

## **Committee Report**

**Item No:** 7A

**Reference:** DC/23/02535  
**Case Officer:** Averil Goudy

**Ward:** Stow Thorney.

**Ward Member/s:** Cllr Colin Lay. Cllr James Patchett.

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## **RECOMMENDATION – APPROVE RESERVED MATTERS WITH CONDITIONS**

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### **Description of Development**

Application for Reserved Matters following Outline Approval of DC/21/00407 Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) - Submission of details for **Appearance, Landscaping, Layout and Scale** for the erection of buildings comprising commercial and employment use, open space and landscaping, car and cycle parking, highway works and other associated works, accompanied by EIA Statement (Gateway 14 - 2000)

### **Location**

Gateway 14 (2000), Land Between The A1120 And A14, Stowmarket, Suffolk.

**Expiry Date:** 06/03/2024

**Application Type:** RES - Reserved Matters

**Development Type:** Major Large Scale - All Other

**Applicant:** Gateway 14 Limited

**Agent:** Mr James McDonnell

**Parish:** Stowmarket

**Site Area:** 3.61 hectares

**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

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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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.

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## PART TWO – POLICIES AND CONSULTATION SUMMARY

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### Summary of Policies

The Adopted Development Plan for Mid Suffolk District Council comprises the Babergh and Mid Suffolk Joint Local Plan – Part 1 (September 2023) ('JLP'). The following are considered to be the most important for the determination of this Reserved Matters submission.

#### Babergh and Mid Suffolk Joint Local Plan

Policy SP09 - Enhancement and Management of the Environment  
Policy SP10 - Climate Change  
Policy LP09 - Supporting A Prosperous Economy  
Policy LP15 - Environmental Protection and Conservation  
Policy LP16 - Biodiversity & Geodiversity  
Policy LP17 - Landscape  
Policy LP19 - The Historic Environment  
Policy LP23 - Sustainable Construction and Design  
Policy LP24 - Design and Residential Amenity  
Policy LP25 - Energy Sources, Storage and Distribution  
Policy LP26 - Water resources and infrastructure  
Policy LP27 - Flood risk and vulnerability  
Policy LP29 - Safe, Sustainable and Active Transport

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:

The Stowmarket Area Action Plan (2013) has now had the majority of the policies superseded by the JLP, however the following relevant policies have been saved:  
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

#### The National Planning Policy Framework (NPPF)

The NPPF (December, 2023) 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 October 2023)
- 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. These are summarised below.

#### **A: Summary of Consultations**

#### [Link to Consultee Comments Online](#)

#### **Town/Parish Council (Appendix 3)**

##### **Stowmarket Town Council**

"The Town Council supports the proposals subject to the following observations:

a. It notes the holding objection made by the Floods Planning Team at Suffolk County Council regarding sustainable drainage systems and rainwater harvesting. It anticipates that given the stated environmental objectives of Gateway 14 and the forecast increase in volatile weather in the coming years, measures can be implemented that:

- support future water collection and use;
- do not have an adverse effect upon the local eco-system; and
- ensure that there is appropriate drainage measures in place to manage water levels on the site and including the area adjacent to the River Gipping.

b. It asks the planning authority to consider the sufficiency of parking spaces given the concerns of local residents that parking by employees of businesses on Gateway 14 has the potential to spill out into Cedars Park estate."

##### **Stowmarket Town Council [Re-consultation]**

"Whilst the Town Council has no objection to the grant of planning consent, it agrees with the views expressed by the Highways Authority regarding the provision of a pedestrian crossing as part of the proposals. Furthermore, the Town Council regrets the lack of foresight shown about the connectivity of cycleways and pedestrian routes which it raised during the early rounds of consultation by the District Council and developer about the Gateway 14 development."

**Creeping St Peter Parish Council**

No response received to date.

**Badley Parish Council**

No response received to date.

**Stowupland Parish Council**

No response received to date.

**National Consultee (Appendix 4)**

**Historic England**

No comment.

**National Highways**

“The application is for reserved matters following grant of Outline approval of DC/21/00407. This proposal are unlikely to change our conclusion that the application is unlikely to have a severe impact upon the SRN.”

**Natural England**

No comments.

**Network Rail**

No objection [informative required].

**British Horse Society**

No objection.

**The Environment Agency**

No objection.

**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**

No comments.

**SCC – Flood and Water Management**

Recommends approval.

**SCC – Highways**

No objection, subject to conditions.

**SCC – Rights of Way**

No response received to date.

**SCC – Fire & Rescue**

“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.

**SCC – Travel Plan**

No comments.

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

“The current proposal would introduce a further untraditional, large, commercial building and associated infrastructure within the setting of Clamp Farmhouse and Clamp Farm Cottages, and would form part of the less than substantial harm to these assets identified at Hybrid application stage (DC/21/00407). Nonetheless, given the Hybrid Approval, the development now proposed does not appear to be any more harmful than would have been anticipated at that stage, and I consider that no amendments, further information or conditions are warranted in regard to heritage. The current proposal is likely to be less intrusive than the Reserved Matters details approved for the larger building, closer to these listed buildings, under DC/22/03464, and now being implemented. Furthermore, there is a reasonable chance that Reserved Matters details for further buildings within the approved Hybrid Site in the area between the currently proposed site and the listed buildings, would be proposed, approved and developed (as the Indicative Plans at Hybrid Application Stage suggest this is the intention), at which point the current proposal site may no longer in itself have a discernible impact upon the significance of these listed buildings.

The less than substantial harm to the significance of a designated heritage asset should be weighed against the public benefits of the proposal, as per para.202 of the NPPF.”

**Place Services – Landscape**

“We welcome the amendments and additional information submitted which satisfactorily address the matters raise in our previous letter dated 5th February 2024.

An acoustic fence is now proposed between the service yard and staff amenity area (Dwg 22059-FSA-00-XX-DR-A-0101\_P11), which indicates the location and extent. No further details were supplied with regards to specific details of the fence. We would recommend that these are secured as part of the existing landscape condition.

Notwithstanding the above and from a landscape perspective we now recommend that the Reserved Matters can be approved.”

**Place Services – Urban Design (extract)**

“In summary, and based on the submitted plans and supporting information, we support the following revisions:

- The proposal for a landscaped buffer in front of an acoustic fence/wall between the service yard and the staff amenity area.
- The relocation of the cycle stores so that they are integrated into this landscaped buffer.

- Additional glazing at the building entrance as it turns the corner to overlook the cycle stores and staff amenity space.
- The detail and the form of the cycle stores.
- The correction of the longitudinal site section.
- The revision of the two additional site viewpoints so that the existing and proposed are from the same angle, and the reassurance that these are 'accurate'.
- Revision of the cladding colour choices so that they appear and are justified by the ECA.

The proposal is considered therefore to have the potential to be acceptable from an Urban Design perspective and to be compliant with the Design Code, national and local design policy and guidance. We would be content to support the scheme subject to the following amendments and clarifications:

- Additional glazing required at the western corners, as previously advised, and at the entrance as implied by previous 3D views and the front page of the ECA.
- A condition covering the materiality for the glazing, cladding and roofing for the whole building should be drafted. Note that profiled metal sheeting is not considered acceptable outside of the service yard and certainly not for the clerestory. Each barrel-vaulted clerestory could be broken up into three or four sections.
- Continue the assembled fin cladding along the whole of the north-west elevation.
- Illustrative view along Mill Lane path to be replaced by an accurate verified view.
- Confirmation of the materiality by condition of the acoustic service yard wall.
- A condition covering confirmation materials for the carpark (to include permeable paving and enhanced materials for paths), enhanced materials for hard landscaping to the staff amenity area, layout and samples of bench seating.
- Revise the two remaining colour choices that do not appear in the ECA so that they are properly justified by the colour analysis."

#### **Sustainable Traffic Officer**

No response received to date.

#### **Public Realm**

No objection.

#### **Economic Development and Tourism**

"The proposals comprise a single building of 15,310 sqm. The application seeks flexible consent for B2 / B8 Use, with 446 sqm of ancillary office space.

- Option 1 incorporates 14,864 sqm of storage and distribution space (Use Class B8) with 446 sqm of ancillary office space generating 163 jobs.
- Option 2 comprises a mix of 9,859 sqm of storage and distribution space (Use Class B8) and 5,005 sqm of general industrial space (Use Class B2), with 446 sqm of ancillary office space, generating 284 jobs.
- Option 3 incorporates 14,864 sqm of general industrial space (Use Class B2), with 446 sqm of ancillary office space, generating 442 jobs.

The economy team welcome the proposal for further development on this strategic employment site. We recognise that this application has been submitted as a speculative application in order to potentially reduce development delays once negotiations with potential occupiers have concluded. However, this also means that no details have been provided in terms of confirmed occupier, so the details about job numbers and economic benefit are solely reliant on an economic model as opposed to providing specific details which are identified and quantified by the occupier.

The Freeport East Full Business Case as submitted to Government set out the following development thresholds:

- 15% Energy Sector
- 25% Agri-tech Sector
- 20% Professional Services
- 40% Added Value Logistics

Whilst we recognise that these are broad indications of land use priorities and could also include supply chain businesses for these key sectors, we would like to see a greater emphasis on non-B8 uses in future planning applications in order to deliver against the wider Freeport ambitions and to ensure that occupants of the site are able to access the financial benefits from Government associated with this designation. This gateway plot, alongside the Range, will provide the first view of Gateway 14, and as such, the units in this location should be of a high quality design and act as a flagship for development across the rest of the site.

As per the other applications for development on this site, we would request that a condition is applied to any approval that sets out the need for the occupier to agree a skills & employment plan with the Economy team to ensure that local people have the opportunity to apply for jobs created on site.”

**Officer Comment:** *Officers are recommending conditions for both construction and operational Skills and Employment Plans, similar to those applied to Plot 4000 Reserved Matters consent (DC/22/03464).*

**Contract and Asset Management Team**

No response received to date.

**Environmental Health – Air Quality**

No objection.

**Environmental Health – Land Contamination**

No comments.

**Environmental Health – Noise/Odour/Light/Smoke**

No objection.

**Ecolytk – Sustainability Consultants**

No objection, subject to conditions.

**Arboricultural Officer**

No response received to date.

**Infrastructure Team**

No response received to date.

**Place Services – Ecology**

No objection.

**BMSDC Waste Services (extract)**

“Please provide plans of the waste storage facilities for the site, these must be sufficient capacity to accommodate all the waste types to be disposed of and appropriate segregation. There must be level threshold access and suitable doors to enable bins to be moved with ease and a dropped curb if the bin store is not on road level. Details of storage compounds requirements can be located within the waste guidance on table 6.”

**Officer Comment:** A condition is recommended for details of waste storage facilities and waste presentation/collection areas.

**Communities (Major Development)**

No response received to date.

**Other Consultee Responses (Appendix 7)**

**Mid Suffolk Disability Forum**

“The Mid Suffolk Disability Forum notes that it is the intention to provide a development with safe, easy and inclusive access for all people.

However, the Forum would wish to register our concerns that the triangular shape of the parking may lead to safety issues if all the accessible bays close to the main entrance are filled resulting in people needing to cross this area. Additionally, dropped kerbs need to be aligned so that these provide a logical routes/crossing places for wheelchair users and those with mobility difficulties.

Some thought needs to be given to identifying clear safe crossings or additional parking bays for any staff minibuses should these be used by employees with mobility difficulties.

We note the intention to design and construct the building in accordance with Building Regulations Approved Document M and BS8300 as appropriate. This is welcomed and should provide a fully accessible environment. Consideration may need to be given as to whether any lifts are suitable for disabled people given that these may be used for equipment / crates, etc.”

**Stowmarket Group – Patch 4**

No response received to date.

**Anglian Water**

No objection, informatives required.

**Suffolk Policy – Designing out Crime**

No response received to date.

**Suffolk Wildlife Trust**

No comment.

**East Suffolk Drainage Board**

No objection, 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**

No response received to date.

**B: Representations**

At the time of writing this report at least 1 letter/email/online comment have been received. It is the officer opinion that this represents 1 objection comment. A verbal update shall be provided as necessary.

**Summary of Third-Party Objection Comments Received –**

- Unknown implications of the Range until it is fully operational



- Insufficient parking provision

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

### **RELEVANT PLANNING HISTORY**

<b>REF:</b> 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.	<b>DECISION:</b> GTD 05.11.2021
<b>REF:</b> DC/22/03464	Application for Approval of Reserved Matters following grant of Outline Application DC/21/00407 Town and Country Planning Order 2015 - 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	<b>DECISION:</b> GTD 25.10.2022

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.

<b>REF:</b> DC/23/02536	Discharge of Conditions Application for DC/21/00407 - Conditions 4 (Approval Of Phasing Of Development), 6 (Design, Materials and Landscaping), 9 (Cut And Fill), 10 (Finished Floor Level), 14 (Surface Water Drainage Scheme), 23 (Biodiversity Net Gain Design Stage Report), 29 (Lighting Design Scheme), 43 (Scheme for Water Energy and Resource Efficiency During Operational Phase), 44 (BREEAM), and 50 (Estate Roads And Footpaths)	<b>DECISION:</b> PCO
<b>REF:</b> DC/23/02537	Discharge of Conditions Application for DC/21/00407 - Condition 17 (Construction Management Plan)	<b>DECISION:</b> PCO
<b>REF:</b> DC/23/02538	Discharge of Conditions Application for DC/21/00407 - Condition 20 (CEMP Landscape)	<b>DECISION:</b> PCO
<b>REF:</b> DC/23/02539	Discharge of Conditions Application for DC/21/00407 - Condition 19 (CEMP Noise)	<b>DECISION:</b> PCO
<b>REF:</b> DC/23/02540	Discharge of Conditions Application for DC/21/00407 - Condition 21 (Construction Environmental Management Plan - Biodiversity)	<b>DECISION:</b> PCO
<b>REF:</b> DC/23/02541	Discharge of Conditions Application for DC/21/00407 - Condition 27 (Landscape Management Plan) and 28 (Landscape And Ecological Management Plan)	<b>DECISION:</b> PCO
<b>REF:</b> DC/23/02542	Discharge of Conditions Application for DC/21/00407 - To be part discharged to	<b>DECISION:</b> PCO

	allow development on Plot 2000 - Condition 38 (Control Of Pollution)	
<b>REF:</b> DC/23/02543	Discharge of Conditions Application for DC/21/00407 - To be part discharged to allow development on Plot 2000 - Condition 42 (Scheme For Water, Energy And Resource Efficiency During Construction)	<b>DECISION:</b> PCO
<b>REF:</b> DC/23/02544	Discharge of Conditions Application for DC/21/00407 - Condition 48 (Access)	<b>DECISION:</b> PCO
<b>REF:</b> DC/22/04068	Application for a Non Material Amendment relating to DC/21/00407 - To allow changes to the landscaping, access and substation.	<b>DECISION:</b> GTD 01.12.2022
<b>REF:</b> DC/20/03246	Request for formal Environmental Impact Assessment (EIA) Scoping Opinion	<b>DECISION:</b> EIA 04.09.2020
<b>REF:</b> DC/18/05043	Application for Advertisement Consent - Erection of signage advertising new industrial/distribution units on available 70 acres	<b>DECISION:</b> REF 18.01.2019
<b>REF:</b> 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)	<b>DECISION:</b> GTD 17.05.2019
<b>REF:</b> DC/20/03246	Request for formal Environmental Impact Assessment (EIA) Scoping Opinion	<b>DECISION:</b> EIA 04.09.2020
<b>REF:</b> 1041/16	Construction of 'Link Road' access between Phase 1 and Phase 2 of The Stowmarket Business & Enterprise Park	<b>DECISION:</b> DIS 23.11.2021

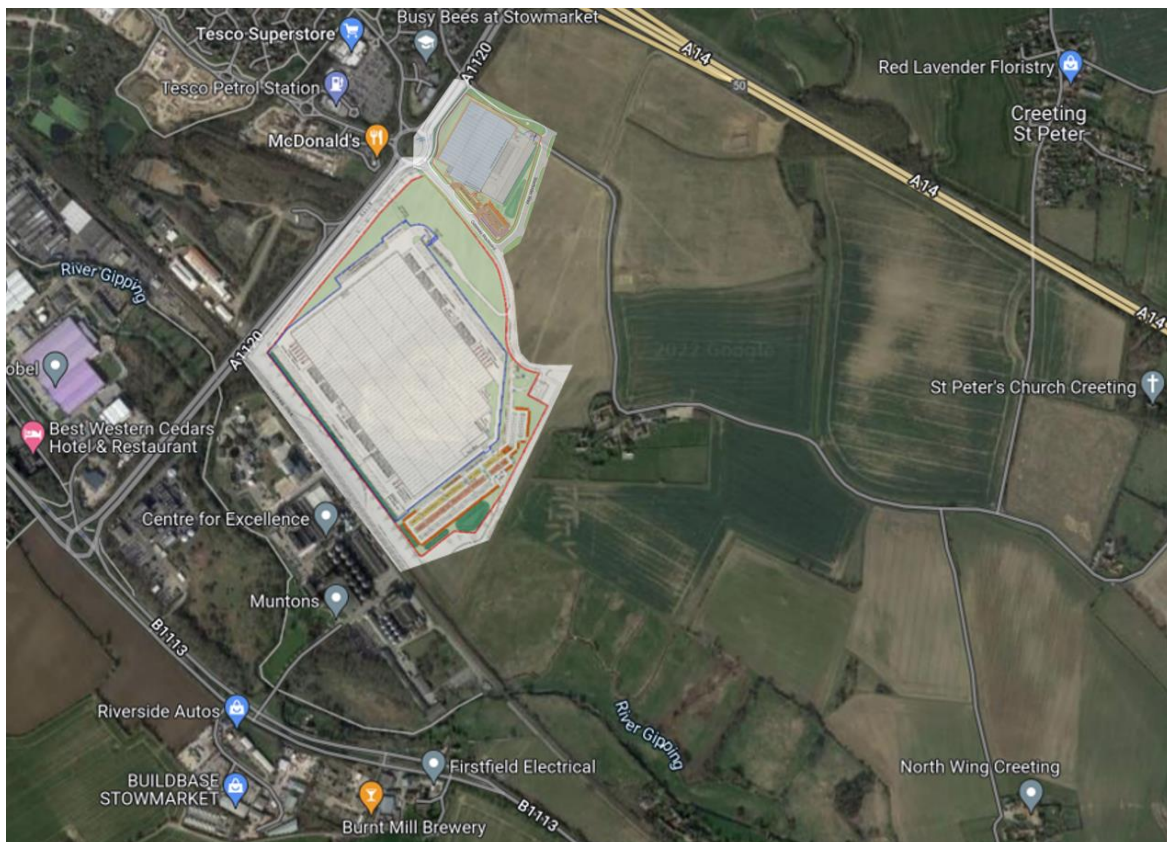
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## PART THREE – ASSESSMENT OF APPLICATION

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### 1.0 The Site and Surroundings

- 1.1 The application site is situated to the east of Stowmarket. The site (known as Plot 2000) forms part of the Gateway 14 business and logistic park development. Plot 2000 comprises the central western parcel of land within the development.
- 1.2 The site is bound to the northwest by the A1120, separating the site from Cedars Park, to the southwest by Gateway Boulevard, with Starfinder Way to the southeast, and Mill Lane to the northeast.
- 1.3 Plot 4000, occupied by The Range, has now been built out following reserved matters consent which was given in October 2022 (DC/22/03464). Plot 4000 is located on the south-western side of Gateway Boulevard.



*Figure 1: Proposed Plot 2000 site layout (including approved Plot 4000 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 2000, following permission DC/21/00407 dated November 2021 (hybrid application). Access was considered at outline stage.
- 2.2 Plot 2000 has an area of approximately 3.61 ha (8.93 acres).

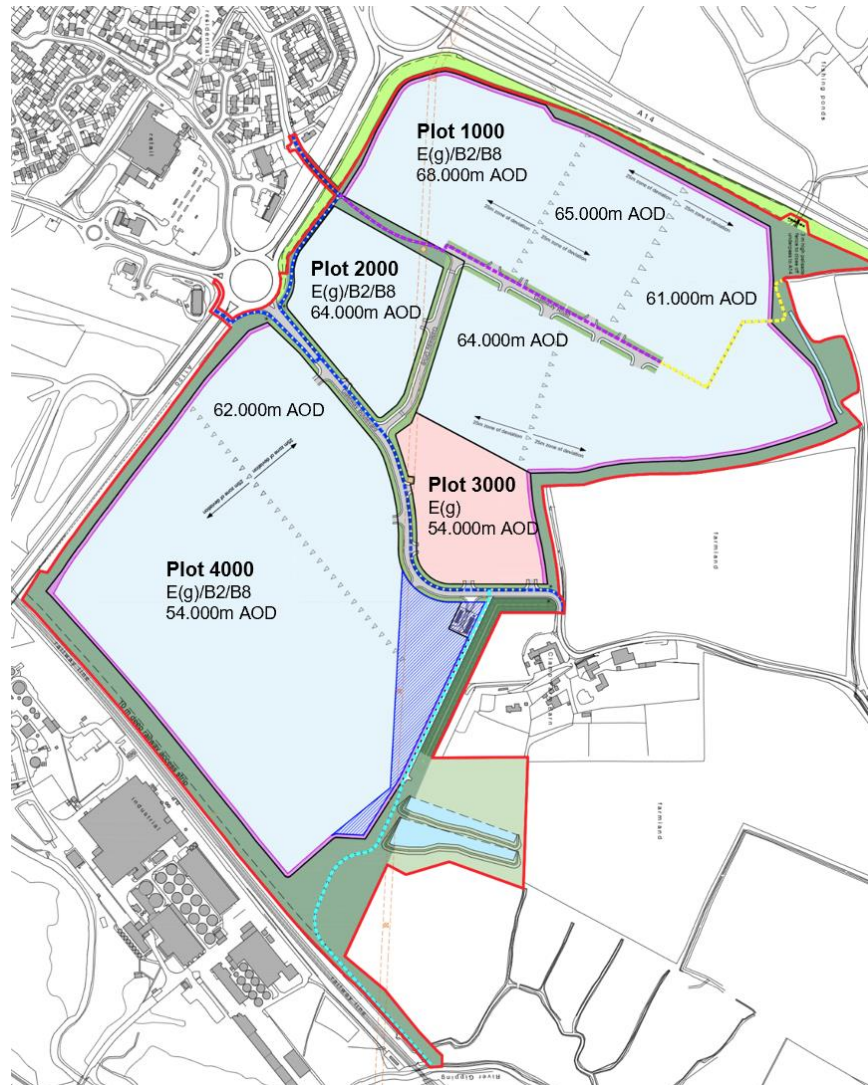


Figure 2: Parameters Plan submitted at outline stage (DC/21/00407)

- 2.3 Plot 2000 would see the erection of one main building (Class B8 storage and distribution and/or Class B2 general industrial) with ancillary Class E (office) use. Car parking, loading/unloading areas, boundary landscaping and an access road are also proposed.
- 2.4 Given the speculative nature of the application, a **flexible reserved matters consent** is sought for either a wholly Class B8 storage and distribution use or a combined Class B8 storage and distribution and B2 general industrial use. The layouts for the options are similar, with the difference relating to the extent of the car park, service yard and number of dock levellers required based on the requirements for the respective uses.

2.5 For the wholly Class B8 option, the development would comprise the following elements:

- 14,864 sqm warehouse (gross internal area)
- 446 sqm office (gross internal area)
- 114no. car parking spaces
- 7no. motorcycle parking spaces
- 88no. cycle parking spaces
- 36no. truck parking spaces
- 24no. EV charging points
- 24no. passive EV charging points (with future monitoring of staff demand)
- 16no. dock levellers
- 2no. level access doors
- 21% soft landscaping

Whereas, for the combined Class B8 and B2 option, the development would comprise the following elements:

- 14,864 sqm warehouse (gross internal area)
- 446 sqm office (gross internal area)
- 327no. car parking spaces
- 11no. motorcycle parking spaces
- 104no. cycle parking spaces
- 6no. truck parking spaces
- 66no. EV charging points
- 66no. passive EV charging points (with future monitoring of staff demand)
- 0no. dock levellers
- 1no. level access doors
- 21% soft landscaping

2.6 Plot 2000 would provide a total of 15,310 sqm of building footprint, with 21% of the site comprising soft landscaping. The warehouse would have a ridge height of 15.9m above finished ground level (after ground modelling).

2.7 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 car parking layout has been amended, an 'arrival plaza' has been introduced, the staff amenity area and cycle storage has been relocated, and the elevations have been amended to include changes to the colour palette, cladding arrangement, and glazing. These changes have been made in response to consultee comments 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 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, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.

3.2 The Development Plan, which in this instance comprises the JLP and the saved policies of the Stowmarket Area Action Plan, 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 principle of development for employment purposes on this site has already been established by planning permission DC/21/00407.

#### **4.0 Access and Connectivity Considerations**

- 4.1 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
- 4.2 Plot 2000 would be accessed from Gateway Boulevard and Starfinder Way. The site would have three accesses, two for cars, cycles, and pedestrians, and one for HGVs. All issues in relation to the safety of the proposed accesses onto Gateway Boulevard and Starfinder Way are currently being considered as part of the discharge of conditions application reference Condition 48 (DC/23/02544), in consultation with SCC Highways.
- 4.3 Plot 2000 would not impact Footpath 1, or its proposed diversion route, which is located within Plot 1000.
- 4.4 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.
- 4.5 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 2000 was anticipated to comprise 3.6ha of B2, B8 and/or E(g) use.
- 5.3 The proposed unit will have either a B8 storage and distribution use with ancillary E(g) offices or a combined B8 storage and distribution use and B2 general industrial use with ancillary E(g) offices.
- 5.4 The reserved matters submission is in accordance with the outline details and condition 7 securing these use classes.

This report considers each Reserved Matter in turn.

## **6.0 Reserved Matter: 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.
- 6.2 The proposed layout includes a number of revisions from the outline illustrative masterplan, which primarily includes the orientation of the building, proximity to the A1120 roundabout, and location of the service yard and car park. These amendments have been driven by the site topography and other restricting factors, such as the overhead powerlines. This is not unusual design evolution as a scheme moves from Outline to Reserved Matters and the proposal is worked up.
- 6.3 The building proposed on site would total a gross internal floor area of c.15,310 sqm. The building is proposed to the north-western boundary, with the car parking located to the southern boundary. The dock levels (used to bridge the gap between the vehicle and loading bay to ensure safe loading and unloading), where relevant to the B8 option, and lorry parking/overflow car parking are proposed to the east of the building. The submission is accompanied by two layout plans, one for the solely B8 option, and one for the combined B2/B8 option. The only difference between the layouts is the use of the eastern hardstanding as either car parking and/or service yard/HGV parking.
- 6.4 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, from Starfinder Way, would be used for HGVs only. This access for the service yard would be secure and a gatehouse would be provided. A 2.4m high weld mesh fence will surround the service yard and HGV access (and an acoustic fence to the southern boundary on the wholly B8 option). The southern accesses would be used for cars and cycles, providing access to the car park and cycle shelters.
- 6.5 The revisions to the layout from the illustrative masterplan have some benefits; by ensuring the service yard is perpendicular to the footpath and green corridor to the north, noise disturbance could be lessened and there is the potential for a more pleasant outlook on the northern boundary. However, the building is now closer to the north-east boundary, meaning that the development is likely to be more prominent when viewed from the footpaths to the northern and western boundaries. This matter will be discussed further throughout this report given the overlap with related Reserved Matters for Scale and for Appearance.
- 6.6 The initial consultation with Place Services Urban Design identified a number of recommendations to achieve policy compliance, following concerns pertaining to overdevelopment of the site and over-dominance in views. These recommendations have been explored at length with the agent. To note, one of the most significant recommendations sought to reduce the building floorplate to lessen the prominence of the building and subsequently reduce the carpark requirement. There is an inevitable tension between the development plan objective in Policy LP24 to secure high quality design and the important opportunity to create jobs and economic activity by bringing forward a development. The agent has submitted a viability letter which concludes that the requested reduction in building footprint would render the proposals unviable to deliver (n.b., the viability information provided has not been the subject to independent testing). Officers recognise that the current market circumstances have constrained the opportunities on this plot. The evidence provided is considered, on balance, to provide adequate justification for not pursuing the floor plate reduction. Material weight is given to the deliverability of the scheme and wider economic benefits provided.



- 6.7 The changes to the layout to remove the landscaped triangle surrounded by carparking, to provide to new, larger, staff amenity space and an entrance plaza in view of the office accommodation and entrance to the building are welcomed. This in turn has prompted changes to include a landscaped buffer in front of the acoustic fence/wall between the service yard and the staff amenity area (where relevant to the combined use option) and relocation of the cycle stores adjacent to the entrance plaza to ensure they are well observed, and thus safer and more secure.
- 6.8 The layout for the wholly B8 option, offers a car parking provision of 114no. parking spaces. The unit would also be served by 7no. motorcycle spaces, 88no. cycle parking spaces (in excess of the requirement of 79no.), 36no. lorry parking spaces. Of these, 24no. car parking spaces are to be fitted with an EV charging system and a further 54no. are to have the infrastructure in place for future connectivity. The proposal is in accordance with the Suffolk Guidance for Parking (2023) in terms of vehicle parking, EV charging and secure cycle storage.
- 6.9 The layout for the combined B2/B8 option, offers a larger car parking provision of 327no. parking spaces (as dictated by the requirements of a B2 use). The unit would also be served by 11no. motorcycle spaces, 104no. cycle parking spaces, and 6no. lorry parking spaces. Of these, 66no. car parking spaces are to be fitted with an EV charging system and a further 148no. are to have the infrastructure in place for future connectivity. The proposal is in accordance with the Suffolk Guidance for Parking (2023) in terms of EV charging and cycle storage, but not in terms of vehicle parking. 327no. car parking spaces equates to 80% of the Parking Guidance requirements. To secure the 80% provision, a condition is necessary to restrict the use of the floor plate to the respective uses: 70% to be in B2 use and 30% to be in B8 use.
- 6.10 It is recognised that the additional 65no. spaces to comply with the Guidance cannot be provided on the site whilst achieving a building of this scale, adequate landscaping, SuDs features, and a sufficient service yard. As detailed above, the submission claims that a reduction in the floor plate would render the scheme unviable. Furthermore, it is important to recognise the measures in place to encourage the use of sustainable transport measures in support of this reduced provision. The combined use layout proposed provides a cycle storage facility with sufficient capacity for 104no. cycles. This is in excess of the Suffolk Parking Guidance (2023) requirement of 97no. spaces. In addition, a public footway is provided along Gateway Boulevard to the toucan crossing 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. The hybrid application also secured a Travel Plan for the site (as part of a S106 and condition 52 on the outline permission). The Travel Plan has since been approved for the whole Gateway 14 development (DC/23/04423). Of note, a shuttle bus is to be provided operating, as a minimum, services between Gateway 14 and Stowmarket railway station. A bus terminus/turning area with bus stop is to be provided adjacent to Plot 4000 to accommodate the service. There is also potential for the future occupiers of Plot 2000 to utilise The Range's (Plot 4000) independent travel service. Other Travel Plan measures include a Travel Information Leaflet for all employees, bicycle user group, cycle to work schemes and car sharing. The location of Plot 2000 and its walking and cycling infrastructure, in combination with the modal shift secured by the Travel Plan, is considered to promote active travel into and around the site. The risk of overspill parking on the local highway network as a result of this under provision is considered to be sufficiently mitigated.
- 6.11 Suffolk County Council, as Highways Authority, have not raised an objection to the proposal subject to conditions relating to refuse and recycling bins, cycle storage and provision of parking and manoeuvring areas.
- 6.12 It is recognised that there is local concern regarding HGVs parking on local residential roads in circumstances where they may arrive at Plot 2000 outside of business hours (operating hours are

currently unknown and details are subject to condition). A condition has also been recommended for a 'HGV Routing, Monitoring and Management Strategy' to be agreed prior to first use (similar to that imposed on Plot 4000), this will include the requirement to provide measures to manage the arrival of HGV vehicles. Officers are satisfied that this will sufficiently manage HGV parking.

- 6.13 The development inevitably incorporates a considerable amount of car parking which is a foreseeable consequence of the floorspace created. Notwithstanding the under provision of parking proposed for the mixed option, concerns have been raised regarding the overly vehicle dominated layout given the large expanse of hardstanding proposed and absence of any planted relief. During the course of the application, the quality of the landscaping proposed around the site has been improved offering further softening of views. It is accepted that planting cannot occur within the multifunctional service yard/car park due to the function requirements of the space. The orientation of the building, public vantage points and landscaping proposed is such that the visual impact in this regard is not considered to be significant and will be sufficiently mitigated.
- 6.14 The proposed staff areas provide attractive, convenient, and well observed opportunities for employee recreation. This has been further improved by strengthening of the landscaping against the service yard wall and acoustic measures, ensuring the areas will be a pleasant environment for staff. The detail in respect of hard landscaping, boundary treatment and the layout of amenity areas is covered by outline condition 6 (design, materials, and landscaping), thus it is not necessary to impose onto this Reserved Matters application. A condition to secure the provision of such areas prior to first operational use is required.
- 6.15 In the round, the amendments to the Layout during the course of the application have gone some way to addressing iterative concerns. Where amendments have not been made, financial justification has been provided to demonstrate that such amendments would compromise the overall viability of the scheme. Whilst that has not been tested it is considered credible in the present economic circumstances and your Officers consider that the potential to boost economic activity attracts material weight in favour of the scheme.
- 6.16 It is recommended by your Economic Development team that a skills and employment plan be required by condition. This is considered an appropriate measure in order to deliver the currently speculative use/uses as proposed for employment purposes in accord with Policy SP05 (4). The inclusion of such a condition would attract weight in the planning decision and attract the significant weight which NPPF paragraph 85 places on the need to support economic growth and productivity.
- 6.17 To summarise in relation to Layout, it is considered that this Reserved Matter would not cause unacceptable planning harm, and conversely the scheme would provide substantive economic benefits in delivery and can be supported. It is considered that the Reserved Matters for Layout can on the balance of probability be accepted having regard to LP24 of the JLP and the material considerations in this case.

## **7.0 Reserved Matter: SCALE**

- 7.1 The parameters plan submitted at outline stage details the maximum building heights from the site. Some ground re-modelling was permitted as part of the full application.
- 7.2 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 northern elements of the site in both Phase 1 and Phase 2 are situated at a higher level in the range 40 to 45m AOD. Nevertheless, these areas are also visually dominated not only by the more distant Maltings complex but also by a small but highly*

*prominent office development of utilitarian design situated on the adjoining ridge line accessed from Kestrel Drive and fronting the proposed Business and Enterprise Park access point.”*



*Figure 3: Indicative levels in the Development Brief*

- 7.3 An indicative cut and fill plan was submitted alongside the hybrid application to provide a level base for future development. Albeit it was noted that this plan was indicative, and the final levels can be agreed subject to condition.
- 7.4 The relevant conditions imposed on the outline permission include: 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/23/02536. Condition 11 required the maximum building height for Plot 2000 to be 21m above finished ground level and compliance with the parameters plan.
- 7.5 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.
- 7.6 The parameters plan (figure 2) secures the maximum building height (AOD) for Plot 2000 as 64.000m AOD. 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 2000	43m AOD	47.13 - 42	6.5m	10.5m	44.3m	64m AOD	16m	21m

Figure 4: 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 2000	43.350m AOD	59.250m AOD	13.4m	15.9m

Figure 5: Proposed reserved matters levels and heights

- 7.7 Figures 4 and 5 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.
- 7.8 To note for reference, the building occupying Plot 4000 has a maximum building height of 54.000m AOD and a maximum building height of 18.7m. This was a reduction from that anticipated at outline stage (54m-62m AOD and 21m respectively).
- 7.9 Figure 6 overleaf illustrates that soil from the northern and eastern edges 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.3m across the site where it's at its highest and lowest levels.
- 7.10 The cut and fill strategy for Plot 2000 would result in an excess of 28815 sqm of cut (plus topsoil). The topsoil is to be removed from site as it is not deemed suitable to be used for cut and fill (because topsoil has less volume and is more prone to shifting and settling). The impacts of this, including the associated HGV movements, will be dealt with as part of the Construction Management Plan (condition 17) currently pending consideration. It is the applicant's intention to store the subsoil and incorporate it into future plots, as deemed appropriate in line with the cut and fill strategy envisaged at outline stage. This strategy is not opposed in principle, and considerations will continue to evolve on future plots as they come forward.
- 7.11 It cannot be disputed that the revisions to the layout from the illustrative masterplan have an impact on the perceived scale of the building. As detailed, the building would now be closer to the north-east boundary, meaning that the development is likely to be more prominent when viewed from the footpaths to the northern and western boundaries than previously assessed.
- 7.12 Questions have previously been raised in respect of the accuracy of the section drawings, LVIA viewpoints and CGI images. The applicant has since corrected and clarified the information provided and your Officers are content that the images or views provided are a reasonable basis for decision-making in this instance.
- 7.13 The illustrative masterplan envisaged that 40m would exist between the building and the edge of Mill Lane footpath. The proposed layout provides a distance of 10m. This will undoubtedly affect the experience of users of the footways to the north and west boundary. It is recognised that these footways were always envisaged to pass through and adjacent to a business park, thus the ability to provide a pleasant experience for users is challenging. Nonetheless, the site levels and

landscaping will impact upon the experience. The finished floor level of the building is 43.35m AOD whereas the level of Mill Lane is 47m AOD (see section drawing at figure 8 below). Additional planting will also be forthcoming within the structural landscaping (pending consideration under non-material amendment application reference DC/24/01310) to limit the visibility of the elevation whilst softening its appearance. Together these will lessen the overbearing and dominant sense users may experience. The provision of an 'accurate' illustrative view from Mill Lane path is not considered necessary to determine this Reserved Matters application because the Scale of the development is clear and within the broad parameters expected.

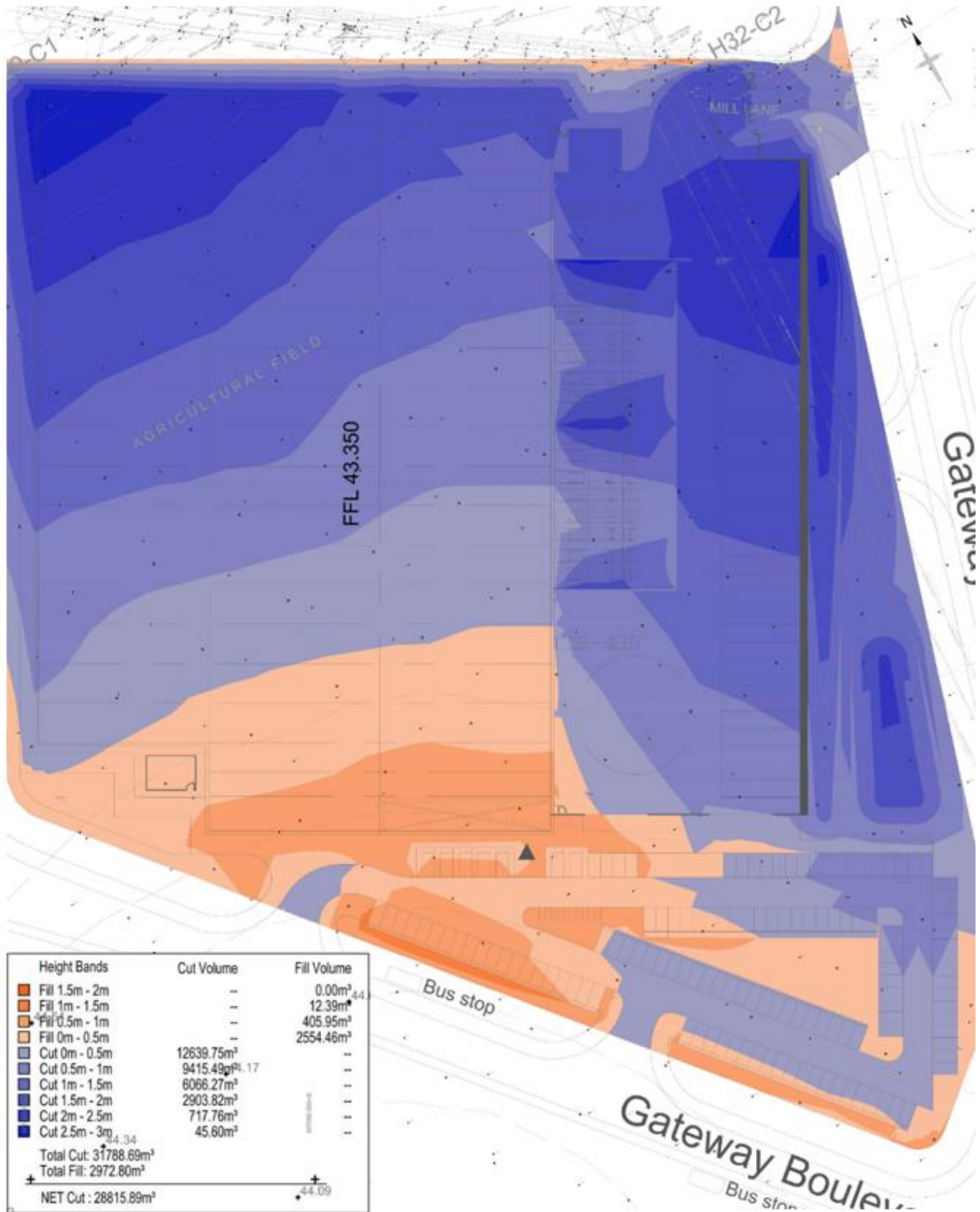


Figure 6: Proposed cut and fill plan accompanying Reserved Matters application

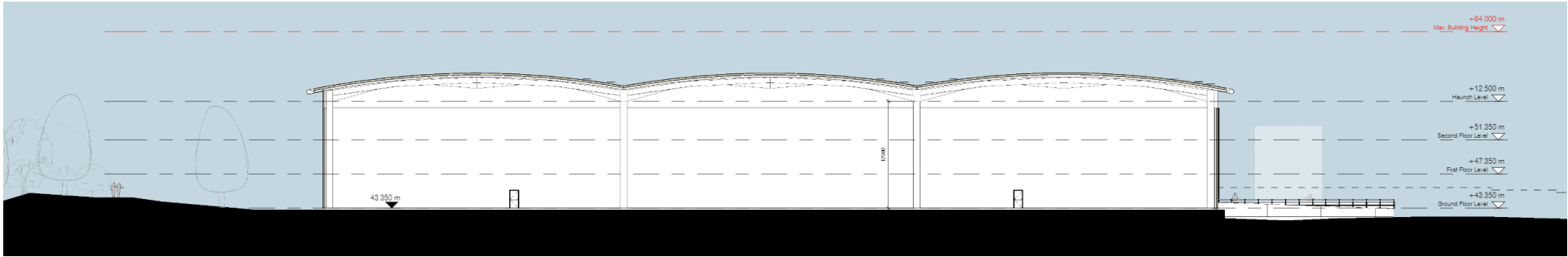


Figure 7: Section through proposed building, western footway, and eastern service yard/car park (east to west)

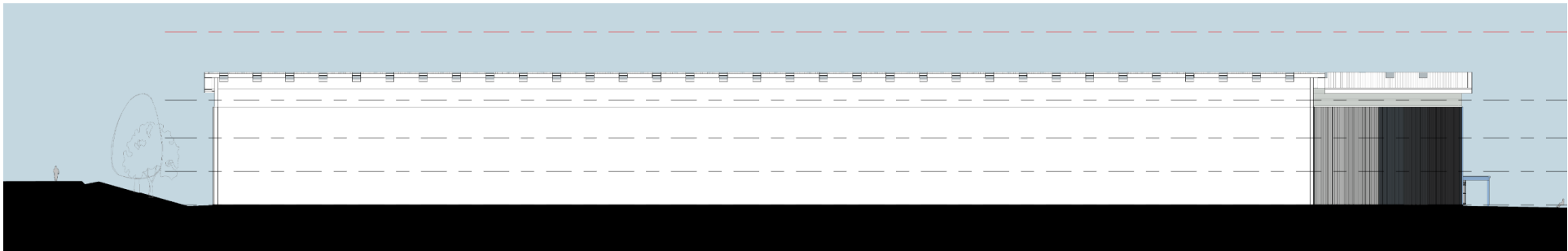


Figure 8: Section through proposed building and northern footway (Mill Lane Footpath) (north to south)

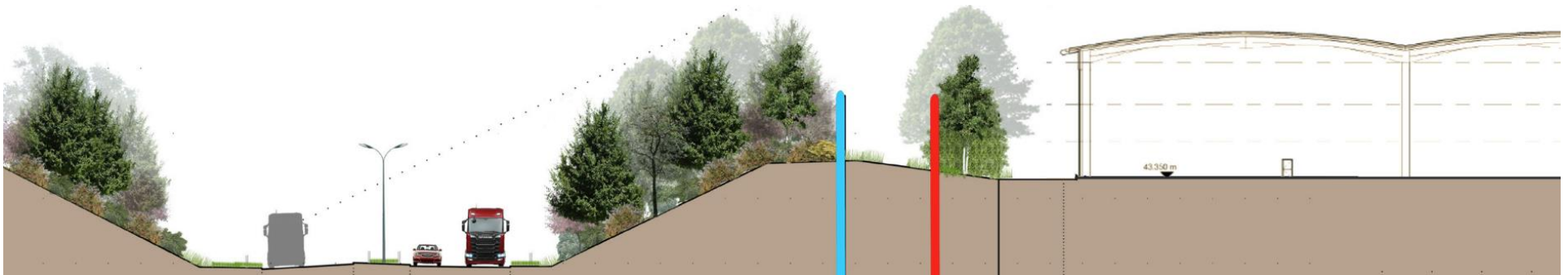


Figure 9: Sectional drawing east-west through A1120, vegetated bank and Plot 2000 building

7.14 The proposed cut and fill strategy would create a building which complies with the parameters set at outline. The marginal exceedance of the expectations of the Development Brief was considered acceptable at Outline stage (as demonstrated by the heights in figure 4 above), where it was considered that subject to conditions and appropriate landscape mitigation the scale of the development would be reasonably controlled and mitigated. It is considered that the Reserved Matter of Scale can be considered generally acceptable.

## **8.0 Reserved Matter: 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. This was also the case with Plot 4000.
- 8.4 Due to Plot 2000's prominent location adjacent to the A1120 roundabout, it was envisaged from the outset that this building should act as a 'gateway' to the development. It is therefore desirable that the proposal achieves an approach which has a clear vision for this gateway location and the positive contribution it can make to the continuing the Gateway 14 development. The applicant considers that Plot 2000 will achieve these objectives which are consistent with Policy LP24 of the JLP.
- 8.5 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, which include (inter alia) the cladding arrangement, different colour palette (informed by the Environmental Colour Analysis), and introduction of glazing.
- 8.6 The appearance of the building is characterised by its operational requirements, including the loading areas, service yards, offices, and ancillary buildings. To note, the elevational differences between the two use options is limited to the number of dock levellers and level access doors on the south-east elevation.
- 8.7 The proposed building would have a barrel-vaulted roof (to match the roof form adopted on Plot 4000). The curved roof helps to soften long distance views of the short elevations.
- 8.8 The proposed materials include metal cladding (roof and wall), concrete panels and steel and aluminium windows and doors.
- 8.9 The application documents include Environmental Colour Analysis (ECA) of the cladding. The ECA illustrates that the views are made up of landscape, horizon, built form and sky, with the most significant portion of the visual setting of the proposed building being sky.
- 8.10 The cladding arrangement differs on this plot to the more simplistic approach to Plot 4000. Here it would be site assembled cladding vertical plank profile with projecting fins. This will provide layering, facade modulation and variation in colour to add interest. The proposed colour palette includes a



variety of blues and greys to reflect the colours of the horizon, built form and sky. The lighter top of the building reduces the perceived height of the building and, in combination with the vertical cladding, blends into the sky.

- 8.11 The cladding arrangement is proposed on the south-west, north-east and a portion of the north-west elevation. The applicant has not proposed to continue the assembled fin cladding along the whole of the north-west elevation, despite being requested by Place Services. The Urban Design Officer stated that *“the reason for this is the approval and construction of this landscaped buffer under DC/22/03464 has changed the intended context of Plot 2000 to ensure that it is more prominent than the original outline drawings intended it to be...”*. It is considered that the elevations to which the finned cladding is proposed are those of visual prominence within and surrounding the Gateway 14 development. It is accepted that the continuation of this approach along the length of the north-west elevation would incur substantial costs to the applicant. Nonetheless, it is considered that visibility of this length of elevation is extremely limited given the dense existing vegetation along the bank of the A1120 (which sits considerably lower than the application site) (figure 9). Whilst users of the footway to the western boundary would experience views, these would be short-term and softened by the strategic and on-plot landscaping. Inevitably, given the proximity to the building to the footpath, the purpose of the fins (to breakdown the apparent mass of the build) would have a limited offering. For these reasons, Officers do not consider the absence of this amendment fatal to the acceptability of Appearance.
- 8.12 It is considered that the proposed colours relate well to the ECA, which will ensure that most of the proposal blends into the environment effectively. Two colours remain to be justified by the ECA: Light Goosewing Grey (RAL 7038) for the rooflights, fascia soffits and rainwater goods and Black Grey (RAL 7022) on the elevations facing the service yard and Mill Lane path. It is noted that some of the cladding colour choices are consistent with choices on Plot 4000 (including Light Goosewing Grey which was utilised for the same aspects of the development on Plot 4000). Design consistency is an important aspect of the Gateway 14 development. The Black Grey colour proposed only features once on the south-east elevation, four times on the north-east elevation and twice on the north-west elevation. Urban Design Officers concern appears to centre on the colour on the service yard and Mill Lane elevations (i.e., south-east and north-west, respectively). The colour is similar to RAL colours Anthracite 7016 and Black Grey 7022 and provides additional tonal variety to this dark grey colour palette. Given its infrequent inclusion on the elevations, it is not considered to be detrimental to the visual effect and impact arising from the elevational treatment.
- 8.13 The advice received on Urban Design indicates that further changes to the elevations should be incorporated. Notwithstanding the abovementioned recommended changes, this also includes additional glazing to the western corners and an alternative material for the main entrance and the clerestory on the public elevations. The applicant has explored the potential to add further glazing to the western elevation and has provided the following response: *“...in our view this will limit the operational flexibility and functionality of the building by restricting internal layout (e.g. the position of racking)”*. Bearing in mind that there is no defined end user at the present point in time it is considered pragmatic, on the balance of probability, to proceed with the design as it presently stands. It is foreseeable that any individual occupier may have particular space needs which may increase the glazing elements. Your Officers would not wish to see any reduction in glazed elements below that currently proposed.
- 8.14 As to the arrangements for the clerestory and main entrance cladding there is some design value in consistency with the materials treatment for these areas on Plot 4000. In this respect horizontal cladding has been used on Plot 4000 and treatment of the clerestory and main entrance to Plot 2000 provides a consistent design theme. For Members information there is a materials condition attached to the outline planning permission and it is not necessary to replicate that in this decision.

- 8.15 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 any storage 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.
- 8.16 Whilst the additional changes recommended by Place Services are understood to be desirable, your Officers are mindful to draw a careful balance with the cost and viability factors inherent in construction of the building having regard to the economic opportunity which prompt delivery of this building will achieve. On that basis it is considered reasonable to attach greater weight to the opportunity to promote economic prosperity against the potential changes to Appearance, understanding that further changes come at additional cost and time delay.
- 8.17 In the round the design approach taken here is considered to be reasonable and would deliver a building of a design theme common to modern business park locations accepting that the development would give rise to a change in the landscape anticipated initially within the Stowmarket Area Action Plan.

## **9.0 Reserved Matter: 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 2000 landscape proposals and a visual analysis plan.
- 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 21%, which includes the sustainable urban drainage (SUDs) ponds and swales.
- 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
- 9.5 The overhead power lines constrain the landscaping opportunities on this plot as shown in figures 10 and 11 below; the applicant advises that it is not possible to plant trees under the cables. The soft landscaping is predominantly proposed around the boundary of the building, car parking and surface yard. This will act to soften the visual impact of the building.

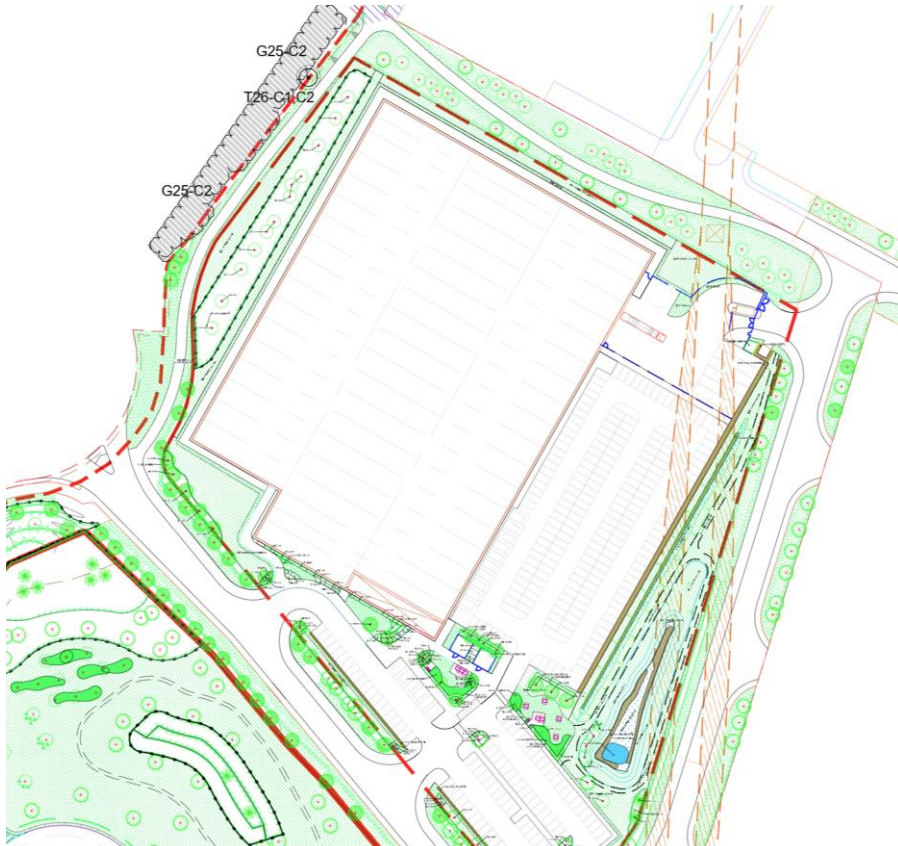


Figure 10: Proposed landscaping plan for Plot 2000 only (combined B2/B8 option)

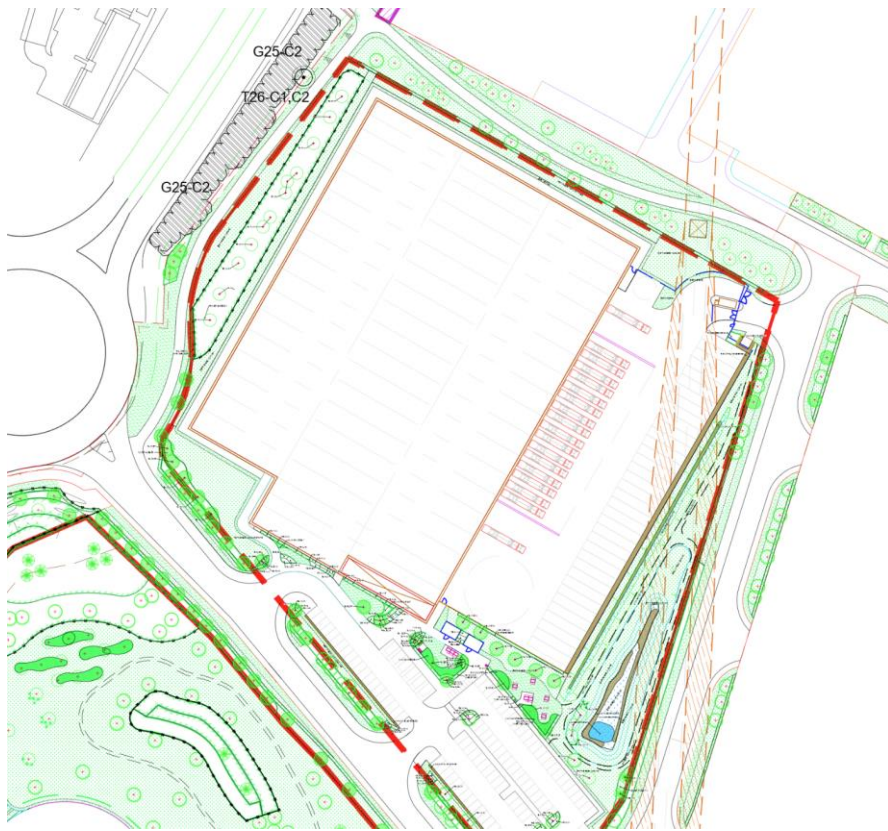


Figure 11: Proposed landscaping plan for Plot 2000 only (B8 option)

- 9.6 Boundary treatment includes a 2.4m high weld mesh security fencing (with matching vehicle gates, pedestrian gates, and turnstiles) in colour black. The security fence would surround the service yard. An acoustic fence is also now proposed to the southern boundary of the service yard to protect the amenity of users of the outdoor staff amenity area (B8 only scheme). Details of the acoustic fencing will be secured through the existing condition pending decision under application reference DC/23/02536 (design, materials and landscaping, no.6).
- 9.7 Two landscaping proposals have been presented given the two layout options proposed (see figures 10 and 11 above). Members should be aware that the differences relate to the area immediately south of the eastern hard standing (where the layouts differ in terms of the vehicular access route between car parks, scale of the cycle facilities, and enhanced landscaping in front of the acoustic fencing).
- 9.8 During the course of determination, the quantity and quality of the soft landscaping has been improved. The changes include (but are not limited to) new planting along the northwestern boundary, repositioning of new trees along northern boundary for more effective screening (within the structural landscape – to be dealt with by way of a separate non-material amendment application to yet made), strengthening of the tree planting to the corner closest to the A1120 roundabout and additional planting between the car park and building frontage.
- 9.9 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 Ecology, Biodiversity and Protected Species**

- 10.1 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.
- 10.2 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.
- 10.3 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 was approved under reference DC/22/03518, in consultation with Place Services Ecology. 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.
- 10.4 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 4.0) confirms a gain of 12.22% for habitat units and a 100% gain for hedgerow/linear features. As such the proposal provides measurable net gains, as required by paragraphs 180d and 186d of the NPPF and Policy LP16 of the JLP.
- 10.5 The external lighting around the site would include column mounted, wall mounted, and bollard 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/23/02536), in consultation with Place Services Landscape, 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.

- 10.6 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.

## **11.0 Land Contamination, Flood Risk, and Drainage**

- 11.1 Matters of land contamination were dealt with at outline stage; thus, Environmental Health have confirmed they have no objection to the proposal.
- 11.2 The site is not identified as being vulnerable to any form of flooding (fluvial, pluvial, reservoir, foul and groundwater) as per the Environment Agency and Council's mapping systems.
- 11.3 This submission is accompanied by a Flood Risk and SuDs Assessment and a Drainage Strategy.
- 11.4 The surface water strategy includes a number of open SuDs, including swales, detention basin to the east, and permeable paving to the car park. The outfall from the SuDs is at a rate that is set to match the greenfield runoff rate. Rainwater harvesting (11,000 litre tank) is also proposed for use on site. The proposal includes a number of water quality treatment measures to ensure water quality is maintained and pollution risk is low, as required by the SuDs manual.
- 11.5 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.
- 11.6 The Environment Agency, Anglian Water and East Suffolk Drainage Board have also been consulted on the proposal and no objections have been raised.
- 11.7 There are not considered to be any unacceptable land contamination, flood risk or drainage impacts that warrant refusal of this application.

## **12.0 Heritage Issues**

- 12.1 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*".
- 12.2 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 Creting Hall.

- 12.3 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 [now paragraph 208], 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.
- 12.4 The Heritage Team have been consulted on the Plot 2000 proposal and consider it would cause 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. It is considered that the proposed development is no more harmful than that was anticipated at outline stage, and that no amendments, further information or conditions are warranted in regard to heritage.
- 12.5 The public benefits arising from the development of Plot 2000 mirror those of the wider development. An estimated total of 163no. jobs for the B8 only option and 284no. jobs for the combined B8/B2 option 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 85 of the NPPF.
- 12.6 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 2000 was anticipated given the impact of such built development on the open countryside 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 208.
- 12.7 The conditions securing appropriate investigation and recording of below ground assets as previously recommended by SCC Archaeology on the outline remain applicable.
- 12.8 The proposed development is therefore considered to comply with JLP Policies SP09 and LP19 and Section 16 of the NPPF.

### **13.0 Impact on Residential and Local Amenity**

- 13.1 Policy LP24 of the JLP and paragraph 135 of the NPPF seek to ensure development does not detrimentally affect the residential amenity of neighbouring residents to achieve and maintain well-designed places and the health and wellbeing of communities.
- 13.2 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.
- 13.3 As part of the outline application it was acknowledged that local amenity would be affected; pedestrians, cyclists 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.

- 13.4 It is considered that the site is sufficiently distanced, and the office accommodation suitably located, in relation to neighbouring residential development such that there would be no impacts relating to overlooking or loss of privacy.
- 13.5 A Construction Management Plan (CMP) is required prior to commencement on site (condition 17). The CMP is currently pending consideration (application reference DC/23/02537) 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 Starfinder Way, to limit disturbance. The CMP also secures details regarding dust management, wheel washing, materials management, fencing and pedestrian/cyclist safety (amongst other things). To date no objections to the discharge of condition 17 have been raised from the aforementioned consultees.
- 13.6 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).
- 13.7 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.

#### **14.0 Sustainability, Water Energy and Resource Efficiency**

- 14.1 The application is accompanied by an Energy and Sustainability Statement (ESS). 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 planning policies at the time of decision were met.
- 14.2 The ESS provides that the following methods will be deployed to ensure the development is energy and water efficient, utilise renewable energy generation and modern technologies for carbon reduction:
- Fabric first approach.
  - Reducing the building fabric U values beyond the building regulations values.
  - Heat pump technology to the heating, cooling and domestic hot water services.
  - 310kWP photovoltaic system (approx. 1475m<sup>2</sup> of panels).
  - BREEAM – WAT01 'Excellent' standards for water efficiency.
  - EPC Rating 'A'.
  - Energy efficient LED lighting.
  - Rainwater harvesting (for use in WCs).
  - Excellent air tightness (in excess of building regulations requirements).
- 14.3 The on-site renewable energy technologies imposed are predicted to achieve reductions in both regulated and unregulated on-site energy use of 43.7%.

- 14.4 During the course of the application, the roof layout has been amended to increase the PV panel area from 475m<sup>2</sup> to 1,475m<sup>2</sup> (to provide for EV charging). The PV system would be mounted flush on the roof orientated due south-east and south-west.
- 14.5 The applicant is not proposing a larger PV array to fully meet their on-site energy requirements at this stage. UKPN have confirmed that it is currently unfeasible to export the energy to the grid. It should be noted that the roof of Plot 2000 has been designed to accommodate the structural load of additional PV.
- 14.6 Ecolytik, our independent engineering and sustainability consultant on this application, have reviewed the updated ESS and have recommended approval subject to conditions. The proposal is compliant with the current development plan policy requirements.

### **15.0 Planning Obligations**

- 15.1 At outline stage contributions for PROW works, Travel Plan, landscape management and recreational facilities/active travel were secured by Section 106. Skylark mitigation was also secured by Section 106.
- 15.2 This Reserved Matters application does not generate the requirement for a new Section 106 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.

### **16.0 Commentary on Outline Conditions**

- 16.1 Members are reminded that this application before them is for the Reserved Matters of the second 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.
- 16.2 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.

### **17.0 Parish and Town Council Comments**

- 17.1 The comments raised by Stowmarket Town Council have been addressed above within this report.

### **18.0 Environmental Impact Assessment**

- 18.1 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).
- 18.2 The hybrid application (reference DC/21/00407) was accompanied by an Environmental Statement.
- 18.3 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).

- 18.4 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 (SoC) 2 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.

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## **PART FOUR – CONCLUSION**

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### **19.0 Planning Balance and Conclusion**

- 19.1 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.
- 19.2 The development plan includes the Joint Local Plan (2023), as well as the Stowmarket Area Action Plan (2013) and Adopted supplementary planning document Mill Lane Development Brief. The Stowmarket Area Action Plan Policy 7.9 allocates the application site for employment purposes. The material considerations include the December 2023 NPPF and other current national policy documents.
- 19.3 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.
- 19.4 Plot 2000 would generate approximately 163no. jobs for the B8 only option and 284no. jobs for the combined B8/B2 option, depending on which use is implemented. The unit is speculative but has been designed in line with the anticipation and knowledge of the commercial market at the present time. The Council seeks to support appropriately located sustainable employment opportunities creating development in suitable locations, particularly within close proximity to the A14 trunk road.
- 19.5 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.
- 19.6 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 further efforts to support the UK to become a leader in world trade.

- 19.7 In the case of Plot 2000 its location is such that it occupies a visually prominent position on the edge of the development. The applicant considers its timely delivery to be imperative to attracting other significant companies to Stowmarket, to continue the expedient delivery of the Gateway 14 site.
- 19.8 The substantial public benefits arising from the proposal are considered, on balance, to outweigh the less than substantial harm to the designated heritage assets.
- 19.9 There are aspects of the proposal that result in tension with the development plan objective in Policy LP24 to secure high quality design. The amendments to the Layout, Appearance and Landscaping during the course of the application have gone some way to addressing iterative concerns. Officers recognise that the current market circumstances have constrained the opportunities on this plot. A viability letter has been submitted to explain this position. As with all planning decisions there is a careful balance of considerations to draw and it is felt that in the present economic circumstance the delivery of this plot would be timely and a positive consideration attracting significant weight.
- 19.10 The proposal is not considered to cause any unacceptable harm to local and residential amenity, highway safety and ecology.
- 19.11 The proposal is considered, on balance, to be in general conformity with both Local and National policy. The economic benefits of the proposal are a significant public benefit. The Reserved Matters details pursuant to Layout, Scale, Appearance and Landscaping are in the round acceptable, and the recommendation is for approval.

## **RECOMMENDATION**

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

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

- Approved Plan - [a] wholly B8 use related drawings [b] combined Class B8 and Class B2 use related drawings
- Notice in writing of building development option to be constructed B8 or B8/B2 (prior to works above slab level)
- Operational Skills and Employment Plan to be agreed
- Construction Skills and Employment Plan to be agreed
- Provision of employee welfare and amenity areas (prior to first operational use)
- Details of waste storage facilities and collection/emptying of refuse and recycling bins (prior to commencement)
- 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
- Compliance with Energy and Sustainability Statement, with as built National Calculation Methodology (NCM) outputs submitted for review (timetable to be agreed)
- Post occupancy monitoring and evaluation to demonstrate energy performance (period of five years)
- Additional low zero carbon technologies to be provided should additional space heating/cooling be installed
- Installation of base build and fit out solar PV (prior to first operational use)

- Limitation on areas/height for container and external storage
- Container and external storage management plan - To provide for arrangements to manage and control container and external storage

In relation to a development comprising the B2/B8 proposal:

- Compliance with site plan illustrating 70% B2/30% B8 floorplate
- Use for the purpose B2/B8 as detailed and for no other purpose without prior grant of planning permission
- Highways - Provision of loading, unloading, manoeuvring and parking areas (inc. EV) (prior to first operational use)

In relation to a development comprising a B8 only proposal:

- Highways - Provision of loading, unloading, manoeuvring and parking areas (inc. EV) (prior to first operational use)
- Use for the purpose B8 as detailed and for no other purpose without prior grant of planning permission

**(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
- Network Rail

For reference

Members attention is drawn to the Outline planning permission (DC/21/00407) that relates to this site and this summary of the relevant conditions:

- 1) *Time limit to allow phasing of reserved matters with first reserved matter to be submitted within 3 years and commencement within 2 years of approval of such reserved matters*
- 2) *Approval of Reserved matters*
- 3) *Approved Plans*
- 4) *Phasing*
- 5) *Bund creation*
- 6) *Design, Materials and Landscaping details required concurrent with first reserved matters application for plot/phase*
- 7) *Restriction on PD rights for change of use across the site other than E(g), B2 and B8*
- 8) *Plot 3000 to remain E(g) only*
- 9) *Cut and fill to be agreed*
- 10) *Finished floor levels to be agreed*
- 11) *Cut and fill and limit on building heights*

- 12) *No build zone to the eastern boundary adjacent to Clamp Farm*
- 13) *No building or change of levels within flood zones 2 and 3*
- 14) *Surface water drainage scheme to be agreed*
- 15) *SuDS verification report on completion*
- 16) *Foul water drainage scheme*
- 17) *Construction Management Plan to be agreed*
- 18) *No storage of construction plant or materials within the floodplain area*
- 19) *Construction Environment Management Plan (Noise) to be agreed*
- 20) *Construction Environment Management Plan (Landscape) to be agreed*
- 21) *Construction Environment Management Plan (Biodiversity) to be agreed*
- 22) *Compliance with ecological appraisal recommendations*
- 23) *Biodiversity net gain design stage report*
- 24) *Time limit before further wildlife surveys are required*
- 25) *Skylark mitigation strategy*
- 26) *Method statement to secure translocation of Shepherds Needle*
- 27) *Landscape Management Plan*
- 28) *Landscape Ecological Management Plan*
- 29) *Lighting scheme (wildlife friendly)*
- 30) *Swift brick/boxes installation scheme to be agreed*
- 31) *Implementation of arboricultural recommendation measures*
- 32) *No development with 3m of boundary with Network Rail*
- 33) *No vibrocompaction or displacement piling within 200m of boundary with Network Rail*
- 34) *Trespass proof fence with Network Rail boundary*
- 35) *Archaeological Investigation (Part 1)*
- 36) *Archaeological Investigation - Reporting (Part 2)*
- 37) *Fire hydrants scheme to be agreed*
- 38) *Control of pollution act prior consent application*
- 39) *Construction working hours 0800-1800 Mon-Fri, 0800-1300 Saturdays only*
- 40) *Hours of operation to be agreed*
- 41) *Machinery and working practices compliance with British Standard 5228-1: 2009+A 1 :2014.*
- 42) *Scheme for provision and implementation of water, energy and resource efficiency measures during construction phase*
- 43) *Scheme for provision and implementation of water, energy and resource efficiency measures during operational phase*
- 44) *BREAAM very good minimum across site, BREEAM excellent in Plot 3000*
- 45) *Office accommodation noise levels*
- 46) *Cumulative rating noise level (accordance with BS4142 no greater than 5db above background)*
- 47) *Compliance with design code principles, including 20% soft landscaping*
- 48) *Details of access and associated works to be agreed*
- 49) *Provision of off-site highways improvement works prior to first use/occupation*
- 50) *Estate roads and footpaths to be agreed*
- 51) *Provision of carriageways and footways prior to occupation*
- 52) *Travel plan to be agreed*

- 53) Provision of cycle storage and facilities*
- 54) Land contamination watching brief*
- 55) Plot 1000 footpath 1*