

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 02 December 2015

AGENDA ITEM NO	3.
APPLICATION NO	3208/15
PROPOSAL	Demolition of existing A1/ Sui Generis units. Erection of 3 and four storey C3 residential unit to provide 14 apartments which comprise of 4no. 2 bed flats, 6no. 1 bed flats and 4no. 1 bed maisonettes (revised scheme to 2867/14)
SITE LOCATION	Mulberry House, Milton Road South, Stowmarket, IP14 1EZ
SITE AREA (Ha)	0.07
APPLICANT	Mr Haydon
RECEIVED	September 2, 2015
EXPIRY DATE	December 3, 2015

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- (1) the Head of Economy considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and the location, scale and / or nature of the application.

PRE-APPLICATION ADVICE

1. Pre-application advice was sought prior to submission of a previous application. An application was subsequently submitted seeking permission for 13 flats utilising access from the south of the site. This was withdrawn prior to determination due to ownership issues with the access. Further pre-application advice was undertaken with SCC Highways based on the utilisation of the existing access to the site directly from Milton Way.

SITE AND SURROUNDINGS

2. The application is located on the corner of Milton Road South and Gipping Way. An access road to Morrisons runs to the south-west of the site with the associated public car park abutting the south-eastern of the site.

Existing buildings on the site include Mulberry House which is a part two storey building with dual pitched roof and part single storey with mono-pitch roof. The building is constructed from red brick and clay pantile. The existing building is in retail use currently occupied by Events.

The remainder of the site is currently a vacant former car sales site with hardstanding. Boundary treatment includes low fencing on and gated access directly from Milton Road South on the north-western boundary and part low fencing and part 1.8m hit and miss fencing on the north-eastern boundary

abutting Gipping Way.

The car sale site has been vacant for a number of years and the boundary and hardstanding have become overgrown with bushes.

The site is approx. 70m north-east of the town centre.

Neighbouring properties to the south of the site include Sheringham Court which is a mix of flats between two and three storeys in height. To the west of the site is Milton House which is a detached grade II listed building set within garden land. To the south-west is a Morrisons supermarket and car park. To the north is currently vacant site which was formerly industrial buildings which have since been demolished. To the north west is a site which is currently undergoing redevelopment for the provision of a retail unit and builders merchants.

The ground level of the site slopes down to the north, towards the nearby River Gipping. The ground level rises towards the south and the town centre. The neighbouring car park is set on a level with the superstore, resulting in retaining walls abutting the site with a higher ground level at the north-eastern corner of the site.

HISTORY

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

2867/14	Demolition of existing A1/Sui Generis units. Erection of three and four storey C3 residential unit to provide 9 number 1 bedroom apartments and 4 number 2 bedroom apartments.	Withdrawn 22/12/2014
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PROPOSAL

4. It is proposed to demolish the existing buildings on the site and erect a three and four storey residential development providing 14 apartments which comprise of 4no. 2 bed flats, 6no. 1 bed flats and 4no. 1 bed maisonettes.

The proposed development is of modern design with external elevations to include a mix of traditional red brick walls with blue/grey ceramic tile detail, through colour render, zinc panels and vertical timber cladding.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. **Stowmarket Parish Clerk**

'That the Town Council recommends refusal of the application on the following grounds:

i) That, contrary to planning policy H13, the proposed development will not have satisfactory access to the adjacent highway. The proposed access/egress will have a detrimental impact upon roads in the immediate vicinity of the proposed development including Milton Road South and Gipping Way. The Town Council is of the opinion that these roads are already highly congested, especially in the mornings and early evenings and the proposed development will further impact upon this situation; and

ii) That the proposed development will fail to meet the following standards of planning policy T10:

- a) the provision of safe access to and egress from the site;
- b) the suitability of existing roads giving access to the development, in terms of the safe and free flow of traffic and pedestrian safety;
- c) whether the amount and type of traffic generated by the proposal will be acceptable in relation to the capacity of the road network in the locality of the site; and
- d) the provision of adequate space for the parking of cars.

The Town Council also wishes to express disappointment of the loss of the existing A1/Sui Generis units.'

Suffolk County Council - Highways

'Although there have previously been concern for the conversion of this site to residential use, this site is extremely well located to take advantage of nearby shopping, amenities and sustainable transport options which are located close to this site and this helps to mitigate the potential highway concerns. Although the existing access is proposed to be retained, the access road to Morrison's site is adjacent to the existing vehicular access and therefore it is likely that a minor intensification of this access would cause minimal impact compared to the vehicles that use the access road to the supermarket.'

No objections subject to conditions.

SCC - Corporate S106

Extract:

Service Requirement	Contribution per dwelling	Capital Contribution
Education - Primary	£937	£12,181
Education – Secondary	£0	£0
Education – Sixth Form	£0	£0
Pre-School Provision	£0	£0
Transport	£-	£-
Rights of Way	£-	£-
Libraries	£216	£3,024
Waste	£51	£714
Total	£1,204	£15,919

MSDC Economic Strategy

No objection in principle comments of the Town Council regarding traffic issues is reiterated.

Suffolk County Council - Archaeological Service

No objection and no recommended conditions

MSDC - Environmental Health - Land Contamination

No objections subject to condition

MOD Safeguarding

No objections

Fire Service Hq - County Fire Officer

No objections

Historic England

No comment

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.

1 letter of objections has been received based on the following issues:

- Inadequate parking provision
- Highway safety issues due to proximity to junction with Gipping Way

ASSESSMENT

8. The proposed development is considered in relation to the following key points:

- Principle of development
- Design and layout
- Highways and access
- 106 contributions

• **Principle of development**

The Local Plan 1998 (Saved Policies)

The proposed development lies within the settlement boundary of Stowmarket.

Policy SB1 of the Local Plan states that new development will take place within existing settlements unless provided for by other policies contained in the plan.

Policy H2 states that within towns the scale of housing development will be consistent with protecting the character of the settlement and landscape setting of the town.

Policy E6 provides that the district planning authority recognises the importance of existing industrial and commercial sites as providing local employment opportunities. In considering applications for change of use the district planning authority will expect a significant benefit for the surrounding environment, particularly in terms of improved residential amenity or traffic safety. The current site has the use as a vacant sui generis car sale plot and trading retail unit.

The Local Development Framework Core Strategy 2008

Policy CS1 of the Core Strategy states that the majority of new development will be directed to towns and key service centres.

Policy CS5 of the Core Strategy states that the council will seek to protect and conserve landscape qualities. CS5 also states that any new development will be of a high quality design that respects the local distinctiveness of the district and create visual interest in the street scene.

Policy CS6 of the Core Strategy states that new development will provide or support the delivery of appropriate and accessible infrastructure.

Policy CS7 of the Core Strategy states that 50% of new development will be on brownfield land.

The Core Strategy Focused Review (CSFR) 2012

The Core Strategy Focused Review (CSFR) Policy FC 1 sets out the council's presumption in favour of sustainable development. This is qualified by supporting text that states that the Council will grant permission unless material considerations indicate otherwise – taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole; or specific policies in that Framework indicate that development should be restricted.

Policy FC 1.1 sets out Mid Suffolk's approach to delivering Sustainable Development and states that "*development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to the Mid Suffolk context through the policies and proposals of the Mid Suffolk new style Local Plan. Proposals for development must conserve and enhance the local character of the different parts of the district. They should demonstrate how the proposal addresses the context and key issues of the district and contributes to meeting the objectives and the policies of the Mid Suffolk Core Strategy and other relevant documents.*"

Stowmarket Area Action Plan

SAAP Policy 4.1 – Presumption in Favour of Sustainable Development reinforces Core Strategy Focused Review FC 1 and FC 1.1. This provides that the Council will take a positive approach in accordance with the NPPF and always work with applicants to secure development that improves the economic, social and environmental conditions in the area.

SAAP Policy 4.2 – Providing a Landscape Setting for Stowmarket provides that, where appropriate, the Council seek to enhance the landscape setting of Stowmarket with particular regard to development that may impact on views in, out and across Stowmarket. In this instance, the site would be relatively prominent to views from Gipping Way and provide a potential feature in the street scape of the town centre in views from the north.

NPPF

The National Planning Policy Framework (NPPF) provides that the NPPF "*does not change the statutory status of the development plan as the starting point for*

decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise".

The NPPF also provides (paragraph 187) that *"Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work pro-actively with applicants to secure developments that improve the economic, social and environmental conditions of the area."*

Section 7 of the NPPF refers to design. It provides that good design is a key aspect of sustainable development; it should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks.

Furthermore it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state it is "proper to seek to promote or reinforce local distinctiveness" (paragraph 60) and permission should be "refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions" (paragraph 64).

NPPF – Supply of Housing

The NPPF provides that Local Authorities should maintain a five year land supply for residential development. Para 49 goes on to provide *"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."*

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

This site has the potential to offer a welcome opportunity to add to land supply in Stowmarket in the particular circumstances of this brownfield site, close to the town centre of Stowmarket.

In summary, the proposed development is a brownfield site in a sustainable location within Stowmarket. The mix of 1 and 2 bedroom dwellings is in demand in the town. The development would result in the loss of an employment site, albeit in need of investment to achieve its optimal value and a commercial asset. Subject to achieving high quality design the principle of residential development on the site is accepted.

- **Design and layout**

The site is very prominent within Stowmarket, being adjacent to Gipping Way, close to the town centre and visible in views when travelling towards the town centre from the modern Cedars Park residential development site. Views of the site from Gipping Way give a relatively poor impression. The site is in a potential feature location, located prominently on Gipping Way and visible in views across the nearby public car park.

Other development in the area includes Morrisons supermarket and associated car park, Sheringham Court which includes two and three storey residential development. Permission has recently been granted for a DIY retail unit and builders merchants nearby. Permission has also recently been granted for a three storey block residential flats on Ipswich Street. On the opposite corner of the site is a grade II listed building set within an open garden space. Permission has also recently been granted for residential development at land on Prentice Road and three storey development granted on land off Creting Road, west. A historic permission has also been granted for residential development on the former industrial land on the opposite side of Gipping Way.

Given the topography of the site and recent permissions for new development in the area, the application site has the potential to form a landmark development, creating a gateway from the industrial and employment areas along the eastern parts of Gipping Way into the town centre and mixed areas of retail and residential uses.

The internal layout, underground parking and provision of communal outdoor space is considered to avoid unacceptable serious impact on residential amenity of adjacent property whilst still providing a relatively good level of amenity for future occupants. The arrangement of rooms provides reasonable safeguards to privacy for residents of Sheringham Court to the south west.

The scale, layout, massing and detailing of this development is considered to be of a high quality that is befitting of its location as a landmark feature along one of the main highways into central Stowmarket and would uplift the appearance of the area. The design of the building is considered to be befitting of its location.

- **Highways and access**

The existing use of the site is for car sales (*sui generis*). The site has been vacant for several years. However, under the existing permitted use a new car sales business could operate from the site without planning permission, subject to there being no material change in the intensity of use.

Milton Way is a busy access road, linking between Ipswich Street and the town centre with Gipping Way. Milton Way is also used to access Morrisons and the public car park. As such there is frequent queuing from the traffic lights on the junction with Gipping Way past the proposed access. However, this is to be assessed in relation to the existing permitted use of the site that could allow a car sales business to operate without restriction.

The application proposes 14no. flats with 1no. parking space per unit and a secure cycle storage area. The site is approx. 400m from the railway station and 100m from the town centre with associated public transport links. Visitors to the development could reasonably be expected to use the adjacent public car park.

Suffolk County Council Highways have assessed the parking provision and access and consider that there would not be a significant adverse impact that would warrant refusal of the application.

Whilst it is acknowledged that the proposed development is likely to result in an increased impact on the nearby junction with Gipping Way, no objection has been raised by SCC Highways.

The proposed development would be in a sustainable location and can reasonably be expected to benefit from good access to local services and facilities without dependency on private motor vehicles and occupants would have good access to public transport. In all the circumstances it is considered access and parking arrangements are acceptable.

- **Financial contributions**

The proposed development would provide 14no. 1 and 2 bed units. The site is within the settlement boundary of Stowmarket where the threshold for the provision of affordable housing is 15 units or more. The proposal is therefore not liable to provide affordable units. However, it should be acknowledged that there is demand for smaller 1 and 2 bed units close to the town centre of Stowmarket.

The application site would be liable to provide contributions towards the provision of open space and social infrastructure (OSSI). However, any contributions are required to comply with CIL Regulation 122 which restricts the pooling of contributions from 5 or more developments. CILL 122 regulations also require any contributions to be made for specific projects or needs that would arise due to the proposed development. Given the location of the site close to the centre of Stowmarket it has not been possible to allocate contributions towards any specific projects that have already benefitted from pooled contributions. OSSI contributions have therefore not been secured for this development.

SCC Infrastructure contributions are bound by the same CIL 122 regulations. Comments provided on behalf of SCC Infrastructure set out sites to which contributions would be assigned whilst complying with CIL 122. These would total £15,919. It is recommended that these are secured by 106 if permission is resolved to be granted.

- **CONCLUSION**

The proposal gives the opportunity to redevelop a brownfield site close to the town centre of Stowmarket and improve the appearance of a partly neglected site and provide a 'landmark' development that improves the appearance of the area and act as a 'gateway' site, marking the entrance to the centre of Stowmarket when travelling along Gipping Way.

The development would replace the vacant car sales plot and replace the existing retail unit. Whilst the loss of retail unit is regrettable, it is noted that there are vacant units within the shopping frontage of Stowmarket that would be better related to the town centre. The loss of the sui generis use would result in the loss of an employment opportunity but considering that the site has been vacant for several years it is considered that the loss of the existing use is acceptable.

The proposed development would utilise an existing access. Considering the

existing use of the site and associated access SCC Highways consider that the development would not result in a significant adverse impact on highway and, considering the very sustainable location of the site, has shown that suitable parking can be provided.

The design of the building would enhance the character and appearance of the area and would be in keeping with the modern character of recently approved developments in the vicinity of the site. The development would help meet demand for smaller residential units in a sustainable location and would provide a welcome contribution towards the Council's land supply on a brownfield site close to the centre of Stowmarket.

RECOMMENDATION

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

- **Contribution towards the provision of Suffolk County Council Infrastructure including the following:**
 - **Primary education: £12,181**
 - **Libraries: £3,024**
 - **Waste: £714**

Conditions:

1. **3 year time limit**
2. **Compliance with plans**
3. **Details of materials to be agreed notwithstanding applicant's drawings**
4. **Hard and soft landscaping scheme to be agreed**
5. **Hard and soft landscaping scheme to be implemented as agreed**
6. **Cycle storage to be provided**
7. **Bin store to be provided**
8. **Highways – Provision of parking and access**
9. **Contamination scheme**

Philip Isbell
Corporate Manager - Development Management

Mark Pickrell
Senior Planning Officer

APPENDIX A - PLANNING POLICIES

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

