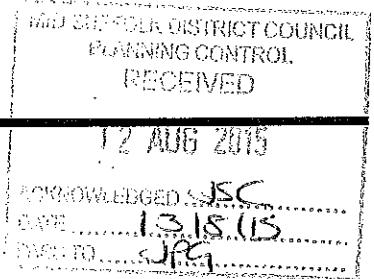
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Jane Cole

**From:** Michelle Marshall <Michellelm@stowmarket.org>  
**Sent:** 12 August 2015 19:58  
**To:** Planning Admin  
**Subject:** Planning applications



Please see below for comments from Stowmarket Town Council regarding recent planning applications:

2179/15

~~No objection be raised to the grant of planning permission.~~

2276/15

~~No objection be raised to the grant of planning permission subject that Suffolk County Council Highways raise no objection regarding the access/egress of the site and the provision of car parking spaces.~~

2375/15

The Town Council recommends refusal of the application on the following grounds:

- i) That the site has been designated for commercial use intended to bring employment opportunities to the area and any change to that use would be contrary to planning policy **COR11**; and
- ii) That, contrary to planning policies **ENV05**, **H17** and **PPS23**, due to the proximity of the Anglian Water sewerage works, the site is wholly unsuitable for residential use.

2407/15

The Town Council recommends refusal of the planning application on the grounds that the proposed dwelling would represent overdevelopment of the site.

If the site were to be viewed in isolation, the plot size would be large enough for the proposed dwelling, however, when viewed in context with the existing dwelling, the proposed dwelling would be inappropriate to the setting.

Temple Road features substantial dwellings with large gardens and contrary to planning policy H15, the proposed dwelling would not be consistent with the pattern and form of development in the neighbouring area and the character of its setting.

If the proposed development were to be granted planning permission, a precedent would be set for further developments on the back-land between the rear of Temple Road and Lockington Road.

Contrary to planning policy GP1, the proposed development will not respect the scale and density of the surrounding development

Contrary to planning policy COR5, the proposed development will not maintain or enhance the environment or help to retain the local distinctiveness of the area.

Contrary to planning policy SB2, the proposed development would adversely affect the character and appearance of the settlement.

Contrary to planning policy H16, the proposal would not protect the amenity and character of the residential area.

Contrary to planning policy CL8, the proposed development would not protect the wildlife habitat of the site as existing.



SUFFOLK DISTRICT COUNCIL  
PLANNING CONTROL  
RECEIVED

21 AUG 2015

## Consultation Response Pro forma

ACKNOWLEDGED JSC  
DATE 21/8/15  
BY WJF

1	<b>Application Number</b>	2375/15/OUT	
		Land to the South of Gun Cotton Way, Stowmarket.	
2	<b>Date of Response</b>	21/08/2015	
3	<b>Responding Officer</b>	Name:	Sue Jackman
		Job Title:	Housing Development Officer
		Responding on behalf of...	Strategic Housing service
4	<b>Recommendation</b> (please delete those N/A)  Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	Holding objection – the application as submitted is considered unacceptable, but may be acceptable with the revisions/clarification/further information as specified below – please see 'amendments required' in box 6 below.	
5	<b>Discussion</b> Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	Primarily, as the site is an allocated employment site within the Stowmarket Area Action Plan, it should not come forward for housing.  There are also concerns over the close proximity to the Anglian water Sewerage site and the impact of odours on residential use.	
6	<b>Amendments, Clarification or Additional Information Required</b> (if holding objection)  If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate	Should there be a review of the impact of odours on the site, a small housing element would be acceptable.  There is a growing need for accommodation suitable for older people and those wishing to downsize from a larger family home.  The most recent version of the SHMA specifies an affordable housing mix equating to 41% for 1 bed units, 40% 2 bed units, 16% 3 bed units and 3% 4+ bed units. Actual delivery requested will reflect management practicalities and existing stock in the local area, together	

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

		with local housing needs data and requirements. Affordable housing Requirements – 35% of proposed sites.
7	<b>Recommended conditions</b>	Properties must be built to current Homes and Communities Agency Design and Quality Standards and be to Lifetimes Homes standards.  The council is granted 100% nomination rights to all the affordable units in perpetuity.

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## Consultation Response Pro forma

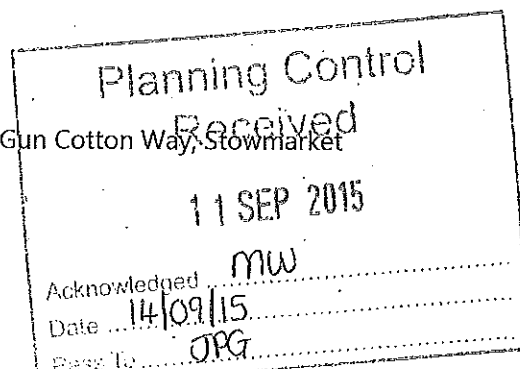
1	<b>Application Number</b>	2375/15 south of Gun Cotton Way, Stowmarket	
2	<b>Date of Response</b>	24.8.15	
3	<b>Responding Officer</b>	Name:	Paul Harrison
		Job Title:	Enabling Officer
		Responding on behalf of...	Heritage
4	<b>Summary and Recommendation</b> (please delete those N/A)  Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	1. The Heritage Team has no comments to make on this proposal.	
5	<b>Discussion</b> Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	The proposal does not appear likely to affect the significance of any heritage assets.	
6	<b>Amendments, Clarification or Additional Information Required</b> (if holding objection)  If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate		
7	<b>Recommended conditions</b>		

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

**Michelle Windsor**

**From:** David Harrold  
**Sent:** 11 September 2015, 10:49  
**To:** Planning Admin  
**Cc:** John Pateman-Gee  
**Subject:** Plan Ref 2375/15/OUT Land South of Gun Cotton Way, Stowmarket

**Categories:** Purple Category



Thank you for consulting me on the above application.

I note the report by Resource and Environmental Consultants Ltd (REC) dated 22 April 2015.

The REC report states that odour concentrations above 5.0 odour units were predicted to extend over the majority of the site and that highest odour concentrations were predicted at the closest point to the Anglian Water Sewage Treatment Works (STW).

REC does not state what the highest concentrations are.

From the odour contour maps in the annex to the report, I estimate that the highest odour concentration prediction will range from 50 to 80 odour units for dwellings built along the nearest boundary with the STW. I estimate for the majority of the site i.e. greater than 50% of the land, the odour concentration predicted will be at least 20 odour units.

There are a number of references within the document that point towards odours at or above 10 odour units giving rise to complaints or having an adverse impact.

Having regard to the 'offensive' nature of sewage odour, I would conclude that there will be significant adverse effects on the quality of life for the occupiers of the proposed residential premises and no means of mitigating those effects.

I would therefore not support this application and recommend refusal.

David Harrold MCIEH

Senior Environmental Health Officer  
 Babergh and Mid Suffolk Council

01449 724718



## Consultation Response Pro forma

1	<b>Application Number</b>	2375/15	
2	<b>Date of Response</b>	14 August 2015	
3	<b>Responding Officer</b>	Name:	Delia Cook
		Job Title:	Economic Development Officer
		Responding on behalf of...	Economic Development Team
4	<b>Recommendation</b> (please delete those N/A)  Note: This section must be completed before the response is sent. The recommendation should be based on the information submitted with the application.	The Economic Development Team do not support this Outline application due to the reasons given below	
5	<b>Discussion</b> Please outline the reasons/rationale behind how you have formed the recommendation. Please refer to any guidance, policy or material considerations that have informed your recommendation.	<p>Stowmarket Area Action Plan (2013) policies 7.7. and 7.8 relating to Cedars Park Employment retain the site allocation of employment land. Policy 7.8 requires a buffer zone from the sewage treatment works for the residential development this application relates to that land.</p> <p>The application represents a considerable reduction to the area of valuable employment land in an area that is well suited to such use due to its close proximity to both the station and the A14 junction 50.</p> <p>Additional employment land is vital to the sustainability of the local economy as it provides an opportunity for established businesses to either expand or update existing operations. Also it is vital to the growth of the local economy as it ensures that the supply of employment land is maintained to attract new businesses into the locality.</p> <p>A small housing element on this site could be acceptable, if necessary because of viability (excluding the costs of odour management), but only if the problem of odour management is remedied to an acceptable standard.</p> <p>Although there is a requirement for new housing within the District and particularly for affordable housing, data suggests that unless additional employment opportunities</p>	

MID SUFFOLK DISTRICT COUNCIL PLANNING CONTROL RECEIVED 14 AUG 2015 ACKNOWLEDGED.....JSC..... DATE.....14/8/15..... PASS TO.....JSC.....
-----------------------------------------------------------------------------------------------------------------------------------------------------------

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		become available within Stowmarket occupants of new housing might have to out-commute to find employment. This is not ideal as it could reduce potential spend in the local economy.
6	<b>Amendments, Clarification or Additional Information Required</b> (if holding objection)  If concerns are raised, can they be overcome with changes? Please ensure any requests are proportionate	
7	<b>Recommended conditions</b>	None

Please note that this form can be submitted electronically on the Councils website. Comments submitted on the website will not be acknowledged but you can check whether they have been received by reviewing comments on the website under the application reference number. Please note that the completed form will be posted on the Councils website and available to view by the public.

Jane Cole

---

**From:** David Sparkes  
**Sent:** 14 August 2015 10:33  
**To:** Planning Admin  
**Cc:** John Pateman-Gee; David Benham  
**Subject:** RE: Consultation on Planning Application 2375/15

Outline application - 52 dwellings and commercial use of land (4975 sqm) for B1 (office only), A1 (Pharmacy only) and/or D1 (Doctor's Surgery), south of Gun Cotton Way, Stowmarket.

Comments from Planning Policy:

Stowmarket Area Action Plan (2013) policies 7.7 and 7.8, relating to Cedars Park employment site, retain the previous employment site allocation. The employment allocation was intended to provide a buffer area between existing residential areas and the sewage treatment works.

Policy 7.8 requires a development brief that must address in particular:

- i. its role as a 'cordon sanitaire' separating the sewage treatment works from the residential areas;
- ii. the need to screen the employment use from nearby residents;
- iii. the contribution to views in, out and across Stowmarket;
- iv. the compatibility of proposed uses with the amenity of nearby residential use;
- v. the need to incorporate high standards for sustainable development;
- vi. the need to provide flexible design for employment spaces; and
- vii. the retention and appropriate management of biodiversity, habitat and protected areas and species.

A pre-application meeting on 14 April 2015 included discussion of the limitations to development near the sewage treatment works (and any future extension of the works) and the need to protect residential amenity. Also consideration of nearby industrial sites including Climax Molybdenum. A detailed assessment will be needed of the amount of separation required between these sites, the s.t.w. and residential areas.

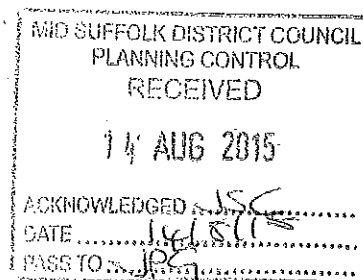
The possibility of some frontage housing development on the south side of Gun Cotton Way, with a "buffer zone" of compatible employment use to the rear, was discussed as a means of aiding the viability of an overall employment development. This would be subject to the above considerations.

However the proposal in Planning Application 2375/15 for residential development in depth, up to the edge of the s.t.w., seems unlikely to be able to meet the criteria in Stowmarket Area Action Plan policy 7.8.

Regards,

David Sparkes,  
 Planning Policy  
 Mid Suffolk District Council  
 131 High Street, Needham Market  
 Ipswich, Suffolk  
 IP6 8DL  
 Tel: 01449 - 724841  
 Email: [david.sparkes@midsuffolk.gov.uk](mailto:david.sparkes@midsuffolk.gov.uk)

Babergh / Mid Suffolk District Councils - working together







**Suffolk Fire and Rescue Service**

Fire Business Support Team  
Floor 3, Block 2  
Endeavour House  
8 Russell Road  
Ipswich, Suffolk  
IP1 2BX

Mid Suffolk District Council  
Planning Department  
131 High Street  
Needham Market  
Ipswich  
IP6 8DL

Your Ref: 2375/15  
Our Ref: FS/F221307  
Enquiries to: Angela Kempen  
Direct Line: 01473 260588  
E-mail: Fire.BusinessSupport@suffolk.gov.uk  
Web Address: http://www.suffolk.gov.uk

MID SUFFOLK DISTRICT COUNCIL  
PLANNING CONTROL  
**RECEIVED**  
  
14 AUG 2015  
  
ACKNOWLEDGED .....  
DATE .....  
PASS TO *J.P.*

Date: 13/08/2015

**SCANNED**  
14 AUG 2015

Dear Sirs

**Land south of Gun Cotton Way, IP14 5UL**  
**Planning Application No: 2375/15**

I refer to the above application.

The plans have been inspected by the Water Officer who has the following comments to make.

Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

Water Supplies

Suffolk Fire and Rescue Authority recommends that fire hydrants be installed within this development. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

Continued/

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

Consultation should be made with the Water Authorities to determine flow rates in all cases.

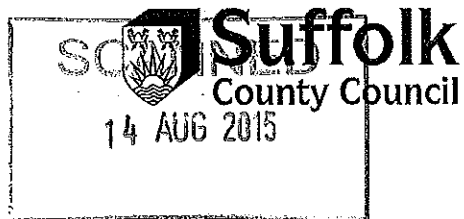
Should you need any further advice or information on access and fire fighting facilities, you are advised to contact your local Building Control in the first instance. For further advice and information regarding water supplies, please contact the Water Officer at the above headquarters.

Yours faithfully

Mrs A Kempen  
Water Officer

Enc: PDL1

Copy: Mr J Jennings, Strutt and Parker LLP, 66-68 Hills Road, Cambridge CB2 1LA  
Enc: Sprinkler information



**Suffolk Fire and Rescue Service**

Fire Business Support Team  
Floor 3, Block 2  
Endeavour House  
8 Russell Road  
Ipswich, Suffolk  
IP1 2BX

Mid Suffolk District Council  
Planning Department  
131 High Street  
Needham Market  
Ipswich  
IP6 8DL

Your Ref:  
Our Ref: ENG/AK  
Enquiries to: Mrs A Kempen  
Direct Line: 01473 260486  
E-mail: Angela.Kempen@suffolk.gov.uk  
Web Address: www.suffolk.gov.uk

Date: 13 August 2015

**Planning Ref: 2375/15**

Dear Sirs

**RE: PROVISION OF WATER FOR FIRE FIGHTING**  
**ADDRESS: Land south of Gun cotton Way, IP14 5UL**  
**DESCRIPTION: Mixed use development**  
**NO: HYDRANTS POSSIBLY REQUIRED: Required**

If the Planning Authority is minded to grant approval, the Fire Authority will request that adequate provision is made for fire hydrants, by the imposition of a suitable planning condition at the planning application stage.

If the Fire Authority is not consulted at the planning stage, the Fire Authority will request that fire hydrants be installed retrospectively on major developments if it can be proven that the Fire Authority was not consulted at the initial stage of planning.

The planning condition will carry a life term for the said development and the initiating agent/developer applying for planning approval and must be transferred to new ownership through land transfer or sale should this take place.

Fire hydrant provision will be agreed upon when the water authorities submit water plans to the Water Officer for Suffolk Fire and Rescue Service.

Where a planning condition has been imposed, the provision of fire hydrants will be fully funded by the developer and invoiced accordingly by Suffolk County Council.

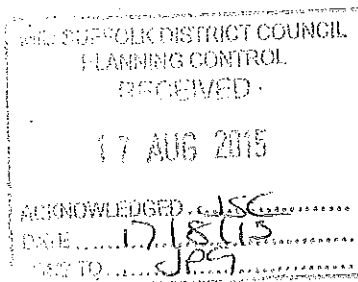
Until Suffolk Fire and Rescue Service receive confirmation from the water authority that the installation of the fire hydrant has taken place, the planning condition will not be discharged.

Continued/

Should you require any further information or assistance I will be pleased to help.

Yours faithfully

Mrs A Kempen  
Water Officer



## Developments Affecting Trunk Roads and Special Roads

### Highways England Response & Formal Recommendation to an Application for Planning Permission

From: Catherine Brookes (Divisional Director),  
Network Delivery and Development  
East of England Region  
Highways England.

To: **Mid Suffolk District Council**

CC: [transportplanning@dft.gsi.gov.uk](mailto:transportplanning@dft.gsi.gov.uk)  
[growthandplanning@highwaysengland.co.uk](mailto:growthandplanning@highwaysengland.co.uk)

Council's Reference: **2375/15**

Referring to the notification of a planning application dated 27<sup>th</sup> July 2015 referenced above, in connection with the A14, outline application with all matters reserved except access 52 dwellings and commercial use of land (4975 sqm) for B1 (office only), A1 (Pharmacy only) and/or D1 (Doctor's Surgery only), land to the South of Gun Cotton Way, Stowmarket, IP14 5UL, notice is hereby given that Highways England's formal recommendation is that we:

- a) offer no objection;
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A - Highways England recommended Planning Conditions);~~
- ~~c) recommend that planning permission not be granted for a specified period (see Annex A - further assessment required);~~
- ~~d) recommend that the application be refused (see Annex A - Reasons for recommending Refusal).~~

Re Highways Act Section 175B: (Please delete as appropriate)


- a) ~~Highways England consents to access for any new connections to the Strategic Road Network as part of this application;\*~~
- b) ~~Highways England does not consent to access for any new connections to the Strategic Road Network as part of this application~~
- c) Not relevant as there is **no common boundary** between the planning site and the SRN.
- d) ~~Not relevant as no new access is being proposed along the common boundary between the planning site and the SRN~~

\* Where we give consent (a), under Section 175B, this is applicable only to the particular planning application and its accompanying documents, including agreed junction designs.

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

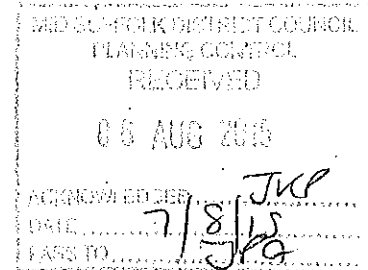
Should you disagree with this recommendation you must consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2015, via [transportplanning@dft.gsi.gov.uk](mailto:transportplanning@dft.gsi.gov.uk).

**Signed by**

<b>Date:</b> 17/08/2015	<b>Signature:</b> 
<b>Name:</b> Lorraine Willis	<b>Position:</b> Asset Manager
<b>Highways England:</b> Highways England   Woodlands   Manton Lane   Bedford   MK41 7LW	

Economy, Skills and Environment  
 9-10 The Churchyard, Shire Hall  
 Bury St Edmunds  
 Suffolk  
 IP33 1RX

Philip Isbell  
 Corporate Manager - Development Manager  
 Planning Services  
 Mid Suffolk District Council  
 131 High Street  
 Needham Market  
 Ipswich IP6 8DL



Enquiries to: Kate Batt  
 Direct Line: 01284 741227  
 Email: [kate.batt@suffolk.gov.uk](mailto:kate.batt@suffolk.gov.uk)  
 Web: <http://www.suffolk.gov.uk>

Our Ref: 2015\_2375  
 Date: 6<sup>th</sup> August, 2015

For the Attention of John Pateman-Gee

Dear Mr Isbell

**Planning Application 2375/15 – Land to the south of, Gun Cotton Way, Stowmarket: Archaeology**

The site of the proposed development has potential for the presence of heritage assets with archaeological interest. Archaeological excavation undertaken in conjunction with previous phases of the Cedars Park development has identified extensive archaeological evidence for occupation of later prehistoric, Roman and Medieval date. Of particular interest, areas 3A & 3B produced well preserved archaeological remains for Iron Age and Roman settlement, including a probable villa (SKT018). Given the position of the proposed development relative to the known Roman activity, adjacent to, but outside the main area of Roman settlement, it is possible that heritage assets may include burials, cremation or inhumation. The proposed works would cause significant ground disturbance that has potential to damage any archaeological deposit that exists.

There would be no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 141), we would recommend that any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case the following conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation for evaluation, and where necessary excavation, which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

2. The site investigation and post investigation assessment must be completed, submitted to and approved in writing by the Local Planning Authority prior to completion of the development, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

**REASON:**

*To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2012).*

**INFORMATIVE:**

*The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.*

In this case, a geophysical survey and trenched archaeological evaluation will be required in order to establish the archaeological potential of the site. Decisions on the need for any further investigation (excavation before any groundworks commence) will be made on the basis of the results of the evaluation.

I would be pleased to offer guidance on the archaeological work required and will, on request of the applicant, provide a brief for each stage of the archaeological investigation. (Please see our website for further information on procedures and costs:

<http://www.suffolk.gov.uk/libraries-and-culture/culture-and-heritage/archaeology/>

Yours sincerely

Kate Batt

Senior Archaeological Officer  
Conservation Team



MID SUFFOLK DISTRICT COUNCIL PLANNING CONTROL RECEIVED	
11 AUG 2015	
ACKNOWLEDGED	JSC
DATE	11/8/15
PASS TO	JSC

love every drop  
anglianwater 

## Planning Applications – Suggested Informative Statements and Conditions Report

AW Reference:	00008230
Local Planning Authority:	Mid Suffolk District
Site:	Land to the south of Gun Cotton Way, Stowmarket
Proposal:	Erection of 52 Dwellings and 1 x Business Unit
Planning Application:	2375/15

**Prepared by Lauren McMahon**

**Date 11 August 2015**

If you would like to discuss any of the points in this document please contact me on 01733 414690 or email [planningliaison@anglianwater.co.uk](mailto:planningliaison@anglianwater.co.uk)

## ASSETS

### Section 1 – Assets Affected

- 1.1 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

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

## WASTEWATER SERVICES

### Section 2 – Wastewater Treatment

- 2.1 The foul drainage from this development is in the catchment of Stowmarket Water Recycling Centre that will have available capacity for these flows.

### Section 3 – Foul Sewerage Network

- 3.1 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

### Section 4 – Surface Water Disposal

- 4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

- 4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

**Section 5 – Trade Effluent**

5.1 Not applicable.

**Section 6 – Suggested Planning Conditions**

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

**Surface Water Disposal (Section 4)**

**CONDITION**

*No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.*

**REASON**

*To prevent environmental and amenity problems arising from flooding.*

**Tracey Hunter**

---

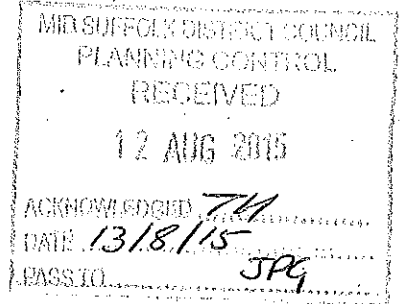
**From:** PROW Planning  
**Sent:** 12 August 2015 15:24  
**To:** Planning Admin  
**Cc:** jon.jennings@struttandparker.com; Martin Egan; Kevin Verlander  
**Subject:** RE: Consultation on Planning Application 2375/15  
**Attachments:** Applicant Responsibility.pdf; Stowmarket - 237515 - Land to the south of Gun Cotton Way - Plot FP39.pdf

**Categories:** Blue Category

**Our Ref:** W497/039/ROW340/15

**For The Attention of:** John Pateman-Gee

**Public Rights of Way Response**



Thank you for your consultation concerning the above application.

Public Footpath 39 is recorded through the proposed development area; a 1:2500 digital plot showing the definitive alignment of the route as near as can be ascertained; which is for information only and is not to be scaled from, is attached.

The presence of the public footpath has not been included on the site plan; it would appear that the location of the treatment plant will obstruct the footpath.

- The right of way must be kept clear and unobstructed for users and no structures placed upon the right of way.
- Public rights of way are protected by law. If you wish to build upon, block, divert or extinguish a right of way within the development area marked on the planning application an order must be made, confirmed and brought into effect by the local planning authority, using powers under s257 of the Town and Country Planning Act 1990.

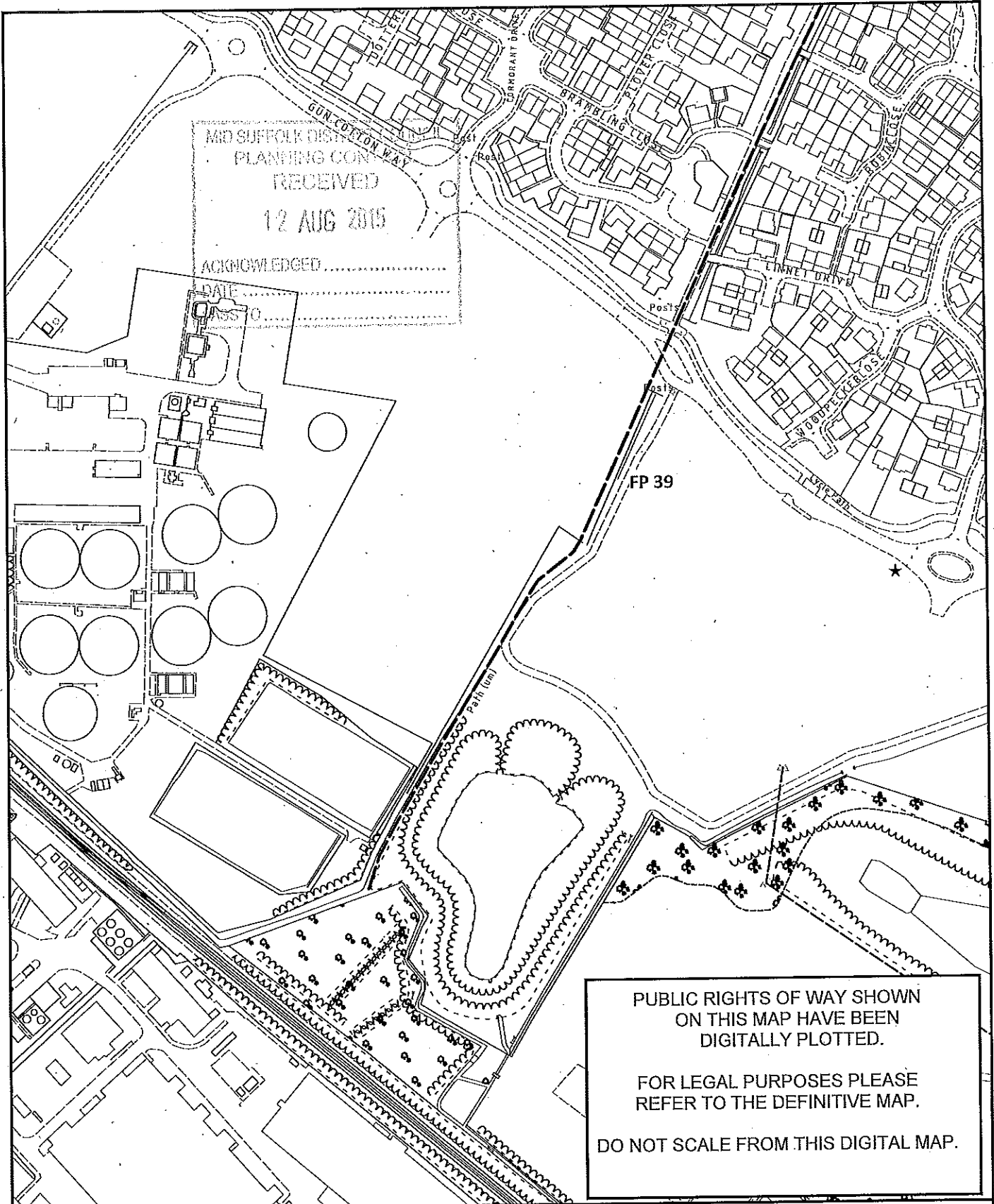
In order not to object to the proposal, it is requested that the plans are revised to reposition the treatment plant to allow a minimum width of 1.5m for the footpath to pass unhindered.

**Informative Notes:** "Public Rights of Way Planning Application Response - Applicant Responsibility" attached.

This response does not prejudice any further response from Rights of Way and Access. As a result of anticipated increased use of the public rights of way in the vicinity of the development, we would be seeking a contribution for improvements to the network. These requirements will be submitted with Highways Development Management response in due course.

Regards

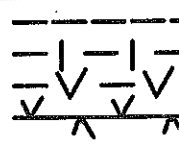
Jackie Gillis  
Rights of Way Support Officer  
Countryside Access Development Team



**2375/15 Land to the south of Gun Cotton Way, Stowmarket**  
**Public Footpath 39**



Economy, Skills and Environment,  
 Endeavour House, 8 Russell Road, Ipswich, Suffolk. IP1 2BX



- Public Footpath
- Bridleway
- Restricted Byway
- Byway
- Definitive Map Parish Boundary

Scale 1:2500



Ordnance Survey MasterMap

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UNCLASSIFIED



Environment  
Agency

Mid Suffolk District Council  
Planning Department  
131, Council Offices High Street  
Needham Market  
Ipswich  
IP6 8DL

Our ref: AE/2015/119469/01-L01  
Your ref: 2375/15  
Date: 06 August 2015

MID SUFFOLK DISTRICT COUNCIL	
PLANNING CONTROL	
RECEIVED	
05 AUG 2015	
ACKNOWLEDGED	JKP
DATE	7/8/15
CASE TO	JCC

Dear Sir/Madam

**OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS 52 DWELLINGS AND COMMERCIAL USE OF LAND (4975 SQM) FOR B1 (OFFICE ONLY), A1 (PHARMACY ONLY) AND/OR D1 (DOCTOR'S SURGERY ONLY).**

**LAND TO THE SOUTH OF, GUN COTTON WAY, STOWMARKET**

Thank you for consulting us on this application which we received on 24 July 2015. We have reviewed the application and are questing 4 conditions regarding the protection of the water environment and also offer advice on surface water drainage pollution prevention and on sustainability.

**The water environment**

The site is situated on Lowestoft Formation diamicton designated as Secondary Undifferentiated aquifer. Alluvium associated with the River Gipping is evident to the south east of the Application Area. The bedrock beneath the site is the Crag Formation, a Principal aquifer. The site is located within a Source Protection Zone 3.

Part of a Preliminary Risk Assessment has been provided in Appendix D of the Richard Jackson Report, Site Specific Flood Risk Assessment and Drainage Strategy dated March 2015. However, before we can consider land contamination in detail a full PRA is required. The information provided indicates the land may historically have been affected by contamination and intrusive investigation of soils and groundwater will be required.

We recommend that planning permission could be granted to the proposed development as submitted if the following 4 planning conditions are included. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

### **Condition 1**

Prior to each phase of development approved by this planning permission no development / No development approved by this planning permission> (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
  - all previous uses
  - potential contaminants associated with those uses
  - a conceptual model of the site indicating sources, pathways and receptors
  - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**Condition 2**

No occupation of the permitted development or of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

**Condition 3**

No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports.

On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

**Condition 4**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**Reason for Conditions:**

To protect and prevent the pollution of controlled waters (particularly groundwater associated with the underlying Secondary and Principal Aquifers, from potential pollutants associated with current and previous land uses) in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater protection: Principles and practice (GP3:2013) position statements.



National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Your Core Strategy Objectives "SO 2 To seek to improve water quality and reduce pollution to the wider environment" supports our position.

### **Surface water pollution prevention**

The FRA indicates that infiltration techniques will not be viable at the site because of the low permeability surface material. Should the proposals for surface water management change to include the use of infiltration techniques such as soakaways we would wish to be consulted.

Further advice is included in Appendix 1.

Any outfall to the River Gipping or its tributaries or to ditches that may connect may require assessment under the water framework directive and the applicant is advised to seek our advice should this be proposed.

### **Sustainability**

Climate change is one of the biggest threats to the economy, environment and society. New development should therefore be designed with a view to improving resilience and adapting to the effects of climate change, particularly with regards to already stretched environmental resources and infrastructure such as water supply and treatment, water quality and waste disposal facilities.

We also need to limit the contribution of new development to climate change and minimise the consumption of natural resources.

Opportunities should therefore be taken in the planning system, no matter the scale of the development, to contribute to tackling these problems. In particular we recommend the following issues are considered at the determination stage and incorporated into suitable planning conditions:

- Overall sustainability: a pre-assessment under the appropriate Code/BREEAM standard should be submitted with the application. We recommend that design Stage and Post-Construction certificates (issued by the Building Research Establishment or equivalent authorising body) are sought through planning conditions.

- Resource efficiency: a reduction in the use of resources (including water, energy, waste and materials) should be encouraged to a level which is sustainable in the long term. As well as helping the environment, Defra have advised that making simple changes resulting in the more efficient use of resources could save UK businesses around £23bn per year.
- Net gains for nature: opportunities should be taken to ensure the development is conserving and enhancing habitats to improve the biodiversity value of the immediate and surrounding area.
- Sustainable energy use: the development should be designed to minimise energy demand and have decentralised and renewable energy technologies (as appropriate) incorporated, while ensuring that adverse impacts are satisfactorily addressed.


These measures are in line with the objectives of the NPPF, as set out in paragraphs 7 and 93-108, and are supported by Policy CS 4 Adapting to Climate Change Flood Risk and Policy CS 3 Reduced contributions to Climate Change.

Reference should also be made to the Climate Change section of the draft National Planning Practice Guidance, in particular: "Why is it important for planning to consider climate change?" and "Where can I find out more about climate change mitigation and adaptation?"

<http://planningguidance.planningportal.gov.uk/blog/guidance/>

Additional guidance on considering climate change for this proposal is provided in an appendix at the end of this letter.

Yours faithfully



**Mr GRAHAM STEEL**  
**Sustainable Places - Planning Advisor**

Direct dial 01473 706008

Direct fax 01473 271320

Direct e-mail [graham.steel@environment-agency.gov.uk](mailto:graham.steel@environment-agency.gov.uk)

cc Strutt & Parker LLP

**Appendix 1****Surface water pollution prevention**

We refer the applicant to our groundwater policies in Groundwater Protection: Principles and Practice (GP3 v.1.1; 2013), available at <https://www.gov.uk/government/publications/groundwater-protection-principles-and-practice-gp3>.

The document includes our requirements with regard to SuDS. In particular, position statements G1 and G9 – G13 apply:

- G1 - Direct inputs into groundwater
- G9 - Use of deep infiltration systems for surface water and effluent disposal
- G10 - Developments posing an unacceptable risk of pollution
- G11 - Discharges from areas subject to contamination
- G12 - Discharge of clean roof water to ground
- G13 - Sustainable drainage systems

In brief, our general requirements with regards to SuDS are:

1. Infiltration sustainable drainage systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins shall only be used where it can be demonstrated that they will not pose a risk to the water environment.
  2. Infiltration SuDS have the potential to provide a pathway for pollutants and must not be constructed in contaminated ground. They would only be acceptable if a phased site investigation showed the presence of no significant contamination.
  3. Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components appropriate to the environmental sensitivity of the receiving waters.
  4. The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels.
  5. Deep bore and other deep soakaway systems are not appropriate in areas where groundwater constitutes a significant resource (that is where aquifer yield may support or already supports abstraction).
- Please also refer to the SuDS Manual (CIRIA C697, 2007) and update, the Susdrain website (<http://www.susdrain.org/>) and the draft National Standards for SuDS (Defra, 2011) for more information.

Appendix 2**Sustainability**

We suggest the following points are addressed by the applicant to limit the developments impact on the environment and ensure it is resilient to future climate change.

**Water Efficiency**

Over the next 20 years demand for water is set to increase substantially yet there is likely to be less water available due to a drier climate and tighter controls on abstraction. To address this new development should be designed to be as water efficient as possible. This will not only reduce water consumption but also reduce energy bills as approximately 24% of domestic energy consumption in the UK goes to heating water (DTI 2002).

**For residential development** Simple solutions such as dual-flush toilets, water-saving taps and showers, water butts and appliances with the highest water efficiency rating should all be included in the development. The use of greywater recycling and rainwater harvesting will achieve a higher efficiency for the development and should be installed wherever possible.

**For non-residential development** The payback following investment in water saving devices is often higher in commercial units than residential due to the higher frequency of use. Simple measures such as urinal controls or waterless urinals, efficient flush toilets and automatic or sensor taps are therefore very effective. Likewise investment in water recycling schemes is also more viable in business settings. Further advice is available at:

<http://www.anglianwater.co.uk/business/business-services/>

We also recommend that developers consider using equipment on the Water and Energy Technology List, a directory of products which have met an approved water and energy efficiency eligibility criteria.

Any submitted scheme should include detailed information (capacities, consumption rates, etc) on proposed water saving measures. Where rainwater recycling or greywater recycling is proposed, this should be indicated on site plans. Applicants are also advised to refer to the following for further guidance:

"<http://www.water-efficient-buildings.org.uk/>" to "<http://www.water-efficient-buildings.org.uk/>; and

"<http://www.savewatersavemoney.co.uk/>" to

**Waste and Resource Management**

Waste should no longer be regarded as a problem to be disposed of, but a resource in its own right.

The management of waste should be considered early in the design phase and all developments encouraged to follow the Construction Waste Hierarchy of prevention > re-use > recycling > recovery > disposal. Further information on this can be found at [www.defra.gov.uk/publications/files/pb13530-waste-hierarchy-guidance.pdf](http://www.defra.gov.uk/publications/files/pb13530-waste-hierarchy-guidance.pdf).

Measures to be included to reduce construction waste include procedures to prevent the over-ordering of materials, reducing damage to materials before use by careful handling and segregating waste on site into separate skips.

The developer should also consider how they will incorporate recycled/recovered materials into the building programme, including the use of secondary and recycled aggregates, and re-use of any on-site demolition waste.

Development design can also facilitate household waste recycling and we would suggest that designs incorporate facilities to aid this in line with local recycling provision, especially in multiple-occupancy buildings. We would also suggest that consideration is given to the provision for recycling opportunities within public areas. We recommend the following websites which provide ideas and further information: <http://www.wrap.org.uk> and <http://www.tcpa.org.uk/pages/towards-zero-waste.html>.

#### Net Gains for Nature

Landscaping proposals should demonstrate that thought has been given to maximising potential ecological enhancement. Paragraph 9 of the NPPF sets out that planning should seek positive improvements and includes an aim to move from a net loss of biodiversity to achieving net gains for nature in line with the Natural Environment White Paper (2011). In determining planning applications Local Authorities are asked to conserve and enhance biodiversity and encourage opportunities to incorporate biodiversity in and around developments (para.118). This presents an opportunity to provide multi-functional benefits - providing open space for residents, sustainable transport links, wildlife/ecological value, climate change resilience, improved water quality and flood risk management.

Incorporating green and/or brown roofs and walls are particularly effective. They provide valuable urban habitats, increased energy efficiency of buildings and attenuation of rain water. Research from the journal *'Environmental Science and Technology'* claims that green walls deliver cleaner air at street level where most people are exposed to the highest pollution. They can also add to an attractive street scene if designed well – a good example of this is the Transport for London Green Wall near Blackfriars station.

#### Additional Useful Resources

We have full responsibility for the governments Climate Ready support service which provides advice and support to businesses, the public sector and other organisations on adapting to and building resilience for climate change.

UNCLASSIFIED

The aim is to ensure businesses and services assess how they will be impacted by a changing climate so that they are both resilient and can thrive in the future. Further information and guidance can be found here <http://www.sustainabilityeast.org.uk/>

The UK Green Building Council has also published a series of documents to help Local Authorities and developers to understand sustainability issues. These documents are available on their website at: <http://www.ukgbc.org/content/advice-planners-and-developers>.

The most recently published technical guidance to the Communities and Local Government's 'Code for Sustainable Homes' also provides useful guidance: <https://www.gov.uk/government/policies/improving-the-energy-efficiency-of-buildings-and-using-planning-to-protect-the-environment/supporting-pages/code-for-sustainable-homes>

Your Ref: MS/2375/15  
 Our Ref: 570\CON\2276\15  
 Date: 03 September 2015  
 Highways Enquiries to: martin.egan@suffolk.gov.uk



**Suffolk**  
 County Council

Planning Control  
 Received

-3 SEP 2015

Acknowledged ... MW .....  
 Date ... 03/09/15 .....  
 Pass To ... JPG .....

The Planning Officer  
 Mid Suffolk District Council  
 131 High Street  
 Ipswich  
 Suffolk  
 IP6 8DL

**For the Attention of:** Mr J Pateman-Gee

Dear Sir,

**TOWN AND COUNTRY PLANNING ACT 1990 - CONSULTATION RETURN MS/2375/15**

**PROPOSAL:** Outline application with all matters reserved except access 52 dwellings and commercial use of land (4975 sqm) for B1 (office only), A1 (Pharmacy only) and/or D1 (Doctor's Surgery only).

**LOCATION:** Land to the south of, Gun Cotton Way, Stowmarket, Suffolk

**ROAD CLASS:**

Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

I have no objection in principle to this application. I note from the Planning Statement that all matters are reserved except for access. The proposed point of vehicular access is acceptable as proposed from the existing roundabout serving Cormorant Drive. There are some issues related to the pedestrian / cycle access and the schematic site plan as submitted and these are listed below for information:

1. The existing Public Footpath, FP39, along the south eastern boundary is not shown and this should be accounted for in any future layouts. The position of the treatment plant appears to sit over the footpath route.
2. There will be a need for the applicant to provide a 2m wide footway and a 2m wide verge adjacent to Gun Cotton Way for the extent of the Gun Cotton Way frontage.
3. There will be a requirement to provide pedestrian and cycle crossing points to allow new residents to safely cross Gun Cotton Way to access the existing cycle network.
4. The proposed new cycleway shown along the south western site boundary will need to be increased in width to match current standards. Where it joins the existing cycle route on the south eastern boundary an appropriate bridge will be required across the existing

ditch. Similarly there will be a need for an appropriate cycleway connection onto the existing roundabout in the north western corner of the site.

5. The layout shown does not meet current standards and will need to be revised should more detail be submitted.
6. Appended to the end of this letter are the comments from my Travel Plan Officer together with the Section 106 requirements.
7. Also attached are the Section 106 requirements relating to Public Rights of Way improvements.
8. There will be a Section 106 request for a traffic regulation order to implement parking and waiting restrictions on Gun Cotton Way. This will be a contribution of £10,000 to cover the order process and the physical works on the road.

The following highway conditions will be appropriate:

1 GPDO 1

Condition: Notwithstanding the provisions of Part 2 Class B of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) the access to the site shall be from the existing roundabout on Gun Cotton Way only.

Reason: In the interests of highway safety to ensure accesses are located at an appropriate position and/or to avoid multiple accesses which would be detrimental to highway safety.

2 AL 6

Condition: The gradient of the vehicular access shall not be steeper than 1 in 20 for the first twenty metres measured from the nearside edge of the adjacent metalled carriageway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

3 ER 1

Condition: Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

4 ER 2

Condition: No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

5 ER 3

Condition: The new estate road junction(s) with Gun Cotton Way inclusive of cleared land within the sight splays to this junction must be formed prior to any other works commencing or delivery of any other materials.



Reason: To ensure a safe access to the site is provided before other works and to facilitate off street parking for site workers in the interests of highway safety.

#### 6 P 2

Condition: Before the development is commenced details of the areas to be provided for the [LOADING, UNLOADING,] manoeuvring and parking of vehicles including secure cycle storage shall be 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 and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

#### 7 V 2

Condition: Before the access is first used visibility splays shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

#### 8

Condition: Before any part of the site is occupied a footway and a verge shall be provided across the complete Gun Cotton Way site frontage. The footway shall be 2 metres wide and shall be separated from the edge of Gun Cotton Way by a 2 metre wide verge. This shall be provided at the expense of the developer and shall be constructed in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and accessibility and to ensure the footway is constructed to an acceptable standard.

#### 9 NOTE 02

Note 2: It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. The County Council's Central Area Manager must be contacted on Telephone: 01473 341414. Further information go to: [www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/](http://www.suffolk.gov.uk/environment-and-transport/highways/dropped-kerbs-vehicular-accesses/)

A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to proposed development.

#### 10 NOTE 05

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

Those that appear to be affected are likely to be all utilities.

## 11 NOTE 09

Note: Suffolk County Council's highway apparatus appears to be affected by this proposal. The applicant must contact the Central Area Manager, telephone 01473 341414, to agree any necessary alterations to be carried out at the expense of the developer.

## 12 NOTE 12

Note: The existing street lighting system may be affected by this proposal. The applicant must contact the Street Lighting Engineer of Suffolk County Council, telephone 01284 758859, in order to agree any necessary alterations/additions to be carried out at the expense of the developer.

## 13 NOTE 15

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

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements,

indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

Yours faithfully

**Mr Martin Egan**  
**Highways Development Management Engineer**  
 Strategic Development – Resource Management

Additional Comments – Travel Plan.

I have had a chance to review the application for the proposed mixed use development South of Gun Cotton Way in Stowmarket (MS/2375/15). For an application of this size and nature I would require a Framework Travel Plan to support the application; primarily due to the B1 Office use being greater than 2500 square metres, in addition to the A1 (non-food), D1 and residential uses of the site. This Framework Travel Plan should contain sufficient objectives, targets and measures to achieve at least a 15% reduction of single-occupancy vehicle trips to and from the site for employees, visitors and residents to reduce the impact this development is likely to have on the local highway network.

The requirement for a Travel Plan is supported by National Planning Policy Framework paragraph 32, which sets out that plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people.
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.

Other relevant paragraphs include 34, 35, 36 and 37.

In addition, a good quality travel plan will also support Core Strategy Objectives SO3 and SO6 of the Mid Suffolk Core Strategy Development Plan Document (2008) and Core Strategy Focused Review (2012).

This Framework Travel Plan should be written in accordance with the Suffolk County Council guidance provided on the Green Suffolk Developer Support webpage ([www.greensuffolk.org/travel/travel-plan-support/developer-support/](http://www.greensuffolk.org/travel/travel-plan-support/developer-support/)).

I would also require the following Section 106 contributions to assist the delivery of the travel plan:

- Travel Plan Evaluation and Support Contribution - £1,000 per annum until five years have passed after completion of the development. This is to cover Suffolk County Council officer time working with the Travel Plan Coordinator and agreeing new targets and objectives throughout the full duration of the travel plan

I would also require the following Section 106 obligations, or planning conditions:

- Implementation of the Travel Plan
- Implementation of a Transport Management Association, or Travel Plan Management group to ensure the travel plan is jointly coordinated across all occupiers on the site
- Provision of an approved welcome pack to each new employee and resident on occupation

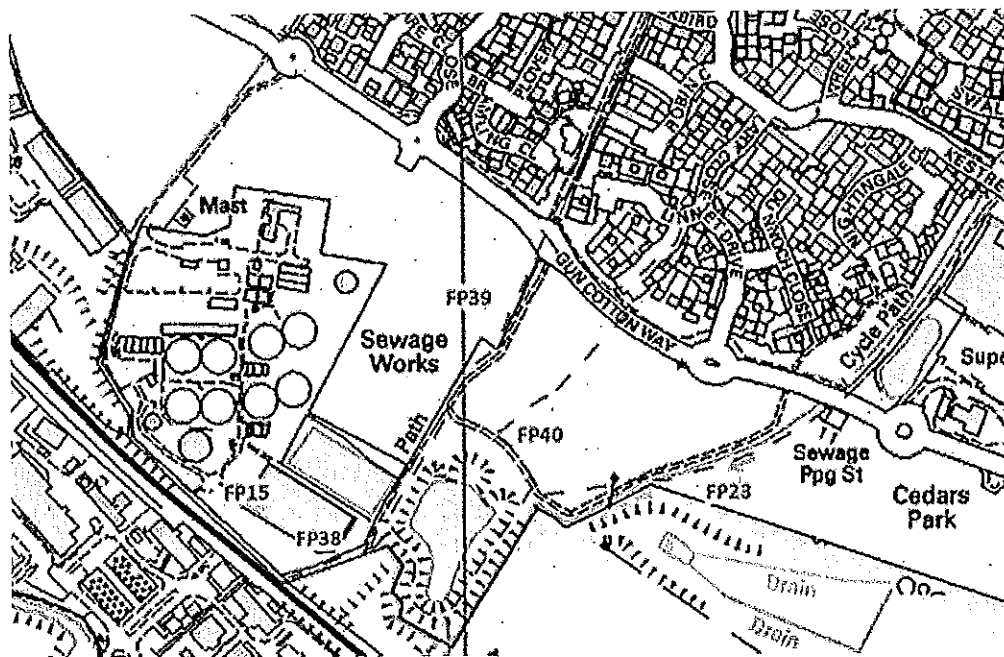
Full wording for the proposed obligations and conditions can be provided by myself at a later date.

Further detailed comments in regards to the content of the travel plan can be provided on request from the applicant.

#### Public Rights Of Way.

The proposed development will have a direct impact on the local public rights of way (PROW) network, please refer to the map.

PROW are important for recreation, encouraging healthy lifestyles, providing green links, supporting the local economy and promoting local tourism; there are a number of public footpaths which would provide a recreational route for residents of the development as well as linking to an area of employment and retail.



The anticipated increased use of the PROW network of as a result of the development will require the following offsite improvement works:

Public Footpaths 15 and 38 require resurfacing and widening to improve the route for pedestrians, in particular those with mobility aids and using pushchairs.

- An estimate based on average market costs to provide a hoggin type surface: 800m length x 1.5m width = 1200m<sup>2</sup> @ £25m<sup>2</sup> = £30,000.00
- Estimation for vegetation clearance = £1,250.00

The subtotal of these works is £31,250.00

Officer time @ 12% = £3,750.00

Contingency @ 10% = £3,125.00

Total s106 funding requested from this development = £38,125.00

The policy framework for these requirements is:

- The county council's rights of way improvement plan which, inter alia, highlights the importance of development in rural areas should give people the greatest opportunity to access the countryside by walking and cycling,
- The walking strategy, which seeks to ensure existing communities with a population over 500, and new developments over 10 dwellings have easy access to a one mile natural walk or 2ha of green space, within 500m of their home,
- The cycling strategy, which seeks to promote a transfer to cycling (and walking) for short distance trips; plan and design for the future with cycling in mind and create a safe and cycle friendly environment,
- The Joint Health and Wellbeing Strategy for Suffolk, outcome 2 of which states Suffolk residents should have access to a healthy environment and take responsibility for the own health and wellbeing,

- You will already be aware of course that, amongst other health and wellbeing objectives, policies set out under the NPPF; the following sections bear relevance to Public Rights of Way:

**Section 3 - Supporting a prosperous rural economy**

**Para 28** - To promote a strong rural economy, local and neighbourhood plans should... support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

**Section 4 - Promoting sustainable transport**

**Para 35** – refers to priority given to pedestrian and cycle movements, creating safe and secure routes to minimise conflicts between traffic and cyclists or pedestrians and to consider the needs of people with disabilities by all modes of transport.

**Section 8 - Promoting healthy communities**

**Para 69** - Planning policies and decisions, in turn, should aim to achieve places which promote... safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

**Para 73** - Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.

**Para 75** - Planning policies should protect and enhance public rights of way and local authorities should seek opportunities to provide better facilities for users, for example by adding links to the rights of way network.

Section 106 Agreement Contributions Summary.

£10,000 for Traffic Regulation Order for parking on Gun Cotton Way

£38,125 for Public Rights of Way improvements

£5000 Travel Plan Evaluation and Support.

Michelle Windsor

Planning Control

**From:** Steven Halls  
**Sent:** 09 September 2015 13:00  
**To:** Planning Admin  
**Cc:** Denis Cooper  
**Subject:** Consultation on Planning Application 2375/15  
**Categories:** Purple Category

Received  
 - 9 SEP 2015  
 Acknowledged MW  
 Date 09/09/15  
 Pass To JPG

FAO John Pateman Gee

Outline application with all matters reserved except access 52 dwellings and commercial use of land (4975 sqm) for B1 (office only), A1 (Pharmacy only) and/or D1 (Doctor's Surgery only). Land to the south of, Gun Cotton Way, Stowmarket, IP14 5UL

SCC requirements prior to any approval:-

Because the proposed development is located on a greenfield site and is greater than 1ha or 10 dwellings, there needs to be a suitable scheme implemented for the disposal of surface water. Currently the submitted SW drainage information in the FRA is insufficient and the FRA does not assess whether the development would increase flood risk off the site (contrary to NPPF Paragraph 103) or whether the development itself would be adequately protected from flooding in accordance with *non-statutory technical standards for sustainable drainage systems* and whether the development would cause pollution to downstream watercourses.

The proposal appears to be for surface water runoff from the site to discharge into a wider strategic SuDS system associated with the Cedars Park development. However SCC (Flood & Water Team) is unfamiliar with the drainage strategy and the information on Appendix F of the FRA is illegible.

**Specific Comments/Requirements:-**

The FRA/application should be revised to include clear information on the design, implementation and future maintenance of the SW drainage system including:

- Derivation of allowable peak flow rates from the site. This permitted discharge rate should either be limited to the equivalent greenfield rates for the 1, 30 and 100 year rainfall events or limited to a discharge rate proposed by the adopting authority (i.e. Anglian Water) based on the design of said network.
- The reason surface water is being discharged to an existing AW surface water sewer, rather than following the destination hierarchy described in National Planning Guidance para 080 and Building Regs and SCC SUDS guide.
- Catchment plans showing the percentage of impermeable area of various land uses within the development. This includes a plan of subcatchments /land uses assumed to be impermeable (PIMP).
- Design of SUDS for residential areas - The FRA seems to indicate flows would be controlled by water butts and irrigation - not normally an acceptable method on their own. Currently only a PIMP has been outlined for the commercial land use - 1.168ha. What is the PIMP for the residential land use and has the runoff from this land use been incorporated into the site wide drainage strategy, again there is no mention of this in the FRA.
- Consideration of open SuDS and a management train which increases water quality and integration of appropriate treatment stages in the development.
- Attenuation in the form of oversized pipes has been proposed to store the surface water volume for the 100 year+ CC event, generally this is not best practice and again the applicant should look at softer techniques to store the additional surface water volume above the allowable greenfield volume. Generally above ground storage would be preferable if infiltration on site is poor.

SCC would advise that planning permission should not be granted until the above issues are resolved and therefore maintain a holding objection until an acceptable FRA and drainage design is received and approved by SCC.

In light of the above comments, we would recommend further discussions with the applicant and Anglian Water prior to any resubmission.

For further guidance see [Suffolk County Councils SCC-Floods-Planning-protocol](#) , [SCC-Local-SUDS-Guide-May-2015](#) or contact :[SCC Floods Planning <floods.planning@suffolk.gov.uk>](mailto:SCC Floods Planning <floods.planning@suffolk.gov.uk>)

Kind Regards

**Steven Halls**

Drainage Technician

Highway Network Management

Resources Directorate

Suffolk County Council

Tel: 01473 264430

Mobile: 07713093642

email: [steven.halls@suffolk.gov.uk](mailto:steven.halls@suffolk.gov.uk)

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**From:** [planningadmin@midsuffolk.gov.uk](mailto:planningadmin@midsuffolk.gov.uk) [<mailto:planningadmin@midsuffolk.gov.uk>]

**Sent:** 24 July 2015 10:00

**To:** SCC Floods Planning

**Subject:** Consultation on Planning Application 2375/15

Correspondence from MSDC Planning Services.

Location: Land to the south of, Gun Cotton Way, Stowmarket, IP14 5UL

Proposal: Outline application with all matters reserved except access 52 dwellings and commercial use of land (4975 sqm) for B1 (office only), A1 (Pharmacy only) and/or D1 (Doctor's Surgery only).

We have received an application on which we would like you to comment. A consultation letter is attached. To view details of the planning application online please click [here](#)

We request your comments regarding this application and these should reach us

within 21 days. Please make these online when viewing the application.

The planning policies that appear to be relevant to this case are RT12, CL8, SDA7, SDA8, HB13, GP1, NPPF, SDA1, H17, SDA2, SDA5, SDA6, SDA3, SDA4, H16, CSFR-FC1, CSFR-FC1.1, which can

be found in detail in the Mid Suffolk Local Plan.

