

Committee Report

Item No: 8A

Reference: DC/22/03464

Case Officer: Averil Goudy

Ward: Stow Thorney.

Ward Member/s: Cllr Terence Carter. Cllr Dave Muller.

RECOMMENDATION – APPROVE RESERVED MATTERS WITH CONDITIONS

Description of Development

Application for Approval of Reserved Matters following grant of Outline planning permission reference DC/21/00407:

“Hybrid Application for the phased employment-led redevelopment of Land at Mill Lane, Stowmarket (Gateway 14) including:

Full Planning for site enabling works phase comprising, ground remodelling, utility diversions, installation of framework landscaping, creation of new footpath links, installation of primary substation, highways works including stopping up of Mill Lane, new all modes link from the A1120 Cedars Link to Mill Lane, new footway cycleway over the existing A1120 overbridge, installation of toucan crossing on the A1120 Cedars Link, footpath connection to the Gipping Valley Way, foul and surface water drainage infrastructure, outfalls and associated works;

Outline Planning Permission (all matters reserved, except for access) for the erection of buildings comprising employment and commercial use, open space and landscaping, car and cycle parking, highway works, and other associated works (additional plans, documents and EIA information received 08/04/2021) and subsequent ES addendum letter received 17th June 2021.”

Submission of Details for **Appearance, Landscaping, Layout and Scale** for Plot 4000 including updated Environmental Statement July 2022.

Location

Gateway 14, Land Between The A1120 And A14, Stowmarket, Suffolk.

Expiry Date: 13/10/2022

Application Type: RES - Reserved Matters

Development Type: Major Large Scale - Manu/Ind/Storg/Wareh

Applicant: Gateway 14 Limited

Agent: Miss Hannah Walker

Parish: Stowmarket

Site Area: 23.67ha

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to Committee as the applicant is Gateway 14 Ltd, owned by the District Council and the site is of a size that exceeds the threshold for determination by the Chief Planning Officer under delegated authority as prescribed in the Council's formal Scheme of Delegation.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

The Adopted Development Plan for Mid Suffolk District Council comprises the Mid Suffolk Core Strategy Focused Review (2012), the Mid Suffolk Core Strategy (2008) and the Mid Suffolk Local Plan (1998), specifically the live list of 'saved policies' (2007). The following are considered to be the most important for the determination of this Reserved Matters submission.

NPPF - National Planning Policy Framework
NPPG - National Planning Practice Guidance

Adopted Mid Suffolk Core Strategy (2008)

CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment

Adopted Mid Suffolk Core Strategy Focused Review (2012)

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC03 - Supply of Employment Land

Adopted Mid Suffolk Local Plan (1998)

SB02 - Development appropriate to its setting
GP01 - Design and layout of development
HB01 - Protection of historic buildings
H16 - Protecting existing residential amenity
CL08 - Protecting wildlife habitats
CL09 - Recognised wildlife areas
E02 - Industrial uses on allocated sites
E03 - Warehousing, storage, distribution and haulage depots
E09 - Location of new businesses
E10 - New Industrial and commercial development in the countryside
E12 - General principles for location, design and layout
T09 - Parking Standards
T10 - Highway Considerations in Development
T11 - Facilities for pedestrians and cyclists
T12 - Designing for people with disabilities
RT05 - Recreational facilities as part of other development
RT12 - Footpaths and Bridleways

Members are reminded that this is a "**Reserved Matters**" application. Therefore, the policies in the Adopted Development Plan that deal with the principle of development and its location are less relevant to the consideration of the proposal in land use terms as they are not determinative of detail and not the most important for the determination of the matters at hand.

Stowmarket Area Action Plan:

Policy 4.1 - Presumption in Favour of Sustainable Development

Policy 4.2 - Providing a Landscape Setting for Stowmarket
Policy 7.11 - Landscaping and Setting
Policy 7.12 - Transport – buses/cycle/walking
Policy 7.13 - Other site issues
Policy 7.14 - Infrastructure Delivery Programme
Policy 8.2 - A14 Trunk Road
Policy 9.1 - Biodiversity Measures
Policy 9.2 - River valleys
Policy 9.4 - River Gipping
Policy 9.5 - Historic Environment

Draft Joint Local Plan Submission Document 2021 [Reg 22]

Policy SP09 - Enhancement and Management of the Environment
Policy SP10 - Climate Change
Policy LP12 - Employment Development
Policy LP17 - Environmental Protection
Policy LP18 - Biodiversity & Geodiversity
Policy LP19 - Landscape
Policy LP21 - The Historic Environment
Policy LP25 - Sustainable Construction and Design
Policy LP26 - Design and Residential Amenity
Policy LP27 - Energy Sources, Storage and Distribution
Policy LP28 - Water resources and infrastructure
Policy LP32 - Safe, Sustainable and Active Transport

The Councils are working on the proposed modifications to the Joint Local Plan. The Inspectors have written to the Councils on 16 September 2022 with the latest update on the anticipated Examination schedule. The Council is expecting to proceed with a Part One Plan only with Part Two following in the future.

Depending on the outcome of further consultation [expected late Autumn 2022] the Examination hearings are likely to resume at some point in 2023.

Consequently, the Joint Local Plan currently carries limited weight as a material planning consideration.

The National Planning Policy Framework (NPPF)

The NPPF 2021 contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes.

Particularly relevant elements of the NPPF include:

Section 2: Achieving Sustainable Development
Section 4: Decision Making
Section 6: Building a Strong, Competitive Economy
Section 12: Achieving Well-Designed Places
Section 15: Conserving and Enhancing the Natural Environment

The National Planning Practice Guidance (NPPG)

The NPPG provides guidance and advice on procedure rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application.

Other Considerations

- The Mill Lane, Stowmarket (The Proposed Stowmarket Business and Enterprise Park) Development Brief - adopted as a supplementary planning document on 10th March 2014
- Suffolk County Council - Suffolk's Guidance for Parking (2014 updated 2019)

- BMSDC Open for Business Strategy

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area, falling instead within the Stowmarket Area Action Plan as detailed above.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. For simplicity only the latest consultation responses received have been summarised below.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Stowmarket Town Council

No response received to date.

Creeping St Peter Parish Council [Objection]

- Traffic generation
- Impact on residents of Clamp Farm (lack of landscaping and overlooking from office)
- Inconsistency of landscaping around the site
- Antisocial behaviour
- Does car park meet need?
- Complexity of noise and light surveys
- Lack of landscape details
- Inadequate odour assessment
- No consultation with residents

Badley Parish Council

No response received to date.

Stowupland Parish Council

No further comments.

Cllr Paul Ekpenyong – St Peters

No response received to date.

Cllr Terence Carter – Stow Thorney

No response received to date.

Cllr Mike Norris – Needham Market

"I fully support the comments from Creeping St Peter Parish Council in their submission dated 31st July 2022 regarding this Application for approval of Reserved Matters..."

Cllr Stephen Phillips – Needham Market

No response received to date.

Cllr Dave Muller – Stow Thorney

"I can confirm I am happy with the content of the recent consultation you sent to me."

National Consultee (Appendix 4)

Historic England

No comment.

National Highways

"The details provided to address the Reserved Matters are considered unlikely to have a material impact on the SRN. Consequently, we offer no objection to this application."

Natural England

No objection.

Network Rail

No objection.

British Horse Society

No response received to date.

The Environment Agency

"We have reviewed the documents, as submitted, and have nothing to add other than to refer back to our response to outline application DC/21/00407, dated 29 April 2021."

***Officer comments:** The outline consultation response confirmed the EA were removing their holding objection on flood risk on the hybrid application. A condition for foul drainage was recommended and imposed (condition 16). It also reminded the Local Planning Authority that flood risk considerations remain with them.*

EDF – Development Affecting Their Property

No response received to date.

County Council Responses (Appendix 5)**SCC – Development Contributions**

No further comment.

SCC – Minerals and Waste

"The potential of mineral extraction prior to commencement was considered during application DC/21/00407. Based on information provided by the applicant, it was concluded that material onsite was uneconomical to extract for use."

SCC – Flood and Water Management

Recommends approval.

SCC – Highways

No objection, subject to conditions.

SCC – Rights of Way

No objection.

SCC – Fire & Rescue

"Could you please ensure that Condition 37, in the original Decision Notice for planning application DC/21/00407, follows this build to it's conclusion."

SCC – Archaeology

No objection.

SCC – Strategy Policy Manager

No response received to date.

Internal Consultee Responses (Appendix 6)**Heritage Team**

"1. I consider that the details as submitted at reserved matters stage would cause less than substantial harm to designated heritage assets because it would detract from the spacious rural setting of the listed Clamp Farmhouse and Clamp Farm Cottages.

2. The level of harm for the details as proposed for Plot 4000 due to its layout and scale is rated medium.

3. Officers and/or Members should consider whether the degree of harm is clearly and convincingly justified by any public benefits."

Place Services – Landscape

"...we are now satisfied that our previously raised concerns have been address and can recommend approval of reserved matters."

Sustainable Traffic Officer

"...I do not object to any of the above, and welcome the inclusion of active travel provision to encourage walking and cycling into and around the site..."

Public Realm

No objection.

Economic Development and Tourism

"The Economy team are supportive of this application and welcome the applicant's ambitions for this building to be BREAAAM Excellent and to incorporate a range of sustainability measures that will contribute to the net zero ambitions for this site.

Gateway 14 is a key strategic employment site and part of Freeport East, so we welcome the early confirmation of the site's first occupier and the progression of development on this site. This will ensure that economic benefits for Stowmarket and the wider region are realised in the short term.

We welcome the proposed creation of 1,650 new jobs, and would request that a complimentary condition on the development of a skills and employment plan, in line with what is required as part of the Outline application, is attached to this permission, should it be approved. This will ensure that the occupier and any specific contractors are fully aware of their obligations in this respect. This should include, as an example, a full breakdown of the types and numbers of roles being created, the skills and experience required, the timeline for recruitment and their proposals for ensuring that local people are encouraged to apply.

As part of the Government conditions for the Freeport East Tax site, the occupier is required to have full engagement with the Freeport programme, so early conversations about their proposals, particularly in respect of skills, net zero and innovation would be welcomed."

Contact and Asset Management Team

No response received to date.

Environmental Health – Air Quality

No comment.

Environmental Health – Land Contamination

No comment.

Environmental Health – Noise/Odour/Light/Smoke

No objection, subject to conditions.

Officer comments: *Officers do not deem it necessary to impose the recommended conditions; the details are covered by existing conditions. Condition 46 is the condition on the outline, and not the full as suggested. Condition 29 secures a lighting design scheme concurrent with the reserved matters submission and secures location, specification and maintenance of lighting.*

Environmental Health – Sustainability Issues

"I have viewed the applicant's documents, namely the Environmental, Energy and Sustainability, Planning statements, and the BREEAM pre assessment. I note the contents therein. I am satisfied with the content in the documents mentioned above and they meet the requirements of the relevant conditions in the full planning grant. Therefore, I have no objection or further comments to make about the application."

Arboricultural Officer

No response received to date.

Infrastructure Team

No response received to date.

Place Services – Ecology

No objection.

Other Consultee Responses (Appendix 7)

Stowmarket Group – Patch 4

No response received to date.

Anglian Water

No further comments.

Suffolk Policy – Designing out Crime

No response received to date.

Suffolk Wildlife Trust

No response received to date.

East Suffolk Drainage Board

"Byelaw 3 - Discharge of water to a watercourse (treated foul or surface water) - Consent required"

Officer Comment: *An informative has been added as a reminder to the applicant.*

Stowmarket Society

- Connectivity to Stowmarket
- Lack of sustainable transport

B: Representations

At the time of writing this report at least 4 letters/emails/online comments have been received. It is the officer opinion that this represents 4 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Summary of Third-Party Objection Comments Received –

- Requirement for traffic lights on the A1120 roundabout
- Potential for congestion
- Inadequate screening
- Footpath incorrectly shown
- Use of Mill Lane
- Larger building footprint than approved at outline
- Out of character
- Overlooking from office
- Vehicle entrance close to Clamp Farm Barns
- Impact on residential amenity from car park
- Loss of light resulting from height of building
- Light pollution
- Impact from fumes and odorants

- Potential for antisocial behaviour
- Request to straighten bends at Clamp Farm Barns

Summary of Creeping St Peter Residents Campaign Group Objection Comments Received –

- Use of Mill Lane by HGV's
- Inadequate landscaping
- Access close to Clamp Farm Barns
- Sufficient car park provision
- Proximity of car park to neighbouring properties
- Overlooking from office
- Language used in application documents
- Impact from use of Clamp Farm Barns bends

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/21/00407	Hybrid Application for the phased employment-led redevelopment of Land at Mill Lane, Stowmarket (Gateway 14) including: Full Planning for site enabling works phase comprising, ground remodelling, utility diversions, installation of framework landscaping, creation of new footpath links, installation of primary substation, highways works including stopping up of Mill Lane, new all modes link from the A1120 Cedars Link to Mill Lane, new footway cycleway over the existing A1120 overbridge, installation of toucan crossing on the A1120 Cedars Link, footpath connection to the Gipping Valley Way, foul and surface water drainage infrastructure, outfalls and associated works: Outline Planning Permission (all matters reserved, except for access) for the erection of buildings comprising employment and commercial use, open space and landscaping, car and cycle parking, highway works, and other associated works (additional plans, documents and EIA information received 08/04/2021) and subsequent ES addendum letter received 17th June 2021.	DECISION: GTD 05.11.2021
REF: DC/22/03518	Discharge of Conditions Application for DC/21/00407- To be part discharged to allow development on Plot 4000 - Condition 4 (Phasing), Condition 6 (Design, Materials and Landscaping), Condition 9 (Cut and Fill Levels), Condition 10 (Finished Floor Level), Condition 14 (Surface Water Drainage Scheme), Condition 23 (Biodiversity Net Gain Design Stage Report), Condition 25 (Skylark Mitigation Strategy), Condition 29 (Lighting Design Scheme), Condition 43 (Water	DECISION: PCO

	Energy and Resource Efficiency), Condition 44 (BREEAM) and Condition 50 (Estate Roads and Footpaths)	
REF: DC/22/03702	Discharge of Conditions Application for DC/21/00407- To be Part Discharged, to allow development on Plot 4000- Condition 17 (Construction Management Plan)	DECISION: PCO
REF: DC/22/03703	Discharge of Conditions Application for DC/21/00407- To be part discharged to allow development on Plot 4000- Condition 19 (Construction Environmental Management Plan for Noise).	DECISION: PCO
REF: DC/22/03704	Discharge of Conditions Application for DC/21/00407- To be part discharged to allow development on Plot 4000- Condition 21 (Construction Environmental Management Plan (Biodiversity))	DECISION: PCO
REF: DC/22/03705	Discharge of Conditions Application for DC/21/00407- Condition 35 (Archaeological Investigation) and Condition 76 (Archaeological Scheme of Investigation)	DECISION: GTD 15.09.2022
REF: DC/22/03706	Discharge of Conditions Application for DC/21/00407- To be part discharged to allow development on Plot 4000- Condition 38 (Control of Pollution)	DECISION: GTD 15.09.2022
REF: DC/22/03707	Discharge of Conditions Application for DC/21/00407- To be part discharged to allow development on Plot 4000- Condition 42 (Scheme for Water Energy and Resource Efficiency during Construction)	DECISION: PCO
REF: DC/22/03708	Discharge of Conditions Application for DC/21/00407- To be part discharged to allow development on Plot 4000- Condition 48 (Access).	DECISION: PCO
REF: DC/22/03709	Discharge of Conditions Application for DC/21/00407- To be part discharged to allow development on Plot 4000- Condition 20 (CEMP Landscape)	DECISION: PCO
REF: DC/22/03786	Discharge of Conditions Application for DC/21/00407 - To be part discharged to allow development on Plot 4000 - Condition 27 (Landscape Management Plan) and Condition 28 (Landscape and Ecological Management Plan)	DECISION: PCO
REF: DC/22/02583	Discharge of Conditions Application for DC/21/00407- Condition 26 (Method Statement for Shepherd's Needle)	DECISION: GTD 15.07.2022

REF: DC/22/04068	Application for a Non Material Amendment relating to DC/21/00407 - To allow changes to the landscaping, access and substation.	DECISION: PCO
REF: DC/20/03246	Request for formal Environmental Impact Assessment (EIA) Scoping Opinion	DECISION: EIA 04.09.2020
REF: DC/18/05043	Application for Advertisement Consent - Erection of signage advertising new industrial/distribution units on available 70 acres	DECISION: REF 18.01.2019
REF: DC/19/01840	Application for Advertisement Consent - Erection of signage advertising new industrial/distribution units on available 70 acres (re-submission of refused application DC/18/05353)	DECISION: GTD 17.05.2019
REF: DC/20/03246	Request for formal Environmental Impact Assessment (EIA) Scoping Opinion	DECISION: EIA 04.09.2020
REF: 1041/16	Construction of 'Link Road' access between Phase 1 and Phase 2 of The Stowmarket Business & Enterprise Park	DECISION: DIS 23.11.2021

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1 The application site is situated to the east of Stowmarket. The site (Plot 4000) forms part of the Gateway 14 business and logistic park development. Plot 4000 comprises the south-western parcel of land within the development. It occupies a north slope which forms part of the Gipping Valley.
- 1.2 Neighbouring the southern boundary of Plot 4000 is the main London/Norwich railway line, with the Muntons development beyond. The A1120 extends the length of the western boundary, separating the site from Cedars Park. Clamp Farm Barns, comprising a cluster of dwellings surrounded by agricultural land, is to the east.

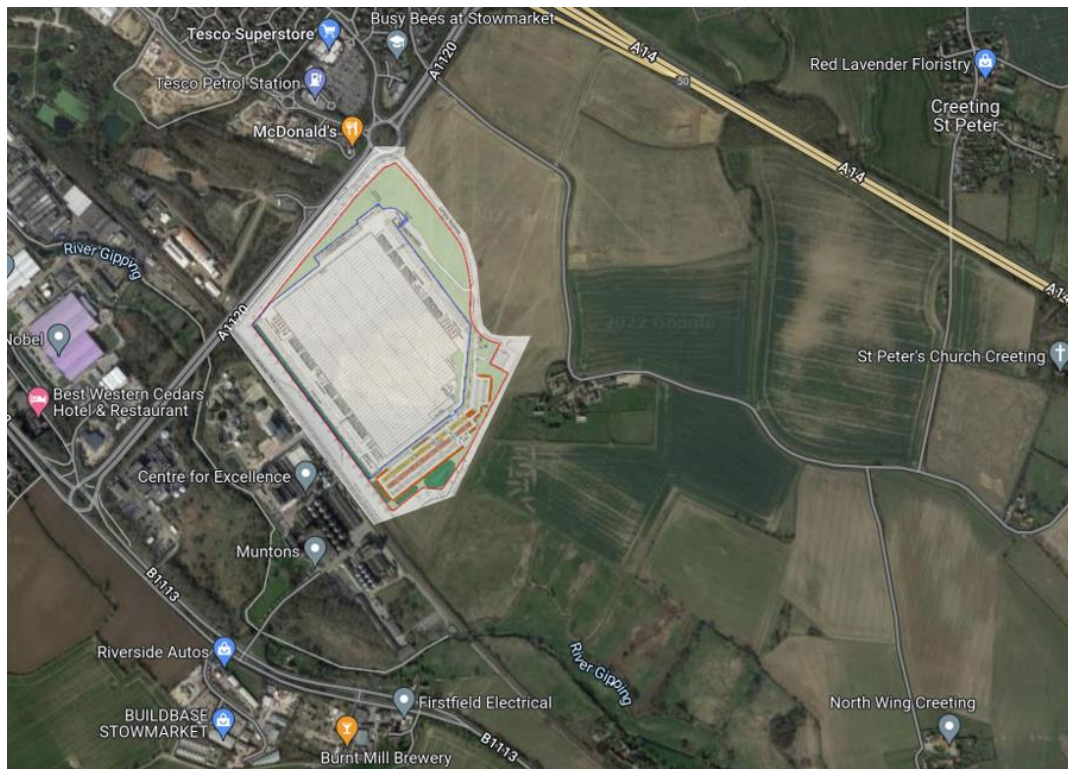


Figure 1: Proposed site layout overlaid on Google Maps snippet

2.0 The Proposal

- 2.1 The proposal seeks approval of reserved matters which includes the appearance, landscaping, layout and scale for Plot 4000, following permission DC/21/00407 dated November 2021 (hybrid application). Access was considered at outline stage.
- 2.2 Plot 4000 has an area of approximately 23.67 ha (58.50 acres).

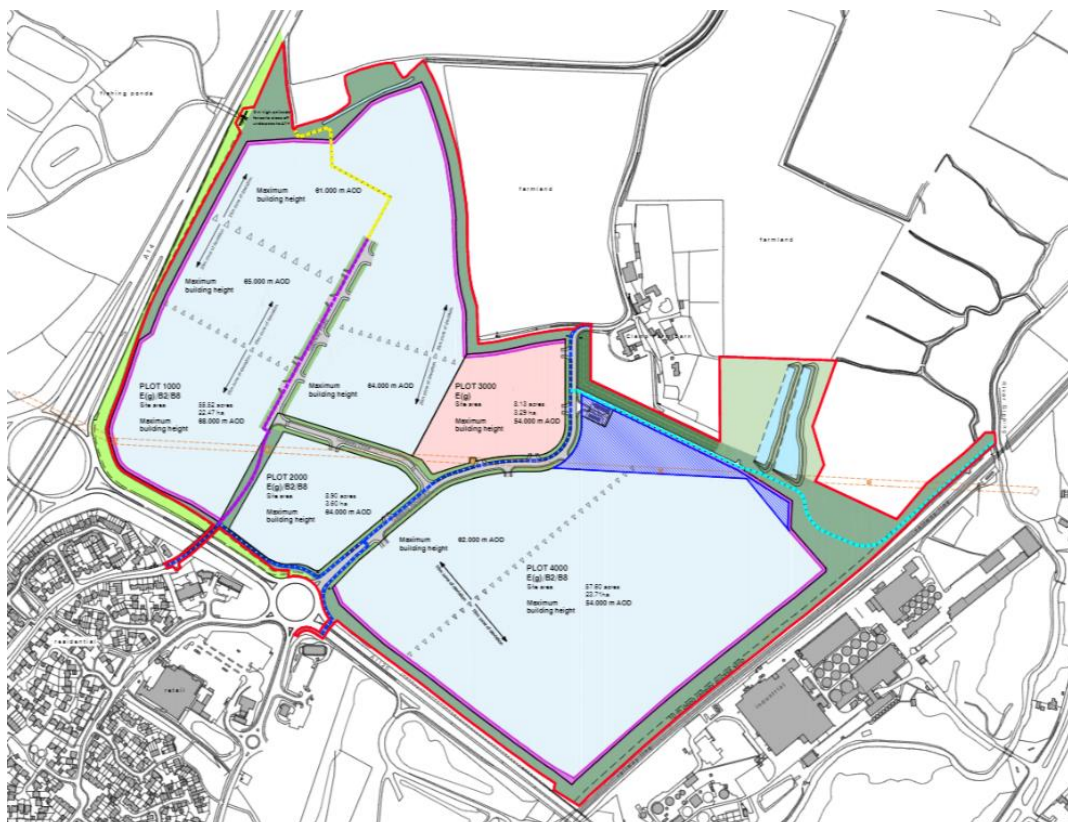


Figure 2: Parameters Plan submitted at outline stage (DC/21/00407)

- 2.3 Plot 4000 would see the erection of two buildings comprising the main warehouse building (Class B8 storage and distribution) with ancillary Class E (Office) use and a refuse and recycling unit. Car parking, loading/unloading areas, boundary landscaping and an access road are also proposed.
- 2.4 The development comprises the following elements:
- 105,298 sqm warehouse (gross internal area)
 - 2,787 sqm office (gross internal area)
 - 814 sqm refuse and recycling unit (gross internal area)
 - 802no. car parking spaces
 - 32no. motorcycle parking spaces
 - 558no. cycle parking spaces
 - 200no. truck parking spaces
 - 50no. truck overflow parking spaces
 - 160no. EV charging points
 - 160no. passive EV charging points (with future monitoring of staff demand)
 - 97no. dock levellers
 - 14no. level access doors
 - 22.3% soft landscaping
- 2.5 Plot 4000 would provide a total of 108,899 sqm of building footprint, with 22.3% of the site comprising soft landscaping. The logistics warehouse would have a ridge height of 18.7m above finished ground level (after ground modelling).
- 2.6 During the course of consideration, revisions to the layout, elevations, and technical details (amongst other things) have been made in response to consultee and Officer comments. Of particular importance, the elevations have been amended to include changes to the colour palette and banding arrangement to better assimilate the proposal into its surroundings and limit the visual and landscape impact.

3.0 The Principle of Development

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:
- “If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*
- 3.2 The Development Plan, which in this instance comprises saved Local Plan, Core Strategy, Focused Review and Stowmarket Area Action Plan documents, is therefore the starting point for the Council when determining such applications and so we must first consider the application in the light of the most relevant Development Plan policies.
- 3.3 The site is allocated for development in the Core Strategy Focused Review, Stowmarket Area Action Plan (Policy 7.9) and Joint Local Plan (Policy SP05).
- 3.4 The principle of development for employment purposes on this site has already been established by planning permission DC/21/00407.

4.0 Nearby Services and Connections Assessment of Proposal

- 4.1 The application site is adjacent to Stowmarket, separated by the A1120. A new access to the site from the A1120 roundabout has been approved, and is under construction, as well as a pedestrian crossing to the A1120. In addition, the existing Mill Lane bridge will provide a further opportunity for pedestrian access.

- 4.2 There are a number of cycle routes including shared footway/cycleways that provide access through Cedars Park or via the A1120 to Stowmarket and Needham Market and to the town centre and railway station. These also provide convenient connection for cyclists from other residential areas of the town.
- 4.3 These routes will provide access to the services and facilities in Stowmarket, including the wider connections via the railway. In addition, it is noted that Tesco, McDonalds and Costa Coffee are in close proximity, providing many of the associated facilities which may be required by employees. This proximity will itself promote linkages of trips by employees.

5.0 Proposed Use and Area

- 5.1 The outline permission secured the change of use of land for the erection of buildings comprising employment and commercial use. The uses detailed were B2 (general industrial), B8 (storage or distribution) and E(g) (offices, research and development and some industrial processes).
- 5.2 Plot 4000 was anticipated to comprise 23.71ha of B2, B8 and/or E(g) use.
- 5.3 The proposed unit will have a B8 storage and distribution use with ancillary E(g) offices. The reserved matters submission is therefore in accordance the outline details and condition 7 securing these use classes.

6.0 Layout

- 6.1 At outline stage an illustrative masterplan and parameters plan, providing a comprehensive potential design solution for the site, were submitted and considered. Due regard was also had to the adopted Development Brief for the site. The proposal complies with the expectations of the outline permission.
- 6.2 The two buildings proposed on site, the distribution warehouse and refuse and recycling unit, would total a gross internal floor area of c.108,899 sqm. The buildings are proposed to the south-western boundary, with car parking located to the south-eastern boundary. The dock levellers (used to bridge the gap between the vehicle and loading bay to ensure safe loading and unloading) and lorry parking are proposed to the northeast and southwest of the building, with overflow spaces/container storage areas proposed to the north.
- 6.3 The primary site accesses would be from the link road between Mill Lane and the A1120 through the site, shown on plan as Gateway Boulevard. The northernmost access would be used for HGVs only. This access for the service yards would be secure and a gatehouse would be provided. A 2.4m high weld mesh fence will surround the service yard and perimeter roads. The southern access would be used for cars and buses only, providing access to the car park, cycle shelters and bus stop. An application for an emergency access from the site onto the A1120 is currently pending consideration under reference DC/22/04641. The emergency access would only be utilised if the main entrance was to become blocked or unusable, and this proposal is not considered to be predicated on the acceptability or otherwise of the emergency access.
- 6.4 Soft landscaping is proposed predominantly to the A1120 and Gateway Boulevard frontages. An informal recreation area is proposed to the northeast, comprising foliage and mown footpaths for employees to enjoy. An outdoor staff amenity area is proposed to the east of the building. The SuDs features would be located to the south and south-western boundary of the site.
- 6.5 Whilst the proposed layout has been amended since the indicative masterplan was considered at outline stage, Place Services Landscape have confirmed that it would have no further adverse effect on the landscape character or visual effect than previously assessed and mitigated for.

7.0 Scale

- 7.1 The proposed building on Plot 4000 has a large footprint which is to be expected on a development of this character and nature where substantial space is being provided for employment purposes. At the outset it is recognised that the early delivery of this particular site within the Gateway 14 scheme will be prominent as an early visible feature. As the other parts of the Gateway 14 development are built out this building will merge into its surrounding visual context and appear less apparent as it will sit amongst buildings of a similar scale. Furthermore, as landscaping matures the building will begin to assimilate into the landscape.
- 7.2 The parameters plan submitted at outline stage details the maximum building heights for the site. Some ground re-modelling was permitted as part of the full application.
- 7.3 The adopted Development Brief sets out the site access point (off A1120 roundabout) at 43m AOD, with much of the southern section of the site (i.e., Plot 4000) situated at 27-30m AOD. The Development Brief goes on to state: *"The Southern boundary of the site - and the entire vista of this section of the Gipping Valley - is dominated by the Maltings complex with its silos, storage buildings and chimney rising to a height of circa 67m AOD."* The Development Brief concluded that *"...the sunken nature of the southern part of the site, the presence of a pre-existing barrier to reduce visual impact and baffle noise, the presence of major pre-existing and permanent sources of light and noise intrusion both from the A1120 and the Maltings complex provide strong justification for the allocation of this part of the site for warehousing activity requiring tall buildings and may include 24 hour operation."*



Figure 3: Indicative levels in the Development Brief

- 7.4 An indicative cut and fill plan was submitted alongside the hybrid application to provide a level base for future development. This plan showed the levels changing for Plot 4000 from between 27 and 30m AOD to 33.1m AOD. Albeit it was noted that this plan was indicative, and the final levels can be agreed subject to condition.
- 7.5 The relevant conditions imposed on the outline permission included: submission of cut and fill levels (condition 9), details of finished floor levels (condition 10) and maximum building heights (condition 11). Conditions 9 and 10 were submitted concurrent to the submission of this reserved matters and are pending consideration under application reference DC/22/03518. Condition 11 required the maximum building height for plot 4000 to be 21m above finished ground level and compliance with the parameters plan.
- 7.6 It was noted that the indicative levels differed to those in the Development Brief. However, the expectations of the Development Brief do not expressly set out whether the heights proposed are from AOD or from a cut/filled level. Regardless, when taken against the Development Brief generally, they equated to a material increase in overall level height. It was concluded at outline

stage that, subject to conditions and appropriate landscape mitigation, the scale of the development would be reasonably controlled and mitigated.

- 7.7 The parameters plan (figure 2) secures the maximum building height (AOD) for Plot 4000 as between 54.000m AOD and 62.000m AOD (noting the level change across the site). The table below sets out the changes in levels and proposed heights which Members considered as part of the hybrid application.

Plot No	Existing AOD as Dev Brief	Survey AOD	Dev Brief Height (clear eaves to underside of haunch)	Estimated resulting building height	Proposed Indicative Cut and Fill Platform Level	Proposed Maximum Building Height AOD	Indicative Eaves Level	Maximum Building Height
Plot 4000	27m – 40m AOD	43 – 23.95	8m northern area 15m southern area	12m 19m	33.1m to 42.6	54m to 62m AOD	18m	21m

Figure 3: Snippet of table from hybrid committee report (DC/21/00407)

Reserved Matters				
Plot No.	Finished Floor Levels AOD	Max. building height AOD	Eaves Height	Max. building height
Plot 4000	34.950m AOD	54.000m AOD	15.8m	18.7m

Figure 4: Proposed reserved matters levels and heights

- 7.8 Figure 4 above demonstrates that the building height and building height AOD proposed for this unit are in accordance with the parameters set with the outline permission.
- 7.9 Figure 5 below illustrates that soil from the north-eastern edge of the site will be used to fill the southern boundary of the site, to create a level site. The levels will therefore be changing by c.6-7m across the site where it's at its highest and lowest levels.

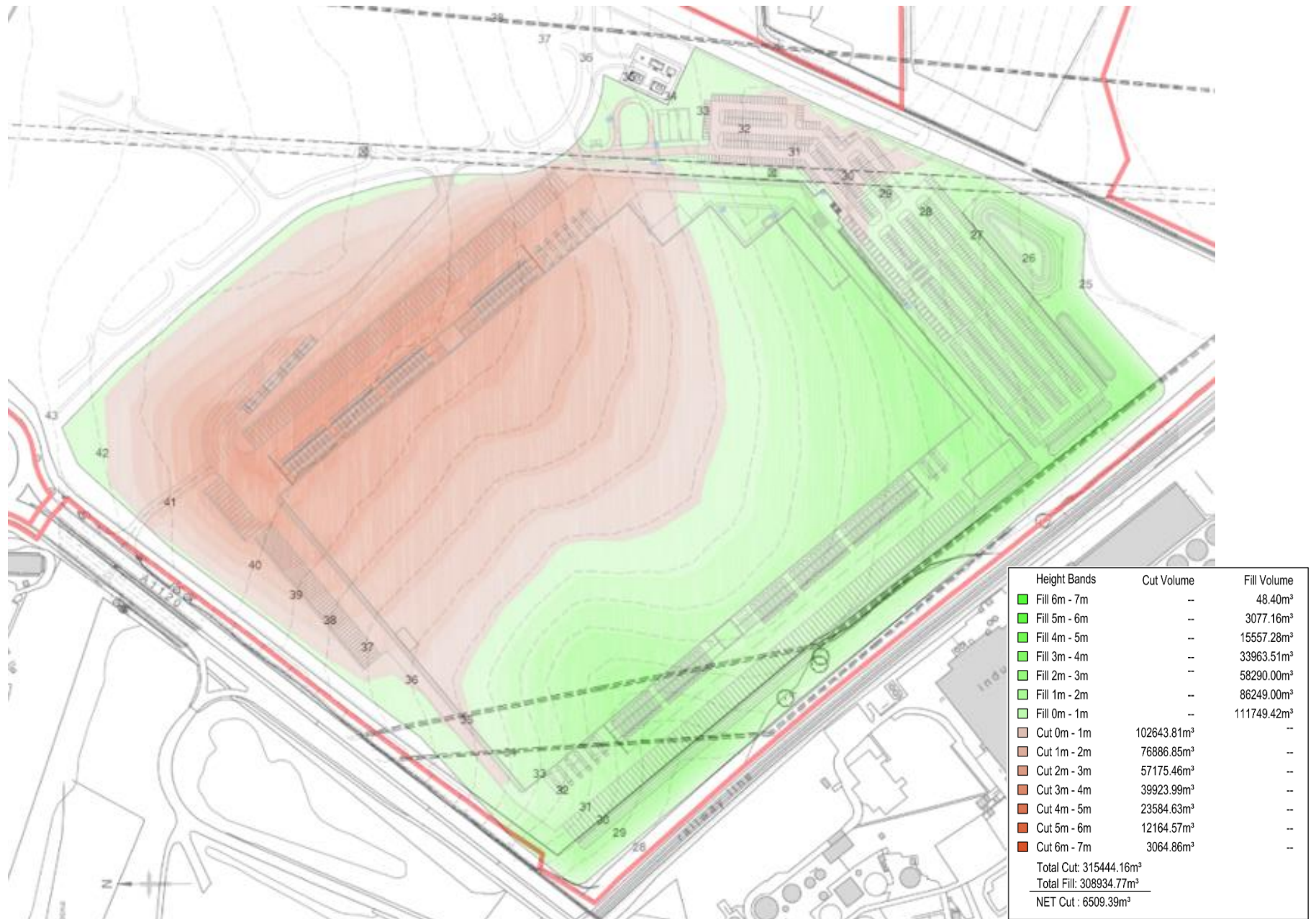


Figure 5: Existing site plan with levels submitted at outline overlaid on proposed cut and fill plan accompanying reserved matters



Figure 6: Section through proposed building and landscaping adjacent to Gateway Boulevard (NW to NE)

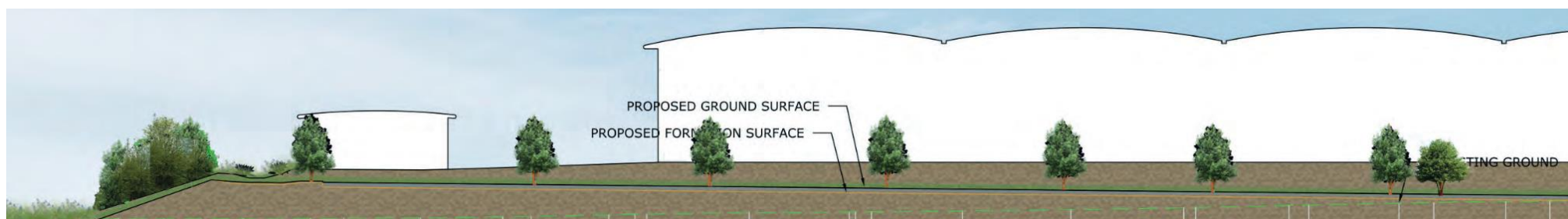


Figure 7: Section through proposed building, refuse and recycling unit and landscaping adjacent to railway and car park (SW to SE)

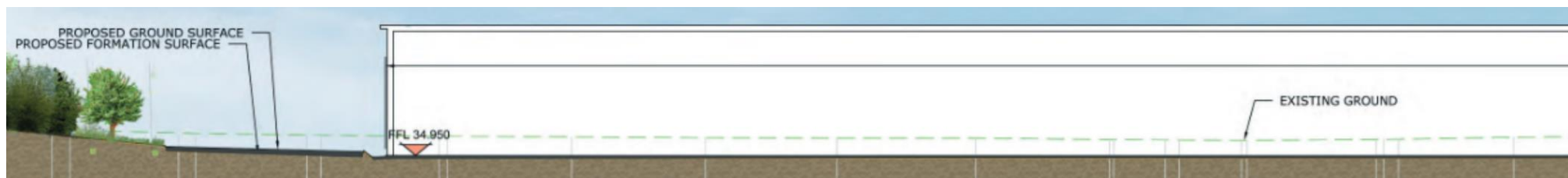


Figure 7: Section through proposed building, landscaping and overflow lorry parking/container storage area adjacent to A1120 (NW to SE)

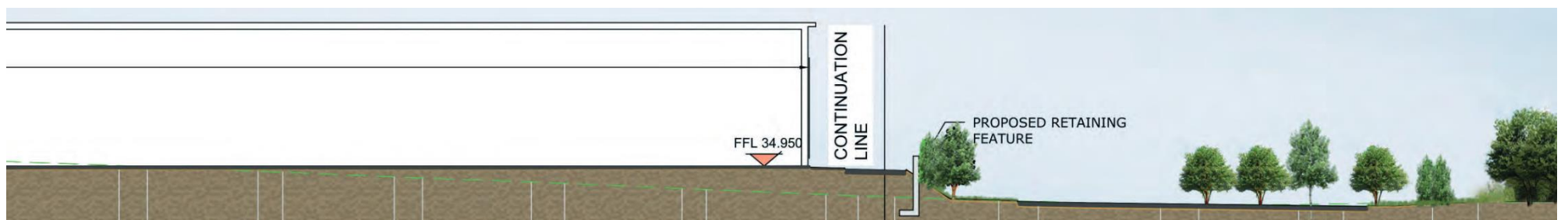


Figure 8: Section through proposed building, retaining feature and car park (NW to SE)

- 7.10 The proposed cut and fill strategy would utilise the natural slope of the site and would create a building which complies with the parameters set at outline. Whilst it marginally exceeds the Development Brief, it was noted that this site could accommodate a tall building, particularly with The Maltings complex reaching 67.000m AOD adjacent. With the extent of landscaping proposed, The Maltings complex being 13m taller in height than the proposed building, and compliance with the outline permission, the scale of the development is considered acceptable.

8.0 Appearance

- 8.1 A Design Code was approved at outline stage. The Design Code sets out the proposed principles for future development of the site, designed to inform and guide the reserved matters submissions. The Design Code reflects the expectations of the Development Brief.
- 8.2 Condition 47 of the outline consent secures compliance with the Design Code. It requires details of compliance to be submitted as part of each reserved matters application.
- 8.3 The submission confirms compliance with the Design Code. All materials specified in the Design Code form part of this proposal, with the exception of composite cladding and brickwork. The materials recommended in the Design Code have been chosen mindful of the appropriateness of these for the function, scale and appearance of this building. The omission of that material choice and minor conflict with the Design Code would not cause unacceptable harm to the character of the area.
- 8.4 The appearance of the distribution warehouse is characterised by its operational requirements, including the loading areas, service yards, offices, and ancillary buildings.
- 8.5 The proposed materials include metal cladding (roof and wall), concrete panels and steel and aluminium windows and doors.
- 8.6 During the course of consideration concern was raised regarding the elevational treatment of the building and potential visual and landscape harm resulting from the perceived massing. Amendments have been made, in consultation with the Planning Officer and Place Services Landscape Officers, which include reducing the banding width, different (softer) colour palette and accentuating the entrance and windows in blue. These amendments have addressed the previous concerns.
- 8.7 The proposed building would have a barrel-vaulted roof. The curved roof helps to soften long distance views of the building, particularly the sensitive views from Gipping Valley and Clamp Farm Barns.
- 8.8 The Landscape and Visual Impact Assessment (LVIA) confirms that within the three key views of the site (being from the River Gipping, beyond Clamp Farm Barns and beyond the A14) a significant portion of the visual setting of the proposed building is sky.
- 8.9 The cladding would be arranged in vertical bands of differing widths and complementary colours/tones, providing a disruptive pattern that looks to conceal mass, with a horizontal band of lighter cladding under the eaves. The proposed colour palette includes white, blue and a variety of greys. The lighter top of the building reduces the perceived height of the building and, in combination with the vertical cladding, blends into the sky.
- 8.10 With these changes the size of the building, its bulk and large footprint have been disguised to read as lower buildings against the sky and to read as a series of smaller linked volumes with distinct office and warehouse components.
- 8.11 The applicant has worked closely with officers to achieve this important effect as it will help to soften the visual impact of the building in views, although it is acknowledged that in granting outline planning permission for a warehouse/logistics park, buildings on Plot 4000 would foreseeably have a prominent presence by their very nature.

- 8.12 Physical samples of the materials and colours will be available for viewing at the committee meeting, so that the exact colours can be viewed.
- 8.13 The footprint of the building would be stepped and staggered in order to break down the apparent scale of the building. Similarly, the projecting elements articulate the long elevations and seek the same effect.
- 8.14 The proposed development inevitably includes substantial areas for HGV parking, and it is foreseeable that at certain times of the year these may provide commercially useful additional storage space if managed appropriately. Members will be aware that container storage on other sites in the District has at times been problematic and in balancing these issues it is considered that a storage management approach for the whole site is desirable for this unit. It is proposed to control the height of storage within defined areas so that the visual impact of external storage does not unacceptably affect or impact upon the amenities of the locality or compromise the design approach to this building in its landscaped plot. It is also the case that refuse storage and handling may be problematic if not carefully managed and for these reasons both matters are the subject of conditions. For the record the proposed refuse and cycling unit would follow the same design principles in terms of materiality and form as the main distribution building.
- 8.15 In the round the design approach taken here is considered to be reasonable and would deliver a building which would not cause unacceptable landscape or visual impact in the long-term accepting that the development would give rise to a short-term change in the landscape. The reserved matters for appearance are therefore acceptable having regard to the outline consent, Design Code, and the Development Plan.

9.0 Landscaping

- 9.1 The hybrid application secured strategic landscaping to the boundaries, as well as a landscaped bund to the northwest of Clamp Farm Barns (separating Clamp Farm Barns and Plot 4000). Relevant landscaping conditions on the outline consent include the creation of bund (condition 5), design, materials and landscaping (condition 6), construction environmental management plan for landscape (condition 20), landscape and ecological management plan (condition 28) and arboricultural recommendations (condition 23).
- 9.2 This submission is accompanied by Plot 4000 landscape proposals, a visual impact assessment and LVIA addendum letter.
- 9.3 The approved Design Code required the delivery of 20% of each plot to be delivered as soft landscaping. The submission confirms compliance, with a total of 22.3%, which equates to c.52,000 sqm.
- 9.4 The proposed landscape strategy includes:
- Ornamental and native trees
 - Native hedges along primary routes
 - Wildflower meadow
 - Woodland corpse and spinneys
 - Green wildlife corridors
 - Outdoor amenity area for staff

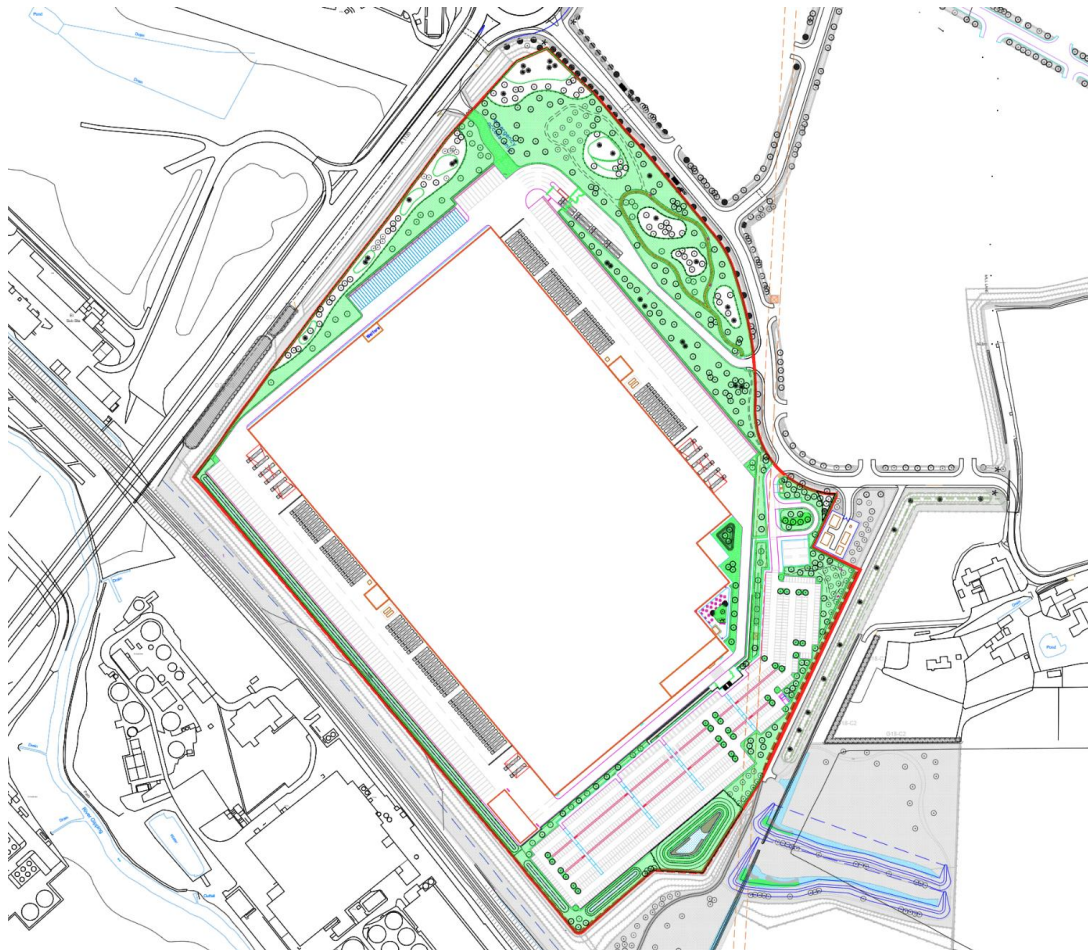


Figure 9: Proposed landscaping plan for Plot 4000 only

- 9.5 In comparison to the illustrative landscape masterplan submitted at outline, changes to accommodate the larger single block include the loss of a landscaped area to the southeast corner and an increase in landscaped area to the northern edge adjacent to the spine road and site entrance.
- 9.6 A large proportion of the soft landscaping would be to the A1120 and Gateway Boulevard frontages to soften the visual impact of the building.
- 9.7 Place Services Landscape have recommended approval of the landscaping proposals. The amount of soft landscaping proposed exceeds the requirement imposed at outline. Having regard to this advice there are not considered to be any unacceptable landscape or visual impacts arising from the development such as would warrant refusal of the application.

10.0 Site Access, Parking and Highway Safety Considerations

- 10.1 Access considerations were made at outline stage where the following access/highways improvement works were secured:
- New access link from the A1120 to Mill Lane
 - Stopping up Mill Lane
 - New footway new footway cycleway over the existing A1120 overbridge
 - Toucan crossing on the A1120 Cedars Link
 - Footpath connection to the Gipping Valley Way
 - New footpath links
- 10.2 Plot 4000 would be accessed from Gateway Boulevard. The site would have two main accesses, one for HGVs and one for cars and buses. An emergency access is also proposed directly onto the A1120, albeit not part of this application. All issues in relation to the safety of the proposed accesses onto Gateway Boulevard are currently being considered as part of the discharge of

conditions application reference Condition 48 (DC/22/03708), in consultation with SCC Highways.

- 10.3 The unit would be served by 802no. car parking spaces, 32no. motorcycle spaces, 558no. cycle parking spaces, 200no. lorry parking spaces and 50no. lorry overflow parking spaces. Of these, 160no. spaces are to be fitted with an EV charging system and a further 160no. are to have the infrastructure in place for future connectivity. The proposal is in accordance with the Suffolk Guidance for Parking (2019) in terms of vehicle parking, EV charging and secure cycle storage.
- 10.4 The application is accompanied by evidence demonstrating that the trip generation associated with Plot 4000 is within the level agreed at outline stage.
- 10.5 At outline stage concern was raised regarding the bends on Mill Lane adjacent to Clamp Farm Barns. It is noted that this concern remains for some residents. It is anticipated that the majority of the traffic from the site would come via the A1120/A14 as this is the most direct route. SCC Highways have confirmed that there will signs 'All Routes' sending traffic towards the A1120 on each access and junction off the spine road (Gateway Boulevard). In addition, SCC Highways have requested a Stage 3 Safety Audit for the site so if it is considered that additional signage is required, then signs at Mill Lane Clamp Farm Barns bend can be erected. The Highways Authority are satisfied that these measures will be sufficient and will minimise the usage of Mill Lane. To provide additional assurance on this matter, Officers consider it justified to impose a condition requiring a 'HGV Routing, Monitoring and Management Strategy' to be agreed prior to first use. With all these measures in place, the Local Planning Authority is satisfied that any impact on Clamp Farm Barns bends will be alleviated.

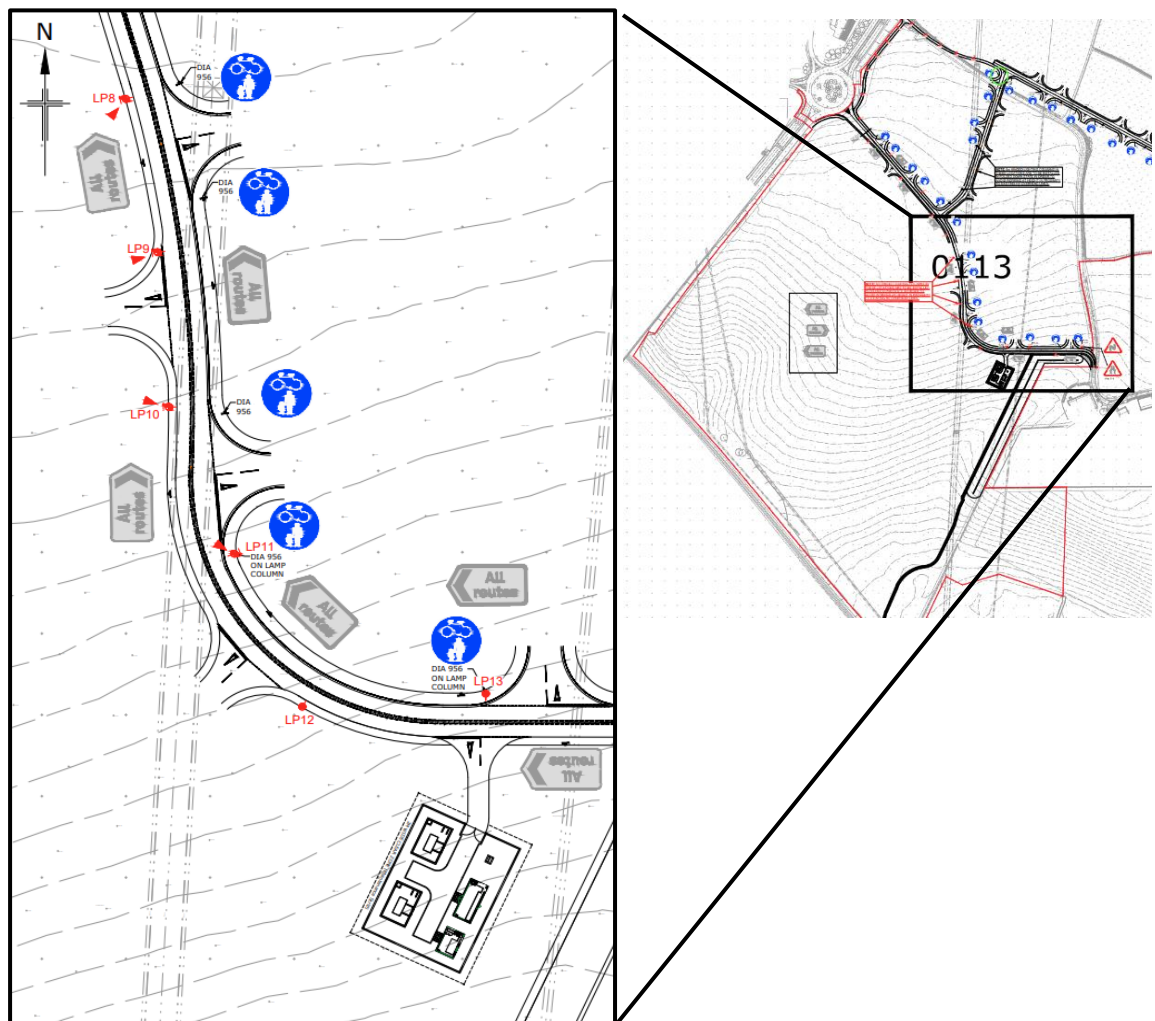


Figure 10: Highways signage at Plot 4000 junctions off Gateway Boulevard directing traffic towards A1120/A14 roundabout

- 10.6 SCC Highways have been consulted and have no objection to the proposal subject to conditions in relation to parking areas, cycle storage and refuse and recycling bin areas. The submission of details pursuant to cycle storage and facilities is secured by condition 53. Due to the overlap, it is not deemed necessary to impose the recommended cycle storage condition.
- 10.7 Consultation has also been undertaken with both National Highways (formerly Highways England) and BMSDC Sustainable Traffic Officer. Neither raise objection to the proposal.
- 10.8 A Construction Management Plan (CMP) is required prior to commencement on site (condition 17). The CMP is currently pending consideration (application reference DC/22/03702) and is in consultation with SCC Highways, Environmental Health and BMSDC Waste Services. The CMP states that all construction traffic must utilise the A14/A1120 access only. The site compound is proposed within the site, adjacent to Gateway Boulevard, to limit disturbance. The CMP also secures details regarding dust management, wheel washing, materials management, fencing and pedestrian/cyclist safety (amongst other things). No objections to the discharge of condition 17 have been raised from the aforementioned consultees.
- 10.9 The hybrid application secured a Travel Plan for the site (as part of a S106 and condition 52 on the outline permission). The Travel Plan is required to include (amongst other things) targets and methods to ensure trip reduction and modal shift, mechanisms for monitoring and the appointment of a suitably qualified Travel Plan Coordinator to set up a Travel Plan Management Group. Whilst the details of these arrangements have not been provided yet the opportunities for active travel can be identified within the application information.
- 10.10 Plot 4000 provides a cycle storage facility with sufficient capacity for 558no. cycles. In addition, a public footpath is to be provided along Gateway Boulevard to the toucan crossing (already approved) on the A1120, providing access towards Tesco's and Cedars Park. Showers and lockers are provided for those employees that walk or cycle to the site, as requested by BMSDC Sustainable Travel Officer and SCC Highways. This provision, in combination with the modal shift secured by the Travel Plan, is considered to ensure active travel into and around the site.
- 10.11 An inclusive design approach has been taken ensuring safe and suitable access for all. Measures include 2m wide level access into site, delineated and accessible parking bays and electronic opening main entrance doors. A ramped access up to the main entrance is proposed in accordance with SCC Highways specification.
- 10.12 Plot 4000 would not impact Footpath 1, or its proposed diversion route, which is located within Plot 1000. The Public Rights of Way Team have confirmed they have no objection to the proposal. The amenity of rights of way users is considered below.
- 10.13 On this basis, there is not considered to be any unacceptable highway safety impacts that would warrant refusal of this application.

11.0 Ecology, Biodiversity and Protected Species

- 11.1 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.
- 11.2 The outline application was accompanied by the necessary ecological assessments relating to the likely impacts of development on protected and priority species & habitats and identification of proportionate mitigation measures.
- 11.3 As parts of the outline application site were considered to provide habitats for the Shephard Needle plant and Skylarks, suitable mitigation was required. Condition 25 secures a Skylark Mitigation Strategy and condition 26 secures a Method Statement for Shepherd's Needle. The

Skylark Mitigation Strategy is currently pending consideration under reference DC/22/03518, where consultation with Place Services Ecology is taking place. The Method Statement for Shepherd's Needle has been considered in consultation with Place Services Ecology and is deemed acceptable, thus condition 26 has been discharged under reference DC/22/02583.

- 11.4 The proposal also includes Biodiversity Net Gain (BNG). A BNG Design Stage Report was secured under condition 23, requiring a minimum of 10% measurable BNG. The BNG calculation (utilising Defra Biodiversity Metric 3.1) confirms a gain of 54.66% for habitat units and a 100% gain for hedgerow/linear features. As such the proposal provides measurable net gains, as required by paragraphs 174d and 180d of the NPPF.
- 11.5 The external lighting around the site would include column mounted, wall mounted, bollard and surface mounted lights with high efficiency LED fittings. The external lighting has been designed for operational and security purposes, whilst being wildlife sensitive. Condition 29 requiring a lighting design scheme is currently pending consideration (application reference DC/22/03518), in consultation with Place Services Landscape and Ecology and Environmental Health. The scheme will ensure minimal light spillage, with the addition of back shields as necessary, to prevent sky glow and glare and minimise harm to amenity, wildlife and landscaping.
- 11.6 Place Services Ecology have confirmed that they have no objection to the proposal; they are satisfied that there is sufficient ecological information available in line with the development as approved at outline stage and that the application can be made acceptable by conditions already secured.

12.0 Land Contamination, Flood Risk, and Drainage

- 12.1 Matters of land contamination were dealt with at outline stage; thus, Environmental Health have confirmed they have no objection to the proposal.
- 12.2 The south-eastern part of Plot 4000 has an area in Flood Zone (FZ) 2 and FZ3, but this is a small area along the boundary of the site. At outline stage it was considered that an acceptable layout would be one with no development in these FZs. Condition 9 on the outline also secured that there will be no change of levels within FZ2 and FZ3 to ensure the flood risk is not increased elsewhere.
- 12.3 This submission is accompanied by a Flood Risk and SuDs Assessment, Flow Calculations and a Drainage Strategy. The proposed layout confirms there will be no development within FZ2 and FZ3.
- 12.4 The Lead Local Flood Authority (LLFA) consider the proposal to be acceptable. Conditions 13 (no development within the floodplain), 14 (Surface Water Drainage Scheme), 15 (SuDs Verification Report) and 18 (no storage in the floodplain) on the outline remain pertinent.
- 12.5 The Environment Agency, Anglian Water and East Suffolk Drainage Board have also been consulted on the proposal and no objections have been raised.
- 12.6 There are not considered to be any unacceptable land contamination, flood risk or drainage impacts that warrant refusal of this application.

13.0 Heritage Issues

- 13.1 The duty imposed by s.66(1) of the Listed Buildings Act 1990 sets a presumption against the grant of planning permission which causes harm to a heritage asset. The assessment of heritage harm is the subject of policy set out in the NPPF and Local Plan policies seeks to safeguard against harm. A finding of harm, even less than substantial harm, to the setting of a listed building is an adverse material consideration to which the decision-maker must give "considerable importance and weight".

- 13.2 The outline site is situated just over 50m, at the closest point, to the West of two Grade II Listed Buildings, The Clamp and Clamp Cottages. The southern-most part of the site forming the wetland area is within 200m of the Grade II Listed Badley Mill House, with the Grade II Woodlands Farmhouse slightly to the South of Badley Mill House. In addition to these Listed Buildings there are more in the wider area, with the proposal recognised as having the potential to affect the setting of three Grade II* properties; Cedars Hotel, Badley Hall and Creeting Hall.
- 13.3 The approved DC/21/00407 hybrid proposal was considered by the Heritage Officer to result in a medium level of less than substantial harm. In accordance with paragraph 202 of the NPPF, this harm was weighed against the public benefits of the proposal. The public benefits emanating from the proposal include employment and enhanced public access to the countryside. It was considered that to bring forward this development plan allocation should attract significant weight as a public benefit. In light of this, the significant public benefits were considered to outweigh the less than substantial harm identified.
- 13.4 The Heritage Team have been consulted on the Plot 4000 proposal and consider it would also cause a medium level of less than substantial harm to the settings of Clamp Farmhouse and Clamp Farm Cottages. The proposed development is considered to negatively impact the character of spacious land to the west which currently contributes considerably to understanding and appreciation of the significance of the historic farmstead group.
- 13.5 The public benefits arising from the development of Plot 4000 mirror those of the wider development. A total of 1,650 jobs (equivalent to 1,450-1,500 FTE) are expected from this unit alone, providing a significant number of the employment requirements for Stowmarket over the plan period. The need to support economic growth and productivity, taking into account local business needs and wider development opportunities, is afforded significant weight, as prescribed in paragraph 81 of the NPPF.
- 13.6 As noted, the statutory duty imposed by the Listed Buildings Act 1990 requires decision-makers to give considerable importance and weight to the finding of harm to a designated heritage asset. The finding of harm for Plot 4000 was anticipated for a building of this scale in proximity to the historic farmstead group. That said, the aforementioned public benefits are significant and, on balance, are considered to outweigh the medium level of less than substantial harm to the settings of Clamp Farmhouse and Clamp Farm Cottages, as required by paragraph 202.
- 13.7 The conditions securing appropriate investigation and recording of below ground assets as previously recommended by SCC Archaeology on the outline remain applicable.
- 13.8 The proposed development is therefore considered to comply with Local Plan policies GP01 and HB01, Core Strategy Policies CS5 and Section 16 of the NPPF.

14.0 Impact on Residential and Local Amenity

- 14.1 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.
- 14.2 The nearest residential properties are those that form Clamp Farm Barns, those at Badley Mill House to the south-east and Cedars Park to the west, across the A1120.
- 14.3 The outline consent secured a bund adjacent to Clamp Farm Barns to provide a visual screen and reduce noise levels. This bund is currently under construction and must be completed prior to the commencement of works (condition 5).
- 14.4 As part of the outline application it was acknowledged that local amenity would be affected; pedestrians, cycle and other members of the public in the locality will experience the site as an employment development in an urban edge location both visually and in terms of noise, activity and disturbance. On that basis, the open countryside enjoyment presently experienced may be altered by the change inherent in development. That said, it was acknowledged that the site will

be seen and encountered in the context of Stowmarket town and that experience will not unacceptably harm local amenity such as to warrant refusal.

- 14.5 The Parish Council and neighbour comments in respect of the potential for overlooking from the office area are acknowledged. It is not disputed that the proposed building is taller in height than the Clamp Farm buildings. The approved bund, in combination with the existing boundary vegetation and the proposed planting, will offer some screening. Whilst the siting and fenestration to the office area may offer views towards Clamp Farm Barns, a distance of over 170m is afforded. It would be reasonable to assume that no clear views of individuals or private amenity spaces would be achievable by the natural eye across this distance.
- 14.6 To control matters which may impact residential amenity the following conditions were imposed at outline stage: construction environmental management plan for noise (condition 19), lighting design scheme (condition 29), control of pollution (condition 38), construction operation time (condition 39), operation times (condition 40), use of machinery (condition 41), office noise levels (condition 45) and cumulative noise level restriction (condition 46).
- 14.7 This submission is accompanied by an Air Quality Assessment, Lighting plans, Odour Assessment and a Noise Assessment. BMSDC's Environmental Protection Officer has raised no objection to the proposal. For these reasons, it is considered that residential amenity would not be affected to an extent to warrant refusal of the application.

15.0 Sustainability, Water Energy and Resource Efficiency

- 15.1 Core Strategy Policy CS3 requires that all non-residential development proposals over 1,000sqm will be required to integrate renewable energy technology in order to provide at least 10% of their predicted energy requirements and additional sustainable construction measures.
- 15.2 Conditions on the outline consent secure a scheme for water, energy and resource efficiency during construction (condition 42), a scheme for water, energy and resource efficiency during operational phase (condition 43) and BREEAM pre-assessment estimator (condition 44). These were recommended by Environmental Health at outline stage to ensure the requirements of the Council's current planning policies are met.
- 15.3 The proposal includes on-site renewable energy technologies in the form of solar photovoltaic (PV) panels on the roof and air source heat pumps (ASHP).
- 15.4 During the course of consideration, the solar PV provision has been increased to ensure compliance with Core Strategy Policy CS3. The proposal includes a 600.00 kWp solar array mounted flush on the roof orientated due south-west. Based on similar distribution centres of this scale, the expected annual power usage is 4,230,000 Kilowatts hours (Kwhrs). The power requirements for this unit are estimated to be on average 450Kw (expected to fluctuate daily and across seasons). Therefore, this PV provision is expected to generate over 12% of the building's annual energy usage.
- 15.5 The applicant is not proposing a larger PV array to fully meet their on-site energy requirements at this stage. To summarise the reasoning set out in the submitted Sustainability Briefing note, to increase the solar PV provision at this stage is considered to be counterproductive. To generate the annual energy usage for the plot, a 5000kWp would be required. In peak summer months this would generate tenfold the building base load requirements which could not be utilised on the building or be exported, resulting in restrictions/isolating nearly 90% of the PV system generation. As the first plot to come forward in this development, there are no other occupiers to share energy with, and UKPN have confirmed that it is currently unfeasible to export the energy to the grid.
- 15.6 The proposal is compliant with the current development plan policy requirements and the provision of future proofing for additional panels as needs be in the future is welcome. It should

be noted that the roof of Plot 4000 has been designed to accommodate the structural load of additional PV.

- 15.7 Whilst outside the remit of planning, the application submission confirms that Plot 4000 would be in accordance with Part L (2021) of the Building Regulations. Part L requires buildings to have higher performance targets in terms of CO2 emissions and an emphasis on low carbon heating systems.
- 15.8 The accompanying Sustainability Briefing Note states that the development will achieve BREEAM 'Excellent', in excess of the outline planning permission requirements of 'Very Good'.

16.0 Planning Obligations

- 16.1 At outline stage contributions for PROW works, Travel Plan, landscape management and recreational facilities/active travel were secured by S106. Skylark mitigation was also secured by S106.
- 16.2 This Reserved Matters application does not generate the requirement for a new S106 Agreement or a Deed of Variation because the obligations which have been secured under the outline planning permission (DC/21/00407) are not altered by the approval of this Reserved Matters application.

17.0 Commentary on Outline Conditions

- 17.1 Members are reminded that this application before them is for the Reserved Matters of the first phase of this development. A number of other aspects of the development have previously been agreed and secured by condition relating to DC/21/00407 and are required to be discharged accordingly.
- 17.2 Those conditions which directly inform this application have been detailed in this report. As set out in the planning history above, a number of discharge of conditions applications have been received for relevant conditions and these are being determined having regard to appropriate consultee advice. Clearly the discharge of other conditions will depend upon the acceptability of this submission for the use to go forward.

18.0 Parish Council Comments

- 18.1 The concerns raised by Creeping St Peter Parish Council have predominately been considered in the above report. Officer comments in respect of the outstanding points are as follows:

Anti-social behaviour – Whilst not directly a planning matter, the Agent has confirmed that appropriate security will be implemented, including CCTV monitoring. It is in the interests of the occupier to prevent anti-social behaviour.

Landscaping – The hybrid application secured strategic areas of landscaping, including the bund around Clap Farm Barns, and this reserved matters submission is accompanied by a landscaping plan specific for Plot 4000. This information has been reviewed in consultation with the Councils Landscape Consultant and is deemed acceptable. The visual impact will be softened as the landscaping establishes. Requiring details of the specific contractor to be employed is considered unreasonable. The Landscape and Ecological Management Plan and Landscape Management Plan provide sufficient detail and requirement for ongoing maintenance.

Complexity of Noise and Light Surveys – Officers acknowledge that these documents and plans contains technical information. It is for this reason that the Environmental Health Team were consulted; they are experts in these fields. On the basis that they consider this information acceptable, the impact on neighbouring amenity is not considered to be detrimental.

Inadequate Odour Assessment – The Odour Assessment submitted considered the impact of uses on site on neighbouring occupiers. In this case, the proposal does not include any processes that would generate odorous emissions.

19.0 Environmental Impact Assessment

- 19.1 The Gateway 14 development was subject to a scoping opinion (reference DC/20/03246) in August 2020 in accordance with The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 ('The EIA Regs') (as amended).
- 19.2 The hybrid application (reference DC/21/00407) was accompanied by an Environmental Statement.
- 19.3 It is necessary to consider this submission as part of the multi-stage consent. The EIA Regs dictate that the likely significant effects should be identified and assessed as part of the principal decision (i.e. outline planning permission), and only where the effects are not identified or identifiable at the time of the principle decision, should an assessment be undertaken at the subsequent stage (i.e. Reserved Matters).
- 19.4 In this case, the Reserved Matters submission does not satisfy all of the requirements of Regulation 9 of The EIA Regs for further details. The applicant has provided an Environment Statement (ES): Statement of Conformity Update with this submission, concluding that the approved development ES and July ES SoC remains applicable and valid. Therefore, no further screening or scoping is deemed necessary.

PART FOUR – CONCLUSION

20.0 Planning Balance and Conclusion

- 20.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The consideration is, therefore, whether the development accords with the development plan and, if not, whether there are material considerations that would indicate a decision should be taken contrary to the development plan.
- 20.2 The development plan includes the Core Strategy 2008, the Core Strategy Focused Review 2012, and saved policies in the Mid Suffolk Local Plan 1998, as well as the Stowmarket Area Action Plan (2013) and Adopted supplementary planning document Mill Lane Development Brief. The Core Strategy Focused Review Policy FC3 and SAAP Policy 7.9 allocate the application site for employment purposes. This is continued in the emerging Joint Local Plan. The material considerations include the July 2021 NPPF and other current national policy documents.
- 20.3 The principle of development has already been established by the existing extant outline consent and it remains the case that the national policy approach in the NPPF is to give significant weight to the need to support economic growth and productivity allowing areas to build on their strengths, counter any weaknesses and address the challenges of the future.
- 20.4 Plot 4000 would generate approximately 1,650 jobs (equivalent to 1,450-1,500 FTE). The unit is pre-let and has been designed to meet the tenants' requirements. The Council seeks to support appropriately located sustainable employment opportunities creating development in suitable locations, particularly within close proximity to the A14 trunk road.
- 20.5 Gateway 14 is a strategically important employment site and its delivery is a key component in the Council's overall economic strategy. It will help to deliver a significant number of new jobs within the district to support the rapid residential expansion of the District and provide new opportunities for our communities to prosper and live and work in close proximity.

- 20.6 Gateway 14 is also of regional and national importance because it is a vital component of The Freeport East initiative designed to boost the UK's trading prospects in a post-Brexit era. The availability of purpose-built largescale warehouse/logistics premises close to the strategic road network and close to the Ports of Felixstowe and Harwich will support efforts to support the UK to become a leader in world trade.
- 20.7 In the case of Plot 4000 it will mean one of the UK's largest retailers will have an important hub within the District. By attracting such a significant company this proposal will satisfy some demand for warehouse/logistics space along the A14, boost largescale investment, jobs and economic prosperity in the District. This represents a significant step forward in the regeneration of this part of Stowmarket. This is a significant public benefit.
- 20.8 The substantial public benefits arising from the proposal are considered, on balance, to outweigh the less than substantial harm to the designated heritage assets.
- 20.9 The revisions to the elevational treatment of the building are a welcomed benefit to lessen the visual massing of the development. The design outcome is not considered to have detrimental landscape or visual impact.
- 20.10 The proposal is not considered to cause any harm to residential amenity, highways, ecology or the landscape and character of the surrounding area.
- 20.11 The proposal is considered to be in general conformity with both Local and National policy. The reserved matters details are acceptable, and the recommendation is approval.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to APPROVE reserved matters with conditions:

(1) That the Chief Planning Officer be authorised to APPROVE reserved matters subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Approved Plans
- Highways - Provision of loading, unloading, manoeuvring and parking areas (inc. EV) (prior to first operational use)
- Highways - Provision of areas and routes for refuse and recycling bins (prior to first operational use)
- HGV Routing, Monitoring and Management Strategy (prior to first operational use) - Management strategy to include ongoing operator/Parish & Town Council engagement mechanism whilst use in being
- Container and external storage management plan - To provide for arrangements to manage and control container and external storage
- Limitation on areas/height for container and external storage shall apply to the following areas:
[A] Lorry parking area on southwest edge of site (described on site plan as 105 spaces); not to exceed the height of TWO ISO standard shipping containers stored on ground level if stacked
[B] Lorry parking area on the northwest edge of the site (described on site plan as overflow lorry spaces/container storage area and 13 spaces); not to exceed the height of TWO ISO standard shipping containers stored on ground level if stacked
[C] Lorry parking area on northeast edge of site (described on site plan as 82 spaces); not to exceed the height of ONE ISO standard shipping container stored on ground level
- No onsite commercial waste handling or storage outside defined areas
- Provision of employee welfare and amenity areas (prior to first operational use)
- Installation of base build and fit out solar PV (prior to first operational use)
- Operational Skills and Employment Plan to be agreed
- Construction Skills and Employment Plan to be agreed

(2) With the following informative notes as summarised and those as may be deemed necessary:

- Reminder of conditions on outline permission
- Pro active working statement
- LLFA
- Bylaw 3 - Consent required