

## **Committee Report**

**Committee Date:** 14.6.17

**Item No:** 1

**Reference:** 0396/17  
**Case Officer:** Stephen Burgess

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**Description of Development:** Outline Planning Permission sought for a proposed retail store development within class A1 use. Creation of new access, parking, servicing and landscaping.

**Location:** Land at Gipping Way, Stowmarket, IP14 1EJ

**Parish:** Stowmarket

**Ward:** Stowmarket Central

**Ward Member/s:** Cllr Lesley Mayes and Cllr Paul Ekpenyong

**Site Area:** 0.83

**Conservation Area:** No

**Listed Building:** None

**Received:** 30/01/2017

**Expiry Date:** 11/05/2017

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**Application Type:** Outline Planning Permission

**Development Type:** Commercial

**Environmental Impact Assessment:** No

**Applicant:** British & Continental Estates Limited and Beachshow Ltd

**Agent:** Montagu Evans

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### **DOCUMENTS SUBMITTED FOR CONSIDERATION**

List of applications supporting documents and reports:

Application forms - received 30.1.17

Drawing no.14058-100 - Location Plan - received 30.1.17

Drawing no.14058-110 - Existing Block Plan - received 30.1.17

Planning and Retail Statement - received 30.1.17

Design and Access Statement - received 30.1.17

Arboricultural Report - received 30.1.17

Flood Risk and Drainage Strategy - received 30.1.17

Transport Assessment - received 30.1.17

Outline Ecological Assessment - received 30.1.17

Energy/Sustainability Assessment - received 30.1.17

Land Contamination Assessment by Soiltecnic - received - 24.2.17

Drawing no. 14058-111B - Proposed Block Plan - received - 30.1.17  
Drawing no. 14058-112B - Proposed Site Plan - received - 30.1.17  
Drawing no. 14058-113B - Proposed Ground Floor Plan - received - 30.1.17  
Drawing no. 14058-114A - Proposed Roof Plan - received - 30.1.17  
Drawing no. 14058-115A - Proposed Elevations - received - 30.1.17  
Drawing no. 14058-116A - Proposed Mezzanine Floor Plan - received - 30.1.17  
Drawing no. 14058-117A - Proposed Streetscene - received - 30.1.17  
Drawing no. 14058-118B - Proposed Boundary Details - received - 30.1.17  
Drawing no. D29282/LKM/A - Proposed Lighting Plan - received - 30.1.17  
Drawing no. 191/2015/01 - Flood Compensatory Plan - received 30.1.17  
Drawing no. 191/2015/04 - Proposed Drainage Strategy - received 30.1.17  
Drawing no. 191/2015/01 - Flood Compensatory Plan - received 30.1.17

The application, plans and documents submitted by the Applicant can be viewed online at the Mid Suffolk website via the following link:

<http://www.midsuffolk.gov.uk/planning/development-management/application-search-and-comment/search-for-applications/> . Alternatively, a copy is available to view at the Mid Suffolk Council Offices.

## **SUMMARY**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The officers recommend approval of this application. The proposed development represents an appropriate redevelopment of this brownfield site.

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

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The application is referred to committee for the following reason/s:

It is a “Major” application for: -

- a retail development with floor space exceeding 2,500 sq.m

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## **PART TWO – APPLICATION BACKGROUND**

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This section details history, policies, advice provided, other legalisation and events that forms the background in terms of both material considerations and procedural background.

### **History**

1. The planning history relevant to the application site is listed below. A detailed assessment of the planning history including any material Planning Appeals will be carried out as needed in Part Three.

### **Details of Previous Committee Resolutions**

2. None

### **Details of Member site visit**

3. None

### **Details of any Pre Application Advice**

4. Pre-application advice was given by a planning officer with regard to the proposed development.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **Consultations**

5. Summary of Consultations

#### **Stowmarket Town Council**

- No objection be raised to the grant of planning consent.
- The Town Council wishes to endorse the comments made by the Stowmarket Society in respect of the application. It wishes to invite the developer to a subsequent meeting of Stowmarket Town Council, prior to submission of the full planning application, to engage in a pre-application consultation exercise to ensure a suitable building design which would be in keeping with this prominent site on one of the key gateways through the town.
- The Town Council would wish to bring to the attention of the Planning Authority, the small footbridge across the River Gipping at the application site. As part of the application, the Town Council would wish to see either a renovation and re-instatement of the footbridge or its removal and re-instatement of the riverbanks at that point.

#### **Stowmarket Society**

- no objections in principle to this proposed use on this site, provided the safeguarding condition referred to in para 3.12 of the applicant's Planning Statement is included in any permission, in order to protect the town centre as far as the system permits.
- This is a prominent site and whilst this is an outline application with design and other matters reserved for later agreement, the fact is that the drawings and the Design and Access Statement reveal no ambitions beyond simple tidiness on this score. We think the site deserves something rather more inspiring. The layout makes nothing of the corner site. Even taking into account the sewer easement, a small building could be provided facing on to Navigation Way, which would of course have knock-on consequences on the design of the rest of the development.

#### **SCC Highways**

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

- **Condition 1:** Before the access onto Gipping Way is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 120 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension). Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays. Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.
- **Condition 2:** The new vehicular access and right-turn lane shall be laid out and completed in all respects in accordance with Drawing No.191/2015/05 “Indicative new access layout” and made available for use prior to development. Thereafter the access and right-turn lane shall be retained in the specified form. Reason: To ensure that the access and right-turn lane is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.
- **Condition 3:** The use shall not commence until the area(s) within the site shown on Drawing No.14058-11 Rev B for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes. Note: The submitted car parking provision is not in accordance with Suffolk Guidance for Parking 2015 which requires car parking dimensioned at 2.5m x 5.0m. Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway. **Note:** The Travel Plan Statement that was included in the Transport Assessment (dated January 2017) would have some benefit to maximising the sustainable transport options for employees traveling to the site, as the development is unlikely to generate a significant impact with employee movements that would warrant a full Travel Plan. However further measures to encourage employees to travel sustainably should be secured by the following planning condition if permission is granted at the planning committee:
- **Condition 4:** Before the development is commenced details of the areas to be provided for secure covered cycle storage for both customers and employees and details of changing facilities including storage lockers and showers shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose. *Note: The employee cycle storage shall be in a lockable facility away from public access to maximise the uptake in cycling among staff.* Reason: In the interests of sustainable development as set out in the NPPF
- **Condition 5:** Within one month of first occupation, each employee shall be provided with travel information in the same format as the Travel Plan Statement that was included in the Transport Assessment dated January 2017. Not less than 3 months prior to the occupation, a completed Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include up-to-date walking, cycling and bus maps, relevant bus and rail timetable information, car sharing information, and sustainable transport discounts. The Travel Plan Statement shall be maintained and operated thereafter. Reason: In the interests of sustainable development as set out in the NPPF

- **Note:** In the event there is a need for a full Travel Plan; it must be secured by a **Section 106 Agreement** with a £5,000 Travel Plan Evaluation and Support Contribution payable to Suffolk County Council and obligations to ensure the implementation of the Travel Plan for a period of five years. This is to ensure Suffolk County Council as the Highway Authority are appropriately resourced to oversee the implementation of the Travel Plan between the two occupiers. If the Travel Plan Evaluation and Support Contribution is not secured Suffolk County Council will not have the resource to oversee the implementation of the Travel Plan if there is a requirement for a full Travel Plan to be secured.
- **Condition 6:** Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form. Reason: To prevent hazards caused by flowing water or ice on the highway.

### **Ramblers Association**

- have viewed these plans and I do not have any comments or observations to make.

### **Tree Officer**

- I have no objection to this application subject to it being undertaken in accordance with the protection measures outlined in the accompanying arboricultural report. No existing site trees are proposed for removal and although they are not of the highest amenity value they will be useful in helping to soften and integrate any development within the local area. For the same reason additional new planting would also be beneficial, this matter can be dealt with as part of reserved matters or under planning condition

### **Land Contamination Officer**

- The Environmental Protection Team has no objection to the proposed development, but would recommend that the following Planning Condition be attached to any planning permission: Proposed Condition: Standard Contaminated Land Condition (CL01)
- No development shall take place until:
  1. A strategy for investigating any contamination present on site (including ground gases, where appropriate) has been submitted for approval by the Local Planning Authority.
  2. Following approval of the strategy, an investigation shall be carried out in accordance with the strategy.
  3. A written report shall be submitted detailing the findings of the investigation referred to in (2) above, and an assessment of the risk posed to receptors by the contamination (including ground gases, where appropriate) for approval by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme as required.
  4. Any remediation work shall be carried out in accordance with the approved Remediation Scheme.
  5. Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation Scheme.

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

### **The Environment Agency**

- We have no objection to the proposal provided the conditions relating to the protection of the water environment are included should you be minded to grant permission.

- We also offer advice on, ecology, disposal of foul water and flood risk activity permits.

### **Suffolk County Council, Flood and Water Management**

- results of “infiltration test” carried out should be submitted .
- applicant is proposing to have a reduced rate of discharge but this is a brownfield site. Ideally we would like the applicant to discharge at the greenfield rate.
- If a brownfield rate is to be used that the applicant needs to submit calculation using the rational method for storm events of 15 and 360 minute events
- The applicant has proposed one stage of water treatment prior to the controlled discharge to the River Gipping. The River Gipping is a WFD watercourse and as such the applicant should be ensuring that any water being discharged into it is clean.
- an oil interceptor is a propriety device and whilst suitable for pollution control, it isn't always recognised as a treatment stage within the Ciria SuDs guidance, therefore the applicant needs to revisit this or demonstrate how this interceptor will meet the requirement of a medium pollution risk area.

### **Environmental Health (other issues)**

- I can confirm with respect to other environmental issues, I do not have and objection to the proposed outline development

### **Infrastructure Officer**

- CIL is calculated upon the grant of a reserve matters approval.
- The current rate for Convenience Retail is £100m<sup>2</sup> which is subject to indexation. Confirmation of the type of use within A1 classification would be required to assess any CIL liability

### **Representations**

- Welcome that some action may be about to be taken on this derelict site.
- Improve public access to the river and to promote wildlife diversity.
- documents carefully exclude the river bank from the application area, even though the site formed part of the former Suffolk Iron Foundry site which occupied both sides of the river at this point, and was linked by the existing footbridge shown on the application documents
- anxious to avoid the problem that has arisen on the recent development of the Wickes/Travis Perkins site where two ugly and over-large drainage outfalls have been installed in the river bank. It was not at all clear from the application documents that these outfalls
- outfall should be designed in a sensitive way and not detract from the character of the river bank
- important to ensure that development of the site includes measures to clean up the physical remains of the old factory within this length of river bank and to include appropriate elements of remedial soft landscaping.
- the existing footbridge is shown being retained in the application. At present the footbridge is inaccessible at both ends, and falling into a state of disrepair. It would be good to see the bridge integrated into this scheme, renovated, and brought into public use as a means of increasing access to the river and creating a diversity of walking routes around the town.

- However, anticipate that the applicant might produce a compelling argument against this course of action – in which case it is essential to ensure its removal and reinstatement of the riverside after demolition of the abutments.

### **The Site and Surroundings**

8. The application site comprises 0.83ha of former industrial land that has been cleared leaving an expanse of concrete hardstanding. The site is accessed via Iron Foundry Road, and bounded by Gipping Way to the south and Navigation Way to the west, the River Gipping to the north and the recently constructed Wickes and Travis Perkins retail units to the east. The site forms part of the former Bosch Suffolk Works site.

### **The Proposal**

9. The application seeks outline permission to redevelop the site to provide two retail stores within Class A1, for the sale of bulky goods, access, parking, servicing and landscaping. All matters are reserved for subsequent approval except for vehicular access.

The submitted indicative block plan shows two A1 retail units. Unit 1 is shown as having a gross internal floor space of 1626 sqm (17,500sqft) including a mezzanine floor, and Unit 2 is shown as having a gross internal floor space of 2441 sqm (26,260sqft) including a mezzanine floor, providing a total floor area of up to 4,067sqm. Unit 1 is shown to have the dimensions of 24.4m x 38.6m, and Unit 2 is shown as 41m x 34m. The construction would be of typical retail/warehouse appearance including composite cladding on external elevations finished in grey, similar in appearance to units on the neighbouring site to the east. The design details are indicative only.

Vehicular and pedestrian access into the site would be gained from the site frontage along Gipping Way, with a service access to the rear along Riverside Drive to the rear of Travis Perkins and Wickes stores. The layout of the site includes 121 customer car parking spaces and 24 cycle parking to the front and side of the site. A service yard would be provided to the rear of Unit 2.

Indicative boundary treatment of the site shows provision of a landscape buffer along the Gipping Way and Navigation Way frontages.

The application is supported with documents including a Planning and Retail Statement, Design and Access Statement, Arboricultural Report, Transport Assessment, Ecological Assessment and Flood Risk & Drainage Strategy.

### **10. Policy Issues**

#### **NATIONAL PLANNING POLICY FRAMEWORK**

At the heart of the NPPF is a presumption in favour of sustainable development. Sustainable development is based on an economic, social and environmental role.

Section 1 of the NPPF relates to building a strong, competitive economy. It provides that 'the planning system does everything that it can to support sustainable economic growth'. Paragraph 19 states that 'Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system'.

Section 2 relates to ensuring the vitality of town centres. Paragraph 24 states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses. Whilst the application site is outside of the defined town centre of Stowmarket, it is in a central location within the town with good highway links. Based on this it is considered reasonable that the site could accommodate a bulky retail element and still draw the public to active uses within the town, benefitting from public car parks and good links with the rest of the town centre.

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. Planning decisions should aim to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. 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" (para 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" (para 64).

Based on the above it is considered that the redevelopment of the site would be of economic benefit to the area and would provide a degree of retail based employment. However, this is to be considered carefully in relation to other issues, such as the impact on the local distinctiveness of the area and 'making places better for people'.

## **CORE STRATEGY**

11. Policy CS5 provides that "All development will maintain and enhance the environment, including the historic environment, and retain the local distinctiveness of the area".

Policy CS12 relates to Retail Provision and sets out that Stowmarket shall accommodate new retail development in its town centre. Although outside of the defined town centre boundary, the development for bulky good retail at a site with good transport links and a close proximity to the town centre is accepted.

The Core Strategy Focused Review (CSFR) was adopted by Full Council on 20 December 2012 and should be read as a supplement to Mid Suffolk's adopted Core Strategy (2008). Policy FC 1 - Presumption in favour of sustainable development refers to the National Planning Policy Framework (NPPF) objectives and Policy FC 1.1 - Mid Suffolk approach to delivering Sustainable Development that provides 'development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to the Mid Suffolk context through the policies and proposals of the Mid Suffolk new style Local Plan. Proposals for development must conserve and enhance the local character of the different parts of the district. They should demonstrate how the proposal addresses the context and key issues of the district and contributes to meeting the objectives and the policies of the Mid Suffolk Core Strategy and other relevant documents.'

## **STOWMARKET AREA ACTION**

12. The Stowmarket Area Action Plan was adopted 21st February 2013. This provides a number of new policies in respect of specific sites as well as overarching policies that apply to relevant housing or commercial development within the defined Action Plan area. This site is within the defined Action Plan area, but is not a site that has a specific designation or policy requirement as a result of this adopted document.

Strategic Objective 1 and 2 sets out the Council's aim for town centre improvement and the priority for land uses within the town centre that are appropriate and help the viability of the town centre.

SAAP Policy 4.1 – Presumption in Favour of Sustainable Development reinforces Core Strategy Focussed 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 ensure that the impact on wider views in and around Stowmarket are taken into account, including any impact on the skyline. Proposals for sites in key locations that would benefit from landmark buildings or features should incorporate designs appropriate for the site. Planting may be particularly relevant for development that may impact on the 'gateway' role of an area.

SAAP Policy 5.1 – General Retail Policies for all of the Stowmarket Area Action Plan sets out the Council's plans for Stowmarket Town Centre. It provides that new development in the town centre shall improve the vitality and viability of the town centre. This policy requires that all retail development is accessible and of a high quality, appropriate and inclusive design.

SAAP Policy 7.1 – Sustainable employment sites provides that the Council will support development of employment sites on brownfield land that benefit from good access and acceptable impacts on local transport, landscape, environment, biodiversity and residential and public amenity. Although not a traditional employment proposal, the proposed commercial development would provide a degree of employment in the locality.

SAAP Policy 7.5 – Established Employers and Industrial Estates sets out that the site is within an allocated 'mixed use corridor, close to established employment site. Development within the mixed use corridor is acceptable if it is for 'mixed use' and 'non-B Class' uses where they represent the best use of a development opportunity having regard to the requirements, policies, and objectives of the Stowmarket Area Action Plan and other policies in the development plan.

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

SAAP Policy 9.4 - River Gipping relates to all development proposals adjoining the River Gipping. This requires that developments include a well-designed frontage adjoining all street, gateways and other public spaces.

Taking the above points into account, it is considered that the redevelopment of the site for commercial uses is acceptable in terms of policy, subject to the design and appearance of the area being of a high quality appropriate to its setting as a 'gateway' site on a principal highway access into Stowmarket.

## **LOCAL PLAN**

13. Local Plan Policy GP1 – Design and layout of development requires new development to take into account the appearance of its setting and seek to maintain or enhance the appearance of the area. Landscaping is encouraged to protect important landscape features.

Local Plan Policy S11 – Retail Warehousing relates to the provision of retail warehouses outside of the town centre. The principle of such development is acceptable subject to the proposed development not detracting from the vitality and viability of the town centre and adverse impacts on the surrounding area being acceptable.

The application site is not within the defined conservation area. However, it is a prominent site in the proximity of the conservation area and is therefore considered to affect the setting of the conservation area. As such Local Plan Policy HB8 and HB10 are considered to be applicable. These policies seek to ensure that any new development, including advertisements, is in keeping with the character and appearance of the conservation area and will conserve or enhance the conservation area.

## **Main Considerations**

14. From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

15. The following are identified as the main considerations in assessing this application

- Principle of Development
- Sustainability Assessment
- Highway and Access Issues
- Design and layout
- Landscaping
- Environment and Flood risk
- Amenity impact
- Biodiversity

## **The Principle Of Development**

16. Taking the above policies into account it is considered that the principle of redevelopment of the site to provide retail commercial uses is supported by virtue of the economic gains that could be achieved and the benefits to the appearance of the area by redeveloping a currently vacant site close to the historic core of Stowmarket. However, any

new development is required to demonstrate that it is of a high standard of design appropriate to the site, that takes into account the 'gateway' location of the site and 'makes places better for people', not just for the short term but for the lifetime of the development. The application is submitted in outline with indicative designs for the proposed units in support of the proposal but the detailed designs would be subject of a reserved matters application.

The site is positioned in close proximity to commercial uses on the adjacent site to the east within a defined 'mixed use corridor'. The site is a gateway location within the town and any development of the site would be prominent in wider views of the town, particularly when travelling through the town on Gipping Way. It is officer's opinion that the site characterises a change in the character of the town, transitioning from established industrial uses towards more retail and urban centre uses. Any redevelopment of the site should be expected to take into account the prominence of the site and ensure that the design and layout of the site enhances perception of the town.

The application site has previously been considered as part of a wider redevelopment of the former Bosch-Atco site under application ref. 1170/06 which granted outline permission for office and residential uses at the adjacent site along with a new access to Gipping Way. Subsequent to that approval a detailed scheme was granted for the two retail units on the adjacent site now occupied by Wickes and Travis Perkins (0885/15)

### **Sustainability Assessment Of Proposal**

17. The NPPF and Local Plan support sustainable economic growth and the provision of new employment in suitable locations. The proposed development would bring a brownfield site that is currently vacant into active economic use which is considered to be of benefit to the town and the provision of retailing in the wider district. The proposed uses are also stated as providing up to 54 jobs.

In this instance the proposed development would bring a currently vacant site close to the centre of Stowmarket into active use and would provide additional employment in the area. The gains in economic activity at the site would be beneficial to the local economy and this is considered to be a significant bonus to the town. The area is allocated in the SAAP as a mixed use corridor and the NPPF encourages economic regeneration, subject to it not resulting in adverse impacts on the area. The NPPF specifically states that:

*'Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.'*

Considering the proposed development on its own merits, it is considered that the development would create economic development from a brownfield site. This would be of significant benefit to the town and wider district which is supported by local and national policy.

### **Site Access, Parking And Highway Safety Considerations**

18. The application includes the details of the proposed access onto Gipping Way which are not reserved for subsequent approval. A service access for HGVs would be made available off Iron Foundry Road. Additionally the application is supported by a detailed Transport Assessment which concludes that Gipping Way is currently operating at below designed capacity and therefore can accommodate estimated traffic flows associated with the development. Suffolk County Council Highways have been consulted on the proposed

development and have raised no objections, subject to conditions, with regard to the standard of access and indicative parking provision. They recommend conditions be attached to any permission granted.

### **Design And Layout**

19. The supporting indicative plans indicate that the proposed development would comprise 2no. commercial units of approx. 8m in height and set facing Gipping Way. The layout includes customer parking to the front and side of the units. The service entrance would be to the rear off Iron Foundry Road. Boundary treatment along the Gipping Way and Navigation Way frontages would be a landscape buffer.

The design and layout of the site is taken into account with the context of the site, this includes existing uses and B & M retail unit opposite. Towards the town centre, buildings along Gipping Way vary in height and design up to the Station Quarter area which includes a mix of residential and modern development. The conservation area extends to include Ipswich Street (behind B & M) and to include Milton House (Stowmarket Town Council offices). The application site is taken to be visible to views of the river valley and have an impact on the setting of the conservation area.

The proposed development continues the form of development achieved on the adjacent site and the proposed layout of the site echoes the character of the adjacent Wickes and Travis Perkins development and the scale of B & M supermarket opposite the site. The site marks the end of the corridor of commercial development along Gipping Way formed on the former Bosch Suffolk Works site.

As the principle of development of the site is accepted, the Council has sought to agree a scheme of landscaping and boundary treatment that mitigates the impact that the development would have on the appearance of the area. The Council has sought a significant landscaping scheme along Gipping Way that would soften the appearance of the site and improve views of the town when travelling along Gipping Way. The full details of the landscaping scheme would be considered as a reserved matter.

### **Landscape Impact**

20. The proposed development is relatively dense with limited additional space within the site for the provision of good quality landscaping. What landscaping is proposed is focussed on the front of the site, alongside Gipping Way and Navigation Way. The layout plan submitted shows a planting within a 4m landscaped buffer strip. No details of the schedule of planting is submitted however it is considered that to continue the type of planting as agreed on the frontage of the adjacent site which included a row of London Plane trees, low level shrubs and climbing plants would be appropriate. This would help soften the appearance and provide a soft edge to views along Gipping Way.

### **Environmental Impacts - Flood Risk and Drainage, and Land Contamination**

21. The proposed development is within a previously developed site and close to the River Gipping. The application is supported with a Flood risk Assessment which concludes that following the introduction of flood prevention measures, the development will be safe for its lifetime without increasing flood risk elsewhere. Run-off will be infiltrated and attenuated, with positive outfall to the river. In accordance with government policy, Sustainable Urban Drainage (SuDS) will be used, where possible, and surface water drainage of the site will be carried out in a sustainable way. The applicant advises that as long as maintenance of the

new drainage systems are correctly carried out, the risk of flooding and the subsequent risks from infrastructure failure or pluvial means is extremely small. The Environment Agency accepts that extreme floods will happen and it will never be possible to eliminate flood risk altogether. With regard to foul drainage public foul sewer is located across the site and the previous use was connected to it. The applicant identifies that a section 185 diversion of the sewer is required and an application to Anglian Water will be made.

22. The Environment Agency and SCC Flood and Water Engineer have been consulted in relation to the proposed development and raise no objections in relation to environmental issues and flood risk, subject to conditions relating to drainage and contamination. It is reasonable that any environmental or flood risk issues could be dealt with by condition on a planning permission. The Land Contamination Officer has raised no objection subject to a condition relating to a Land Contamination investigation of the site.

### **Impact Amenity**

23. The proposed development is abutted by retail uses to the south-east, retail on the opposite side of the highway to the south-west, the River Gipping to the north-east. To the north-west is currently vacant brownfield land which has previously been granted outline permission for residential development for 182 dwellings. At present, whilst the principle of residential development on the adjacent site has been approved, there have been no further submissions to agree the details of any development and therefore the site is considered to have 'stalled'.

Environmental Health have raised no objections to the proposal. However in order to mitigate against potential impact upon the amenity of residential properties in the locality is considered appropriate to apply conditions similar to those applied to the Wickes and Travis Perkins development which restrict the opening hours, control the extent of illumination, limit the activity of lorry movements.

### **Biodiversity And Protected Species**

24. The site is a brownfield site with limited wildlife habitat. There are no records of protected species at the site. In the circumstances your officers do not consider that there is a risk of any offence to protected species from the development. The application is supported by an ecological assessment which advises that there is a Priority Habitat (Deciduous Woodland) to the south west of the application site but the proposed development will not reduce the area of this habitat, its conservation value, or affect its management regimes or future ecological viability. The entire application site has been previously developed, and now although cleared of any earlier buildings still has a hard-standing across the whole area. There are areas of limited successional scrub/spoil piles to the southern boundary. The probability of this habitat supporting a reptile population is very low and does not warrant survey. There are a number of mature trees growing from behind a small brick wall that separates the site from the adjacent River Gipping into the proposed development area. The proposed development will not encroach past earlier construction or beyond the small brick wall and into the River Gipping's linear habitats. Overall it is concluded that there would be no adverse impact upon biodiversity as a consequence of the development.

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## **PART FOUR – CONCLUSION**

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## **Planning Balance**

25. The site is within a mixed use corridor where there it is expected that there is a transition from industrial uses to an urban mix closer to the town centre. The site is prominent within the town so a good quality design that enhances impressions of the town when travelling along Gipping Way is expected. The principle of bulky goods retail has been accepted as being appropriate on the adjacent site.

It is your officer's opinion that the layout of the units is relatively tight and of a utilitarian design. However, the appearance of the site is somewhat typical of modern retail units and, in order to promote economic growth which might prove to be a catalyst for the wider site, an active use at the site would be preferable to its current state. The proposed landscaping would help soften the appearance of the site, particularly the external storage areas for the builder's yard. The proposed development would also provide wider economic benefits to the town and provide some employment.

On balance, taking into account the NPPF that states 'significant weight should be placed on the need to support economic growth through the planning system', the proposed redevelopment is considered to be acceptable.

When taken as a whole and as a matter of planning judgement, the proposal is considered to adhere to the development plan and NPPF and therefore can be considered sustainable development. There is a presumption in favour of sustainable development. The application is therefore recommended for approval.

## **Statement Required By Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.**

26. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.

27. In this case the planning authority has liaised with the applicant to ensure that any issues arising from consultation response are resolved.

## **Identification of any Legal Implications of the decision**

28. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following have been considered in respect of the proposed development.

- Human Rights Act 1998
- The Equalities Act 2012
- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2010
- Localism Act
- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

## **RECOMMENDATION**

That authority be delegated to Professional Lead - Growth & Sustainable Planning to grant outline planning permission subject to the following conditions:

- 1) Standard Outline Time Limit Condition.
- 2) Submission of Reserved Matters
- 3) Compliance with submitted plans with regard to access
- 4) Limit types of goods to be sold to bulky goods
- 5) Highways conditions as recommended by the SCC Highways
- 6) Land Contamination Investigation to be undertaken
- 7) Surface water drainage conditions as required by the Environment Agency
- 8) Opening hours to be 0700-2000 (Mon-Sat), and 1000-1600 (Sun)
- 9) Details of external lighting condition to be submitted and agreed
- 10) Details of fire hydrant provision to be submitted and agreed
- 11) Piling or any other foundation design using penetrative methods not permitted without consent
- 12) Details of noise generating equipment to be submitted and agreed
- 13) No delivery vehicles to visit or depart site between hours of 2300-0700
- 14) Details of landscape and landscape management scheme to be submitted and agreed
- 15) Details of materials to be agreed