

Committee Report

Committee Date: 14th June 2017

Item No: 2

Reference: 1764/17
Case Officer: RUBI

Description of Development: Application for variation of condition 2 & 5 following grant of planning permission 0683/15 "Partial demolition of existing night club to include rendered building fronting Ipswich Street and buildings to rear. Conversion of existing 3 storey brick building fronting Ipswich Street and new infill construction and to the rear to provide 25no. new dwellings for affordable rent."

Location: 115 Ipswich Street, Stowmarket, IP14 1BB

Parish: Stowmarket

Ward:

Ward Member/s:

Site Area:

Conservation Area: Yes

Listed Building: No

Received: 05/05/2017

Expiry Date: 04/08/2017

Application Type: Variation of a Condition

Development Type: Major Dwellings

Environmental Impact Assessment: N/A

Applicant: The Havebury Housing Partnership

Agent: Gary Johns Architects

DOCUMENTS SUBMITTED FOR CONSIDERATION

List of applications supporting documents and reports

Defined Red Line Plan:

The defined Red Line Plan for this application is Drawing entitled Site Plan received 05 May 2017 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Plans and Documents:

Application Form - Received 05/05/2017.

Drawing 14-217 G100 Rev.C3 Site Plan - Received 05/05/2017.

Drawing 14-217 G104 Rev.C5 GA/M&E Lower Plan 1 or 2 - Received 05/05/2017.

Drawing 14-217 G105 Rev.C5 GA/M&E Lower Plan 2 or 2 - Received 05/05/2017.

The application, plans and documents submitted by the Applicant can be viewed online at www.midsuffolk.gov.uk via the following link:

<http://planningpages.midsuffolk.gov.uk/online-applications/simpleSearchResults.do;jsessionid=2CB9D09DC2192B2733727D2076295911?action=firstPage>

Alternatively, a copy is available to view at the Mid Suffolk and Babergh District 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 sustainable development that would not harm the surrounding landscape, highway network, neighbour amenity or biodiversity.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

This application is reported to committee as it is classed a major application.

PART TWO – APPLICATION BACKGROUND

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

History

2. Full Planning Application 0683/15 for “Partial demolition of existing night club to include rendered building fronting Ipswich Street and buildings to rear. Conversion of existing 3 storey brick building fronting Ipswich Street and new infill construction and to the rear to provide 25no. new dwellings for affordable rent.” Permission granted 29/02/2016.

Details of Previous Committee / Resolutions

3. Full Planning Application 0683/15 approved at Committee Meeting 30/09/2015.

Details of Member site visit

4. None

Details of any Pre Application Advice

5. The applicants sought pre-application advice from the Local Planning Authority in 2016. Officers advised that the proposed change was not a non-material amendment and a planning application was required.

PART THREE – ASSESSMENT OF APPLICATION

Consultations

6. **This is a summary of the consultation responses received. The full representations are included within the Committee Bundle.**

MSDC Heritage Officer – No objection.

MSDC Environmental Health Officer – Other Issues - No objection

Suffolk County Council – Fire Consultant – No objection.

Suffolk County Council - Highways – No objection.

Representations

7. No neighbour or third party responses have been received.

The Site and Surroundings

8. The application site is located in the centre of Stowmarket between Victorian semi-detached properties near the Weatherspoon's Pub known as The Willow Tree and opposite the Regal Cinema. The application site was previously occupied by Joker's Nightclub. The building has been demolished and is now a building site with boarding in front.

The Proposal

9. The application seeks a variation of Condition 2 & 5 of Planning Permission 0683/15.

The approved scheme 0683/15 for 25 new dwellings includes 25 car parking spaces. The application to vary conditions 2 & 5 seeks to provide 24 car parking spaces and 1 motorcycle space.

NATIONAL PLANNING POLICY FRAMEWORK

10. The National Planning Policy Framework (NPPF) 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-making purposes.
 - Paragraph 30 - Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing

Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

- Paragraph 34 - Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.
- Paragraph 187 - "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 proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area."

CORE STRATEGY

11. Summary of relevant policies Core Strategy 2008 and Core Strategy Focused Review:

- Policy FC1 "Presumption in favour of sustainable development" details that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- Policy FC1.1 "Mid Suffolk approach to delivering Sustainable Development" sets out 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. Proposals for development must conserve and enhance the local character of the different parts of the district.

NEIGHBOURHOOD PLAN / SUPPLEMENTARY PLANNING DOCUMENTS / AREA ACTION PLAN

12. None

SAVED POLICIES IN THE LOCAL PLAN

13. Summary of policies in the Mid Suffolk Local Plan 1998:

- Policy T9 "Parking Standards" states that development proposals shall accord with the adopted parking standards
- Policy T10 "Highway Considerations in Development" details that regard will be given to the safe access to and egress from the site, suitability of existing roads for safe access and amount and type of traffic generated, adequate space for parking and turning cars within the site.

Officer's Assessment

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.

The Principle Of Development

15. Approval has already been granted for new 25 new dwellings with 25 basement car parking spaces under planning reference 0683/15. The only change and matter for consideration is whether the scheme is acceptable with 24 car parking spaces and 1 motorcycle space
16. The site is in the centre of Stowmarket in what is considered a sustainable location with easy access to public transport. The site is opposite a 'pay and display long stay car park'. There is a bus stop a few doors down in front of No.93 and a bus stop on the opposite side of the road.
17. Similar situations have been considered acceptable by the Planning Committee; such as the erection of 22 new houses with 18 car parking spaces at 9 Finborough Road Stowmarket, under planning reference 0958/16.
18. The loss of one car parking space and addition of one motorcycle space is considered acceptable in this location.

Impact on Highways

19. The Suffolk County Council Highways Officer has no objection to the application. There are no impacts to highway safety that would warrant a refusal of the application.

PART FOUR – CONCLUSION

Planning Balance

20. The proposal to change from 25 car parking spaces to 24 car parking space and 1 motorcycle space is considered to have a negligible impact. Due to the sustainable location in the centre of Stowmarket with access to public transport the proposal is considered acceptable.

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

21. 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.
22. In this case the application could be recommended for approved without negotiation or amendment so there was no need to work with the applicant.

Identification of any Legal Implications of the decision

23. The scheme would be subject to a 106 agreement with the applicant for affordable housing.

RECOMMENDATION

1. That subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Professional Lead – Growth and Sustainable Planning, to secure;

- Affordable Housing

2. That authority be delegated to Professional Lead - Growth & Sustainable Planning to grant permission for the variation in conditions, subject to conditions including;

- Time Limit
- List of Approved Drawings
- Noise Limits (existing Background Noise)
- Materials (samples)
- Highways Condition P1 – Parking
- Highways Condition P2 – Refuse Bins
- Construction Management Agreement
- Full Archaeological Condition Pt1
- Full Archaeological Condition Pt2
- Contaminated Land
- Details of Surface Water Drainage
- Landscape scheme
- Landscaping Scheme Time of Commencement