

Committee Report

Item No: 7B

Reference: DC/22/06379

Case Officer: Daniel Cameron

Ward: Chilton.

Ward Member/s: Cllr Terence Carter. Cllr David Napier.

RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION WITH CONDITIONS

Description of Development

Application for Outline Planning Permission (Access points to be considered, Appearance, Layout, Landscaping and Scale to be Reserved) Town and Country Planning Act 1990 (as amended) - Erection of up to 65No. dwellings, including up to 22No affordable units, and construction of new vehicular access (following demolition of existing buildings).

Location

Truckeast Limited, Violet Hill Road, Stowmarket, Suffolk IP14 1NN

Expiry Date: 21/06/2023

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: TruckEast Ltd

Agent: Mr James Bailey

Parish: Stowmarket

Site Area: 1.65ha

Density of Development: 39 dwellings/ha.

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: Yes

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

This is a major development for 15 or more dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

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

Core Strategy Focused Review 2012:

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

Stowmarket Area Action Plan (2013):

4.1 Presumption in Favour of Sustainable Development
6.1 Housing and Waste Storage
6.5 Allocation
9.1 Biodiversity Measures

Core Strategy (2008):

CS01 - Settlement Hierarchy
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS07 - Brown Field Target
CS09 - Density and Mix

Mid Suffolk Local Plan (1998):

GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
H4 – Provision for affordable housing
H14 – A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
CL08 - Protecting wildlife habitats

Supplementary Planning Documents:

Suffolk Adopted Parking Standards

Emergent Joint Local Plan:

SP01 - Housing Needs
SP02 - Affordable Housing
SP03 - The sustainable location of new development
LP16 - Biodiversity & Geodiversity
LP19 - The Historic Environment
LP23 - Sustainable Construction and Design
LP24 - Design and Residential Amenity
LP26 - Water resources and infrastructure

LP27 - Flood risk and vulnerability
LP29 - Safe, Sustainable and Active Transport

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area and at the time of writing, no neighbourhood plan is in development within Stowmarket.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

[Click here to view Consultee Comments Online](#)

Town Council (Appendix 3)

No comments were received from Stowmarket Town Council.

National Consultee (Appendix 4)

Anglian Water comments received 6th January 2023

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

The sewerage system at present has available capacity for used water flows, ensuring the foul point of connection is to manhole MH4902 in Recreation Road at National Grid Reference NGR TM 04441 58991.

The surface water drainage scheme is noted to be acceptable. A number of informatives are noted.

Historic England comments received 3rd January 2023

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers.

County Council Responses (Appendix 5)

Development Contributions Manager comments received 28th December 2022

Summary of infrastructure requirements split between CIL and Section 106:

CIL/S.106	Project	Total Cost
CIL	Secondary school expansion @ £25,253 per place	£303,036
CIL	Sixth form expansion @ £25,253 per place	£75,759
CIL	Libraries improvements @£216 per dwelling	£14,040
CIL	Household waste @ £205 per dwelling	£13, 325
S.106	Primary school new build @ £21,774 per place	£370,158
S.106	Early years new build @ £21,744	£130,644
S.106	Monitoring fee per obligation trigger point	£476
S.106	Highways	TBC

Additional Development Contributions Manager comments received 12th June 2023

The previously submitted a consultation response by way of letter dated 28 December 2022 which was time-limited for six months. The summary of infrastructure requirements set out in that letter, split between CIL/s106, are valid for a further six months to 27 December 2023 unless the development proposals are amended.

Fire and Rescue Service comments received 29th December 2022

A condition is required for fire hydrants. Additional comments are noted, however, these relate to building regulations.

Final Flood and Water Management Team comments received 8th June 2023

The following submitted documents have/has been reviewed and the LLFA recommends approval subject to conditions to secure a surface water drainage scheme and a verification report following completion to show that the SuDS have been installed as per the agreed scheme.

- Flood Risk Assessment & Surface Water Drainage Strategy Ref 65207151-SWE-XX-XX-T-C-0001 Rev P03 Dated May 2023
- Proposed Site Plan Ref SK(00)007 Dated No 2022
- Existing Site Plan Ref TP103-101 Dec 2022
- Phase 1 – Desk Study and Preliminary Risk Assessment Ref 6747,DS,DESK,HS,TP,23-08-22,V1 August 2022
- Surface Water Drainage & SuDS – Management & Maintenance Plan 65207151-SWE-XX-XX-T-C-0003 Rev P01

Highways comments received 11th January 2023

Whilst the proposal is generally acceptable (regarding traffic impact and noting the sustainable location and proximity to local amenities), the following comments should be addressed to enable the Highway Authority to provide a positive response with recommended planning conditions:

1. The proposed visibility splays would be regularly obscured by vehicles within the existing controlled parking bays to the north and south of the retained access. Whilst it is accepted that the parked vehicles would influence approaching vehicle location, the illustrated visibility splays need to represent this and provide an acceptable arrangement whereby motorists do not have to 'edge out' past the parked vehicles to exit the access. It is envisaged that an acceptable arrangement will require highway works and potentially reconfiguring the existing parking bays (that are likely to be subject to a Traffic Regulation Order).

2. A number of the local amenities that are within walking distance of the proposal site are located to the south, that requires crossing Recreation Road, or crossing over to avoid Recreation Road - due to the wide junction splays and lack of suitably located dropped kerbs. This proposal will significantly increase the use of this area by pedestrians including vulnerable road users so improvements to this area are necessary to ensure that the proposal is not detrimental to highway safety.

Additional Highways comments received 8th June 2023

Further to the submission of revised highway improvement proposals, 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 and Section 106 contribution shown below:

- Access to provided as shown and to be delivered prior to any other works.
- Visibility splays to be provided to the access.
- Means to prevent discharge of surface water from development onto the highway.
- Details of estate roads and footpaths to be agreed.

- No dwelling to be occupied until the estate roads and footpaths serving that dwelling have been provided to at least Binder level.
- Parking area details to be agreed including provision of electric vehicle charging points and cycle storage.
- Refuse storage and presentations areas to be agreed.
- Construction method statement to be agreed.

Section 106 contribution to secure a TRO (Traffic Regulation Order) is required to enable access works and off-site highway improvements.

Travel Planning Officer comments received 9th January 2023

The need for a travel plan is required given the scale of the development. The travel plan should include targets which aim to reduce single occupancy vehicular trips to / from the development by at least 10% over a period of 5 years from the final occupation.

Internal Consultee Responses (Appendix 6)

Arboricultural Officer comments received 5th January 2023

I have no objection in principle to this application subject to it being undertaken in accordance with the protection measures outlined in the accompanying arboricultural report. Although a small number of trees are proposed for removal, they are of limited public amenity value and/or poor condition and are not of sufficient arboricultural or landscape importance to warrant being a constraint.

East Suffolk Drainage Board comments received 12th January 2023

The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District (https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf) as well as the wider watershed catchment (https://www.wlma.org.uk/uploads/ESIDB_Watershed.pdf).

I note that the applicant intends to discharge surface water to a surface water sewer within the watershed catchment of the Board's IDD. We request that this discharge is facilitated in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

Economic Development Team comments received 12th January 2023

The Economic Development Team object to this application.

This is a current employment site that has operated for a number of years, before this is lost to another use, we would like to see alternative commercial employment opportunities explored for the site.

Environmental Health – Air Quality comments received 5th January 2023

No objection.

Environmental Health – Land Contamination comments received 6th January 2023

No objection. Condition to secure remediation and verification requested.

Environmental Health – Noise, Odour, Light and Smoke comments received 6th January 2023

No objection. Conditions to control noise attenuation to dwellings, rear gardens to dwellings and air source heat pumps are noted. Construction hours, a prohibition on burning on site, dust control and a condition to detail construction management is also noted.

Heritage Team comments received 10th January 2023

It is considered that the proposal in its current form would cause a very low level of less than substantial harm to the setting of Evelyn Fison House, due to the proposed 3 1/2 to 4 storey apartment building on the eastern boundary being overly dominant and diminishing its appreciation. It is recommended that the building is reduced to 3 storey to mitigate this harm.

N.B – This application is made in outline with consideration of scale to be made under a future reserved matters application. The recommendation of the Heritage Team would therefore be able to be considered under future reserved matters application.

Mid Suffolk Disability Forum comments received 4th January 2023

The Mid Suffolk Disability Forum expects to see a commitment to ensuring that all dwellings will meet Part M4 of the Building Regulations in this planning application.

All dwellings should be visitable and meet Part M4(1), and at least 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2).

It is our view that in housing developments of over 10 dwellings, at least one of the dwellings should be built to wheelchair standard Part M4(3).

It is also our view that 3% of the dwellings in housing developments of over 10 dwellings should be bungalows to assist people with mobility problems and to assist people who wish to downsize from larger dwellings. It is disappointing to note that there is currently no provision for bungalows only one bedroom apartments in this application. This does not meet the need for single storey dwellings such as bungalows.

Every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with roads for ease of access.

Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used.

Place Services – Ecology comments received 18th January 2023

Holding objection due to insufficient ecological information on European Protected Species (bats).

N.B The applicants have provided the required bat survey. A consultation response from Place Services is awaited.

Public Realm comments received 6th January 2023

Public Realm Officers noted that the landscaping will be decided as a reserved matter. As such there is only the very basic of information in this outline application. However, Public realm officers would make the following comments, which we would ask be considered when this gets to the detailed/reserved matter stage:

1) The overall site is around 16561 sq m; we ask for a minimum of 10% POS which would mean an area of at least 1656 sq m. If

the SUDS basin is likely to be largely underwater for any period of the year, this can not be included as part of the calculation, as it would not be usable Public Open Space

2) With the number of proposed houses and larger apartments we would like to see a play area included - this may require an adjustment to the initial plans

3) The POS would be primarily used by residents and therefore we would expect its maintenance to fall under a local solution such as a management company (or the town council if that body were interested). It is not POS this council would wish to adopt.

Strategic Housing comments received 6th January 2023

The application has proposed a total of 65 units. These comprise of 43 open market dwellings and 22 affordable homes.

However, according to current policy this is below the requirement for 35% affordable homes. To make this policy compliant we would require a commuted sum of 0.9% to meet the remainder of 35% required.

The Stowmarket Society comments received 21st January 2023

The development of this site for residential purposes is appropriate and welcome in particular because it will remove HGV traffic from local roads.

However, we suggest that the proposals represent an overdevelopment of the site. This is demonstrated in the illustrative scheme by (a) the preponderance of front garden parking, which means that street scenes will be unnecessarily dominated by cars and their invariably untidy parking arrangements, and (b) the close proximity of the flatted blocks to Violet Hill Road (for comparison note the set back of the 3/4 storey block opposite, which sits well in its context).

The rather windswept layout would benefit from further thought, to provide some sense of enclosure within the development - the reduction of exposed front garden parking should help this. The footpath connection to the link between the School and Kent Road and the local Wolsey Road shops is important to the quality of life of future residents and needs to be hospitable and attractive.

We would urge the planners to ensure that the provision of street trees is a serious part of the proposals, and is properly provided. In addition, we feel that it would be appropriate for development of this site to be dependent upon providing traffic calming measures on Violet Hill Road to ensure low speeds in the vicinity of the primary school site next door.

Suffolk Constabulary Designing Out Crime Officer comments received 18th January 2023

It is appreciated that this is an outline proposal and further details of note will be forthcoming that include more detailed landscaping plans. It is therefore requested at this early stage that vegetation is not placed in such a way that it can hinder surveillance, particularly regarding the two open spaces, which crucially need to have good fields of view to reinforce surveillance of the area and reduce the risk of antisocial behaviour.

Suffolk Police have no objection to this development, however, there are concerns regarding the large concentration of rear parking by the three storey flats and perimeter with Chilton Primary school. The police do not recommend rear parking, or rear parking in large communal groups, as it is frequently a generator of thefts of and from motor vehicles and creates a fear of crime during the dark winter months. Ungated communal parking courtyards also provide concealment which encourages the gathering of groups of people and antisocial behaviour. If this layout has to remain in its current form, there needs to be good surveillance for the area and evenly spread luminescence from LED lamp posts and not bollard lighting. The design also opens up the rear of a number of proposed housing to be more susceptible to unlawful incursion (see Para 1.1). The open area designed by the rear of a local sandwich shop on the corner of Recreation Road and Violet Hill Road is also a concern from the point of people congregating and committing antisocial behaviour.

On a positive note it is good to see that a number of properties will be back-to-back, with no alleys incorporated. It is strongly requested that no future amendments are made to incorporate alleys which are also crime generators.

The proposed development is within a busy area that includes the local surgery and a local primary school. This section of Violet Hill Road has for a number of years been seen as a problem area for vehicle owners

parking their vehicles by this site and the local primary school, forcing vehicles being driven from the Recreation road area down to Bury Road to have to drive on the wrong side of the road and round a main bend, which has often left to nearby accidents occurring, it has on occasions lead to antisocial behaviour from motorists taking their frustrations out on the current road layout. Crime is however, reasonably low in the area.

Waste Management comments received 18th January 2023

No objection.

B: Representations

At the time of writing this report at least one letters/emails/online comments have been received. It is the officer opinion that this represents one objection to the application. A verbal update shall be provided as necessary.

Views are summarised below:

- Traffic impacts on local road networks as some properties in the area do not benefit from off-road parking.
- SuDS delivery on site. Concern it may attract insects or vermin to the area.
- Existing trees on site both in regards to their height and roots affecting retaining walls and underground utilities. Barbed wire within the existing boundary treatment is noted.
- Potential overlooking from the flatted development to the road frontage.

(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: 1571/15	Continued use of land for the parking of trainee school vehicles	DECISION: GTD 20.01.2016
REF: 2123/11	Install new fascia signs to replace existing Install new pylon sign	DECISION: GTD 11.08.2011
REF: 0007/83/ADV	Three Illuminated signs	DECISION: REC
REF: 0007/83/A	Three Illuminated signs	DECISION: GTD 07.06.1983
REF: 0246/74	Demolition of existing workshops, stores etc. and erection of new lubrication bay, workshops, offices and stores and extensions to existing spray booths.	DECISION: GTD

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The application site is located within the town of Stowmarket. The site consists of the former Truck East depot. It is located to the western side of Violet Hill Road. Chilton Community Primary School is noted to the immediate north of the site and the police station and Stow Heath Centre are both noted on the eastern side of Violet Hill Road. The surrounding area is predominantly residential in character with two-storey terraced, semi-detached and detached dwellings noted as well as three and four storey flatted developments. The recreation ground is located a short distance to the south of the site.
- 1.2 The site has been occupied by Truck East for the over 52 years and had been utilised for conducting MOTs, servicing and maintenance of heavy good vehicles, passenger vehicles, vans and other agricultural and industrial vehicles including bodywork, accident recovery and repair and the painting of vehicles.
- 1.3 Truck East have recently relocated out of Stowmarket and are now established and operating from Lawn Farm Business Park under planning permissions DC/19/03851 and DC/21/01481. Submitted documents note that the site formerly provided 58 FTE while their new facility provides for the same with the capacity to expand the business, if necessary, such that there is no loss of employment within the district.
- 1.4 The site does not contain any listed buildings. Evelyn Fison House is a Grade II listed building located on the other side of Violet Hill Road behind the police station. It is not located within any conservation area. A path lies to the west of the site which provides access to Chilton Community Primary School; however, this is a permissive path and not a public right of way. A tree preservation order is noted to the trees within the site frontage of Stowmarket Police Station but does not affect this site. The site lies within Flood Zone 1.

2. The Proposal

- 2.1 The application is made in outline with matters of access to be considered alongside the principle of development. Appearance, layout, scale and landscaping would be reserved for a subsequent reserved matters application should the current application before Members be approved. It should be noted that any further reserved matters application would be reported to the Planning Committee.
- 2.2 The application before Members proposes the erection of up to 65 new dwellings on the site to be provided in a mix of flatted units along the road frontage of the site and semi-detached and terraced two-storey houses within the site. A policy compliant level of affordable housing is proposed, which at maximum density equates to 22 affordable housing units.

2.3 The proposed housing split is shown in the table below:

Bedroom No.	Number:
2 bed house	8
3 bed house	17
4 bed house	2
5 bed house	2
1 bed flat	10
2 bed flat	14
3 bed flat	12
Total:	65

2.4 Parking on site is proposed to meet with the requirements of Suffolk Guidance for Parking. A total of 140 spaces are shown with 73 being allocated to the flatted element and 56 for the dwellings. An additional five are shown for visitor parking with 6 being made accessible parking spaces. No triple parking is shown within the indicative parking plan, although this would be a matter for further consideration through reserved matters.

3. The Principle of Development

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that '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 For the purposes of the adopted Development Plan, Core Strategy policy CS1 identifies a settlement hierarchy based on the services, facilities and access within the locality and accordingly directs development sequentially towards the most sustainable areas. The application site falls within the established settlement boundary for Stowmarket which is identified as a town which are located at the pinnacle of the settlement hierarchy as the main focus for development. Moreover, the site is a brownfield site, such that its development would deliver the Council's aim of delivering its targets set out within policy CS7.
- 3.3 Mid Suffolk benefits from a five-year housing supply and can demonstrate a sufficient housing land supply for over ten years. As such, this element does not engage the tilted balance requirement of the NPPF in itself. However, given the age of both the Core Strategy and the Local Plan, and given that they pre-date the publication of the revised NPPF, consideration must be given to their compliance with the NPPF and as such the associated weight of the policy.
- 3.4 The Stowmarket Area Action Plan (SAAP) sets out further detail on development within Stowmarket and the surrounding villages while also allocating additional development sites in and around the town. That this site is not included within the allocations set out within the SAAP is not considered to be fatal to the principle of development as the site is located the settlement boundary for Stowmarket and its non-allocation within the SAAP is reflective of its previous employment use. Nevertheless, it remains within the settlement boundary for the purposes of CS1 and would facilitate the redevelopment of a brownfield site.
- 3.5 The emergent Joint Local Plan (JLP) has concluded consultation and as such its modified policies can attract additional weight in decision making. Here policies SP01 and SP03 would both be relevant, with SP01 identifying the need to deliver 525 dwellings per annum to deliver a minimum of 10,165 net additional dwellings within the plan period. SP03 notes that while a settlement boundary review may be carried out as part of the preparation of Part 2 of the JLP, it notes that the

settlement boundaries as established in the Local Plan and Core Strategy remain in place. It also explicitly notes that within settlement boundaries the principle of development is considered to be established.

- 3.6 JLP policy SP05 sets out the direction of travel for future delivery of employment sites within the district, with future growth to be accommodated on strategic allocated sites. Land already within an employment use is to be protected for ongoing employment uses unless such use is convincingly demonstrated to be unviable. This chimes strongly with the comments received from the Council's retained Economic Development Officers. This being said, Truck East has already relocated within the district leading to no net loss of employment and the redevelopment of the site would bring benefits to Violet Hill Road through eliminating a number of HGV movements from this area of Stowmarket. Given the position of the JLP, it is not considered to hold sufficient material weight prior to its adoption to hold be determinative in its own right. Further, it is considered that retention of an employment use on the site would necessitate retention of HGV traffic to and from the site in some degree.
- 3.7 Given the above considerations set out within this section of the report, it is considered that the principle of development is acceptable. The location of the site falls within the settlement boundary of Stowmarket, which is considered to be main focus for development under the current Development Plan. While the Council can demonstrate a strong housing land supply position, this cannot be read as a cap on development, especially when it is sustainably located. The loss of an employment site is noted, however, relocation of Truck East with no net loss of employment has already occurred and further, it is considered that retention of an employment site in this location would necessitate the retention of HGV and traffic movements through this part of Stowmarket. The SAAP does not speak against the development of the site and does not change the settlement boundary for Stowmarket. Finally, it is considered that the JLP would support the redevelopment of the site.

4. Nearby Services and Connections Assessment of Proposal

- 4.1 As noted previously, Stowmarket is located at the top of the settlement hierarchy for Mid Suffolk, set out within Core Strategy policy CS1. Chilton Community Primary School and St. Peter's Pre-School are located within 200m of the site and Stowmarket Community Sports and Recreation Ground and Mid Suffolk Leisure Centre lie within 500m. Stow Health is 200m from the site and Aldi and Asda are 500m and 600m respectively from the site. Stowmarket Railway Station is 800m from the site and gives connection to London Liverpool Street, Ipswich, Norwich and beyond, while Stowmarket also has a wide-ranging bus service which runs frequently. The wider town include primary schools, Stowmarket High School, several churches, public houses and shops.
- 4.2 For context, the Chartered Institution of Highways and Transportation (CIHT) Planning for Walking document states "Across Britain about 80 per cent of journeys shorter than 1 mile are made wholly on foot". Furthermore, the CIHT guidelines for Providing Journeys on Foot sets out desirable walking distances for journeys with acceptable walking distances of between 400 and 1000m, with the maximum of 1200m being suggested. The Department for Transport Local Walking and Cycling Infrastructure Plans Technical Guidance for Local Authorities sets out a core walking distance of 400m (approx. 5 minutes), with a 2km radius around this, extending the walking zone to 2.4km.

5. Site Access, Parking and Highway Safety Considerations

- 5.1 Access is a matter sought for approval. Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe

capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.

- 5.2 Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.3 The site itself benefits from three accesses onto Violet Hill Road, which are proposed to be reduced to one as part of this application, and which attracted, on average, around 12 HGV trips per day (where a trip is considered to arriving and departing site) while in use. In the main these trips came to and left the site for the A14. Given the age of the permission on the use of the site, there is no condition on the site which limits HGV trips to or from the site. The submitted Transport Statement prepared by Cannon Consulting Engineers considers that the removal of the HGV transport from Violet Hill Road is a benefit of the application and that the residential use proposed would likely result in fewer vehicle movements to and from the site.
- 5.4 Consultation with the Highway Authority originally noted that these conclusions are generally acceptable, however, they have negotiated to secure additional security for the visibility splays which is to be secured via a Transport Regulation Order from the proposed access as well as improved connections to Recreation Road and the Recreation Ground through the creation of two uncontrolled crossing points. Further consultation with the Highway Authority confirms that they are content with the additional benefits.
- 5.5 Consultation with the Highway Authority also notes the potential for a lesser degree of on-site parking provision to be considered through any reserved matters application, given the location of the site with regards to the facilities and services within Stowmarket. That being said, the level of parking shown on the indicative plans show full compliance with the Suffolk Guidance for Parking to show that a fully compliant scheme is possible should that be the preference of Members.

6. Design and Layout

- 6.1 No detail as to the design and layout of the site is available save the illustrative masterplan. This would be secured as part of any subsequent Reserved Matters application and would be brought back to Planning Committee for approval.
- 6.2 That being said, the indicative plans for the site are considered to respond well to the character and appearance of the surrounding area. Three to four storey flatted development is noted to the immediate east of the application site and the flatted element proposed would act as a mirror to it, whereas to the west and south of the site, more formally arranged semi-detached and terraced two-storey dwellings are noted.
- 6.3 Suffolk Constabulary have commented on the detail of the application through their Designing Out Crime Officer. They note that the details submitted at this stage are indicative and therefore might not be fully reflective of the scheme that would come forward at reserved matters stage. In particular they note concern regarding large rear parking courts, potential friction between parents accessing Chilton Community Primary School and residents, placement of the main bin store for the flatted element of the development and potential anti-social behaviour at open space within the site. It is considered that each of these elements would be directly controlled through any reserved matters application that may come forward following approval of the outline permission such control of these matters would reside with the Planning Committee and that further consultation with the Designing Out Crime Officer at Suffolk Constabulary would be undertaken as a matter of course.

- 6.4 Similar conclusions are reached with regards to the comments of the Stowmarket Society. Reserved matters would allow consideration of a layout that reduced frontage parking and similarly with regards to landscaping, provision of street trees.
- 6.5 Public Realm Officers consider the site to be deficient in terms of its delivery of open space. Given the proximity of the Stowmarket Recreation Ground to the site, as well as the connectivity improvements being made as part of this application to facilitate access to the Recreation Ground, it is not considered that under provision of opens space within the site would be fatal to the application. Provision of site-specific play equipment could be secured via planning condition.

7. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 7.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character. However, blanket protection for the natural or historic environment as espoused by Policy CS5 is not consistent with the Framework and is afforded limited weight.
- 7.2 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 7.3 Landscaping of the site is a reserved matter, however, inclusion of landscaping features within the general layout is a requirement of the NPPF, so integration of landscaping features is to be expected in a future application. While trees are noted within the site they are located close to the permissive path and hedges are noted to the site frontage. Works to the site should not adversely impact the Tree Preservation Order on the adjacent Stowmarket Police Station, which can be adequately protected by use of planning conditions in any event.
- 7.4 Ecology comments note that a bat survey is required to support the application as demolition of the existing buildings on site could disturb bats and may require a bat license to undertake. A bat survey has been prepared by Brindle & Green which found no evidence of bats within the buildings on site. They suggest that a wildlife sensitive lighting scheme be secured via planning condition as well as biodiversity improvements including provision of bat boxes within the site, both of which can be secured via planning condition. Consultation with Place Services - Ecology is ongoing and will be circulated via Late Papers or verbally reported to Members.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 The application is supported by both a Phase 1 and Phase 2 land contamination report prepared by Geosphere Environmental. Given the use of the site a number of potential contamination sources were noted including potential chemical or fuel contamination of the land as well as potential use of asbestos within the buildings on site although nothing is noted to constitute something greater than moderate risk. Further specific site investigation across the site is recommended along with a scheme of remediation is proposed. Consultation with the Environmental Health team confirms the conclusions of the report and suggests an appropriate condition to secure the further investigation of the site, agree a remediation strategy and then confirm said strategy has been carried out and that the site now safe for its intended residential use. Given the scale and cost of remediation of the site, including investigation under existing

buildings which can only be accomplished post demolition, standard practice is to utilise conditions to secure this investigation and remediation prior to commencement of development.

- 8.2 Consultation with the Flood and Water Management Team at Suffolk County Council concludes that the submitted Flood Risk Assessment and Surface Water Drainage Strategy proposed for the site are appropriate and that the site can be supported. They note conditions that would be secured on any approval of planning permission to both secure additional details in light of the reserved matters and to ensure that the required SuDS were implemented correctly on the site.
- 8.3 Anglian Water confirm capacity at the Stowmarket Water Recycling Centre to deal with the additional foul drainage flows arising from this development. Surface water drainage flows are not to be directed towards Anglian Water assets but instead towards SuDS features within the site. This is not to say that approval of this outline planning permission might not lead to the discharge of sewage into watercourses, however, it should be noted that surface water during storm or flood events from this site, should not exacerbate the issue.
- 8.4 Comments from the Council's Waste Management Team note no objection to the scheme and request that additional information be provided at reserved matters stage to indicate how waste storage and collection within the proposed flatted element of the site would operate.

9. Impact on Residential Amenity

- 9.1 Saved Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Saved Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas. Paragraph 127 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings.
- 9.2 There is nothing in the application that suggests residential amenity cannot be adequately managed at the appropriate reserved matters stage of the development process. The outline stage of the process is not the appropriate time to be considering this matter given the absence of layout, siting and design detail.

10. Heritage Impacts

- 10.1 Evelyn Fison House is a Grade II listed building which stands to the east of Violet Hill Road and is located to the rear of the flatted development opposite the application site.
- 10.2 Historic England gives Evelyn Fison House the following list description:

House, now offices. Early C19 with early C20 extension and later C20 extensions and alterations. Gault brick with slate hipped roof and gault brick ridge stacks. Late Classical style with giant pilasters on the front. 2 storeys and cellar. Main front has a 6-window range in all at first floor of 6/6 sashes except for a 2-storey canted bay to centre right which has 4/4 sashes. Ground floor has similar windows reaching down to plinth level and there is an imposing open Roman Doric porch to left with a late C20 access ramp and steps to a double-leaved glazed door. The house was originally a symmetrical composition around the porch, but the right-hand half was added in the early C20 very carefully copying the original. The left side of the original house is a 3-window front of similar 6/6 and 6/9 sashes and there is a single-storey C20 extension which is not of special architectural interest. To the rear are other further extensions which similarly are not of special architectural interest. INTERIOR. The spacious entrance vestibule leads to the staircase hall which has tall semicircular arches front and rear. Elliptical stair-well and curving stair, the balustrade with stick

balusters and carved ends to treads. Plain service stair to rear. Principal ground floor rooms have simple cornices and retain horizontal sliding shutters to windows. Some original fireplaces on first floor. Main ground floor room of early C20 addition has its original coffered ceiling and elaborate chimneypiece. This is a fine early C19 house, formerly known as Hill House, which retains an impressive staircase and other fittings. It was doubled in size in the early C20 carefully using the same style and this part also retains a fine reception room.

- 10.3 Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving a listed building, its setting or other architectural or historic features from which it draws significance. In practice, a finding of harm to the historic fabric of a listed building, its setting or any special features it possesses gives rise to a presumption against the granting of planning permission. Similar levels of protection are proposed within emergent JLP policy LP19.
- 10.4 Consultation with Historic England has found no requirement for their specific comment, preferring to leave assessment of the application to the Council's retained Heritage Advisors. Their comments note a degree of less than substantial harm to the setting of Evelyn Fison House through the proposed 3 to 4 storey flatted element proposed to the site frontage. They consider that this harm could be reduced through the limiting of the flatted element to 3 storeys.
- 10.4 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, as is the case here, the harm should be weighed against the public benefits of the proposal. The level of heritage harm must therefore be weighed, and considered in the context of the environmental, social and economic benefits that the scheme will bring about. In this context, the removal of HGV vehicle movements from the wider site are notable as is the delivery of housing in a sustainable location and further, delivery of sustainable housing. Further, it should be noted that as an outline application, control over the height of the flatted element would be retained by Planning Committee as approval of reserved matters on this site would be retained and could be controlled through this future application.

11. Planning Obligations / CIL

- 11.1 The application is liable to CIL which would be managed through the standard CIL process and would serve to provide funds to expand infrastructure within district. The NHS have not responded to the application to indicate that additional capacity is required at the closest GP surgery, although this would not prevent them from making an approach at a future date to access CIL receipts directly. Suffolk County Council as Education Authority identify likely CIL projects arising from the proposed development including expansion of the secondary school and sixth form, improvement to local libraries and towards household waste.
- 11.2 The application would also require completion of a Section 106 Agreement prior to issue of any planning permission. From the contribution responses received there is a need to secure contributions towards a new primary school and early years provision as a result of the scheme. There is further a requirement to secure a Traffic Regulation Order, as well as the policy compliant delivery of affordable housing from the site.

PART FOUR – CONCLUSION

12. Planning Balance and Conclusion

- 12.1 The application seeks outline planning permission for the erection of up to 65 dwellings, 22 of which are to be provided as affordable units. Details of access are provided for consideration as part of this application, however, matters of appearance, layout, scale and landscaping are reserved.
- 12.2 The site is located within the settlement boundary of the town of Stowmarket identified within policy CS1 at the top of the settlement hierarchy with good access to a wide range of facilities and services within walking distance of the site. The town is further served by a regular train service on the London to Norwich line and a range of bus services which offer a frequent service. It is therefore considered to be in a sustainable location.
- 12.3 The site formerly served as Truck East depot which undertook a variety of vehicle repair works from the site and necessitated HGV traffic to and from the site. Aside from HGV traffic arising from future demolition and construction works to the site, the proposed development would serve to remove an element of HGV traffic from Stowmarket. It should also be noted that development of the site would be on a brownfield site, which would be remediated prior to development and help to achieve wider brownfield development aims as noted by policy CS7.
- 12.4 Truck East has already vacated the site for another site within the district resulting in no loss of employment and with potential for future expansion that this site could not support.
- 12.5 The benefits offered by the application are considered to constitute the following:
- Delivery of housing, including affordable housing on a sustainable site.
 - Public open space within the scheme and improvements to walking routes to the Stowmarket Recreation Ground.
 - Redevelopment and remediation of a brownfield site.
 - Removal of HGV traffic from Stowmarket.
 - Improvement of the permissive path to Chilton Community Primary School.
 - Job creation through the demolition and construction phase of the development.
- 12.6 Taking the above into consideration, Officers consider that the outline planning permission is acceptable. The recommendation submitted to the Development Control Committee is for approval of the outline planning permission.

RECOMMENDATION

- (1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:**

- Primary education contribution of £370,158;
- Early years education contribution of £130,644;
- Traffic Regulation Order contribution of £11,500;
- Delivery of Open Space within the development;
- Management and maintenance of Open Space;
- Affordable housing contribution of delivery of 22 on-site units.
- Affordable housing mix to be secured concurrent with reserved matters.

- Affordable housing provider details to be provided.

(2) That the Chief Planning Officer be authorised to GRANT Outline Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Outline commencement requirement. Reserved matters application to be made within 3 years, commencement on site to be made within 2 years of reserved matters approval.
- Reserved matters application to include details of appearance, layout, landscaping and scale.
- Development to accord with illustrative drawings.
- Scheme of demolition to be agreed, including timetable for demolition.
- Scheme for further investigation, remediation and verification of land contamination to be agreed and action prior to commencement.
- Fire hydrants to be provided in line with approved scheme.
- Sustainability details to be agreed.
- Access to provided as shown and to be delivered prior to any other works.
- Visibility splays to be provided to the access.
- Means to prevent discharge of surface water from development onto the highway.
- Details of estate roads and footpaths to be agreed.
- No dwelling to be occupied until the estate roads and footpaths serving that dwelling have been provided to at least Binder level.
- Parking area details to be agreed including provision of electric vehicle charging points and cycle storage.
- Refuse storage and presentations areas to be agreed.
- Construction method statement to be agreed including routing and timing of deliveries using HGV.
- SuDS scheme to be submitted and agreed.
- Verification that SuDS scheme has been installed as agreed.
- Arboricultural protection scheme to be place during works.
- Control of noise attenuation on site relating to dwellings, gardens, air source heat pumps or other plant to be agreed.
- No burning to take place on site.
- Set hours of construction work.
- Dust control scheme to be agreed.
- Ecology conditions as may be suggested by the Council's Ecological Advisor at Place Services.

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Pro-active working statement
- Highways informative
- Land contamination informative
- Anglian Water informatives
- SuDS informatives

(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within a timely manner that the Chief Planning Officer be authorised to refuse the application on appropriate grounds.

