

Committee Report

Item No: 2

Reference: 0019/17

Case Officer: Rebecca Biggs

Ward: Stowmarket North.

Ward Member/s: Cllr Barry Humphreys MBE. Cllr Dave Muller. Cllr Gary Green.

Description of Development

Erection of six commercial units for B1 or B8 business units.

Location

Land South Of Gun Cotton Way, Stowmarket IP14 5UL, ,

Parish: Stowmarket

Site Area: 21200 m²

Conservation Area:

Listed Building: Not Listed

Received: 28/12/2016

Expiry Date: 21/04/2017

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Offices/R&D/Light In

Environmental Impact Assessment: Environmental Assessment Not Required

Applicant: Atex Development Ltd

Agent: Plandescil Ltd

DOCUMENTS SUBMITTED FOR CONSIDERATION

This decision refers to drawing number 21400/009A received 04/04/2017 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Application Form - Received 26/12/2016

Site Plan EXISTING 21400/001 - Received 26/12/2016

Site Plan PROPOSED 21400/002 A - Received 04/04/2017

Block Plan - Proposed 21400/009 A - Received 04/04/2017

Defined Red Line Plan 21400/009 A - Received 04/04/2017

Plans - Existing & Proposed BLOCK A 21400/003 - Received 26/12/2016

Plans - Existing & Proposed BLOCK B 21400/004 - Received 26/12/2016

Plans - Existing & Proposed BLOCK C & E 21400/005 - Received 26/12/2016

CLASSIFICATION: Official

Plans - Existing & Proposed BLOCK D 21400/006 - Received 26/12/2016
Plans - Existing & Proposed BLOCK F 21400/007 - Received 26/12/2016
Sectional Drawing 21400/008 - Received 26/12/2016
SUMMARY CONTAMINATION REPORT - Received 26/12/2016
FLOOD RISK ASSESSMENT & SWDS - Received 26/12/2016
DESIGN AND ACCESS STATEMENT - Received 30/03/2017
ECOLOGY REPORT - Received 26/12/2016
TRANSPORT ASSESSMENT B - Received 04/04/2017
ECOLOGICAL SURVEY - Received 10/04/2017
INTERIM WORKPLACE TRAVEL PLAN - Received 04/04/2017
FLOOD RISK ADDENDUM - Received 17/03/2017
Drainage Details 21400/821 - Received 17/03/2017
Drainage Details 21400/822 - Received 17/03/2017

The application, plans and documents submitted by the Applicant can be viewed online at www.midsuffolk.gov.uk. Alternatively a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

It is a “Major” application for:

- the erection of any industrial building/s with a gross floor space exceeding 3,750 square metres

PART TWO – APPLICATION BACKGROUND

History

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:

0711/11	Construction of one warehouse and five trade units with associated offices and carparking.	Granted 16/12/2011
2463/05	Construction of 1 x warehouse and 5 x trade units with associated office and car parking.	Granted 29/03/2007
2375/15	Outline application with all matters reserved except access for erection of 52 dwellings and commercial use of land (4975 sqm) for B1 (office only), A1 (Pharmacy only) and/or D1 (Doctor's Surgery only).	Refused 07/04/2016

All Policies Identified As Relevant

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Highlighted local and national policies are listed below. Detailed assessment of policies in relation to the recommendation and issues highlighted in this case will be carried out within the assessment:

Summary of Policies

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC03 - Supply Of Employment Land
CS01 - Settlement Hierarchy
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
SB02 - Development appropriate to its setting
GP01 - Design and layout of development
HB01 - Protection of historic buildings
E02 - Industrial uses on allocated sites
E03 - Warehousing, storage, distribution and haulage depots
E04 - Protecting existing industrial/business areas for employment generating uses
E09 - Location of new businesses
E12 - General principles for location, design and layout
SDA03 - Comprehensive development within the SDA
SDA04 - Sustainable development
SDA06 - Employment Land
SDA08 - Principle issues to be included in SDA
SDA01 - Programmed B1115 Relief Road
SDA02 - Funding for B1115 Relief Road
SAAP - Stowmarket Area Action Plan
NPPF - National Planning Policy Framework

List of other relevant legislation

- Human Rights Act 1998
- 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.

Details of Previous Committee / Resolutions and any member site visit

Not applicable

Details of any Pre Application Advice

The developer sort pre-application advice prior to submitting the application. The officer advised that the development is likely to be supported subject to ensuring the development provides the appropriate level of parking and vehicular access.

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

Suffolk Wildlife Trust

Suffolk Wildlife Trust are satisfied with the findings of the consultant. They note that between the time of the 2016 ecological survey and the 2017 ecological survey the site has largely been ploughed up, this will have reduced its previous ecological value.

The 2017 ecological report (Mill House Ecology, Apr 2017) therefore provides the most up to date assessment of the condition of the site and we therefore recommend that the measures identified in that report are implemented in full, via a condition of planning consent, should permission be granted.

Stowmarket Parish Clerk

No objection raised to the grant of planning consent.

Economic Development & Tourism

No response received.

Environmental Health - Land Contamination

No objection.

SCC - Rights Of Way Department

Public Footpath 39 is recorded adjacent to the proposed development area. Rights of way have no objection to the proposal.

Bob Boardman - Ramblers Association

No comments or observations to make.

SCC - Highways

It appears that a revised Travel Plan document has not yet been submitted for consideration. Once we have an acceptable Travel Plan the conditions relating to the parking, access, surface of access, new footway to Gun Cotton Way and Travel Plan will be appropriate. Section 106 contributions will be required to secure the Travel Plan and this information will follow once an acceptable Travel Plan is approved.

SCC Highways also request financial contributions to introduce new bus stops within the Gun Cotton Way site frontage for the benefit of potential employees and visitors. To allow for construction of a bus stop base and enclosed bus shelter on each side of the road, with one real time passenger information display screen on the town bound bus stop, a total of £23,600 is requested. This breaks down to £6,800 for each stop and shelter and £10,000 for one RTPi screen.

Highways, on behalf of Rights of Way, anticipate increased use of the PROW network of as a result of the development and request the following offsite improvement works:

- o Resurfacing and widening of Stowmarket FP15: 715m length x min 3m width = 2145m² @ £25/m² = £53,625.00
- o Resurfacing of Stowmarket FP12: 1135m length x min 1.5m width = 1703m² @ £25/m² = £42,562.50
- o Resurfacing of Stowmarket FP57: 520m length x min 1.5m width = 780m² @ £25/m² = £19,500.00

Estimates based on the average market costs to provide a hoggin type surface.

Total s106 funding requested from this development is £141,138.75

SCC - Archaeological Service

The archaeological work for site 0019/17 has not yet been undertaken, so conditions from the previous consent would still be appropriate.

Officer Note- SCC Archaeology make reference to a scheme which was refused in 2016.

Anglian Water

Anglian Water advise that the site layout should accommodate this treatment centre through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created. The proposed buildings are over 20m away from the boundary of the sewage treatment works.

Anglian Water's indicate that there is potential for loss of amenity at sensitive property's within the proposed development due to odour emissions from the operation of the treatment works. Anglian Water comment that they operate their site in compliance with the highest appropriate regulatory standards and best practice. However, there is always an inherent possibility of short periods of potentially strong odours for which there is little practical mitigation. Therefore, they ask that the proposed layout maintains an effective distance of more than 400m between the sewage treatment works and the sensitive properties to minimise inconvenience to nearby dwellings and to allow the continuity of their operations.

Anglian Water confirm there is currently capacity for the development to connect to the Anglian Water Sewerage system and the surface water drainage scheme is acceptable.

The Environment Agency

No objection to the proposal and offer advice regarding foul water disposal and nearby permitted installations.

Arboricultural Officer

No objection to the proposal as there are seemingly no trees on site. An existing tree belt to the south will help screen the development and is close enough to warrant protection with a tree fencing condition.

SCC - Fire & Rescue

Access to buildings for fire appliances and firefighters must meet with the specified Building Regulations. Suffolk Fire and Rescue Authority recommends that fire hydrants be installed. This shall be implemented through a planning condition.

SCC - Flood & Water Management

Suffolk County Council provide comments that they are happy to see the changes to the side slopes gradient and the agreement in principle with Anglian Water for connection to their public surface water sewer. Also note the explanation on the safety factor in the calculations provided.

Data from the trial pits does indicate that infiltration may not be possible on site but it must be stressed that this is merely an indication.

It is recommended that detailed landscape drawing and a proposal as to how they intend to manage surface water drainage during the construction of the site is provided before a recommendation is made to approve this application.

SCC - Travel Plan Co-ordinator

The Interim Workplace Travel Plan (dated March 2017) that was submitted to support the application (MS/0019/17) for the proposed B1 commercial development at Gun Cotton Way in Stowmarket has identified some suitable measures to encourage employees to travel sustainably, however there are issues which need further clarification.

Additional details are being sought and an update will be provided to Committee either as a late paper or as a verbal update.

Environmental Health - Noise/Odour/Light/Smoke

No objection

Highways England

No objection

Avenues East

No response received.

Natural England

No objection

Environmental Health - Noise/Odour/Light/Smoke

No objection to the proposed development. It is adjacent to the Stowmarket sewage treatment works and the proposed units will experience odour from the operation from time to time. However due to the non-sensitive use this should not be an issue. Recommend conditions to control construction activity and agree hours of operation to include deliveries.

Environmental Health - Sustainability Issues

Environmental Health are satisfied that the commitment to provide 10% energy reduction from renewables meets policy requirements. Recommend that the 10% requirement is conditioned.

Suffolk Police - Design Out Crime Officers

No response received.

Suffolk Police Force Hq - Business Manager

No response received

Ecology - Place Services

Recommends that a reptile survey be completed and that the boundary hedgerow should be retained and protected. If this is not possible replacement hedgerow planting will be required.

Officer Note- Additional Ecological details were provided and further comments from Place Services-Ecology are outstanding.

Essex & Suffolk Water (Northumbrian Water)

This development is out of our area and they are not able to see where they have mains running around the area.

Cedars Park Residents Association

No response received.

EDF Energy - New Supply

No response received.

Environmental Health - Air Quality

No objection.

Infrastructure Team

The development if approved would attract a Community Infrastructure Levy at a rate of £0 per metre square.

B: Representations

Stowmarket Society- Stowmarket Society object to the development. They raise concerns regarding the design of the buildings and the potential for untidy sites. The Stowmarket Society comment that the site is very prominent and has a semi-residential setting but the buildings proposed are of utilitarian metal-clad sheds set within a large exposed site. They suggest the scheme should provide architectural quality that makes a good neighbour to existing and proposed new development, a layout that places all yards to the rear of the buildings behind screen walls, adequate provision of waste bins, cycle parking and other operational needs.

PART THREE – ASSESSMENT OF APPLICATION

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.

1. The Site and Surroundings

1.1. The site lies on the southern side of Gun Cotton Way, the distributor road which provides a link between the A1120 and the B1115 Relief Road. The land is currently vacant and slopes gently towards the Stowmarket Sewage Treatment Works which lies to the west of the site. To the east on the opposite side of Gun Cotton Way is existing residential development.

1.2. The site lies within the Stowmarket Settlement Boundary and is included within the Strategic Development Area (SDA) for Stowmarket and the Stowmarket Area Action Plan. A Local Framework Agreement and Masterplan for the development of the SDA is incorporated into the adopted Local Plan. The Local Plan allocates the application site for the purposes of B1 - light industry; B2 - general industry and B8 - warehousing storage and distribution. Vacant land on either side of the application site is also designated for these purposes. Applications 4555/16 and 4556/16 seek mixed use developments on land adjacent to this site and both are under consideration.

1.3. Vehicular access to the site is available from existing roundabouts constructed on Gun Cotton Way. There is a designated wildlife site within 1 km of the application site - the Cedars Park Grassland County Wildlife Site - which is a non-statutory designation which forms part of the Local Wildlife Sites network.

2. The Proposal

2.1. Full planning permission is sought for the erection of six commercial buildings for use as either B1 or B8 business, industrial or storage uses. As detailed in the Design and Access Statement the intention is to provide the ability to sell up to 37 freehold units which can, if demand requires, be joined to form larger premises to suit market requirements. The Applicant has found that these size units are sought after along the A14 corridor and are typically occupied by start-up businesses, companies who are moving out of the owner's home and those who wish to relocate or expand their premises into an area with good transport links. The individual units range in size from 120m² to 439m² with a total internal floor area of 5643m². As a speculative development the activities which will take place on site are not established.

2.2. The new units are to be located centrally through the site with a maximum height of 8.8m. Due to the topography of the site the buildings ridge heights will be stepped. The units also have stepped frontages with units A, D and F being positioned further away from the road. The buildings are typical style industrial units with goosewing grey colour profiled steel roof and wall sheeting with dark blue detailing, doors, window frames and guttering. Photovoltaic solar panels are to be installed on the southern roof slopes of the units.

2.3. It is proposed to retain the existing vehicular accesses from the two existing arms of two roundabouts on Gun Cotton Way. The northern access point which serves the sewage treatment works will be widened to allow two vehicles to pass and provide separate access to the plant. A new access road within the site will connect the two arms of the roundabouts and provide a circular route around the six buildings. A minimum of five parking spaces per unit is to be provided; with 208 in total. A new footway is to be provided along the southern edge of Gun Cotton Way along the site boundary. The existing hedgerow to the east, tree belt to the south and newly planted hedgerow to the north are to be retained. Additional planting is to be provided within the site.

3. National Planning Policy Framework

3.1. 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.

4. Core Strategy

4.1. Core Strategy 2008-

- * FC01 - Presumption In Favour Of Sustainable Development
- * FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
- * FC03 - Supply Of Employment Land
- * CS01 - Settlement Hierarchy
- * CS03 - Reduce Contributions to Climate Change
- * CS04 - Adapting to Climate Change
- * CS05 - Mid Suffolk's Environment
- * CS06 - Services and Infrastructure

5. Neighbourhood Plan/Supplementary Planning Documents/Area Action Plan

5.1. Stowmarket Area Action Plan 2013-

- * SAAP Policy 4.1- Presumption in Favour of Sustainable Development
- * SAAP Policy 4.2- Providing a Landscape Setting for Stowmarket
- * SAAP Policy 7.1- Sustainable Employment Sites
- * SAAP Policy 7.7- Local Plan Employment Allocations
- * SAAP Policy 7.8- Cedars Park Employment Site
- * SAAP Policy 8.2- A14 Trunk Road
- * SAAP Policy 9.1- Biodiversity Measures
- * SAAP Policy 9.5- Historic Environment

6. Saved Policies in the Local Plans

6.1. Mid Suffolk Local Plan 1998-

- * SB2 - Development appropriate to its setting
- * GP1 - Design and layout of development
- * HB1 - Protection of historic buildings
- * E02 - Industrial uses on allocated sites
- * E03 - Warehousing, storage, distribution, and haulage depots
- * E04 - Protecting existing industrial/business areas for employment generating uses
- * E09 - Location of new businesses
- * E12 - General principles for location, design, and layout
- * SDA03 - Comprehensive development within the SDA
- * SDA04 - Sustainable development
- * SDA06 - Employment Land
- * SDA08 - Principle issues to be included in SDA
- * SDA01 - Programmed B1115 Relief Road
- * SDA02 - Funding for B1115 Relief Road

7. The Principle Of Development

7.1. The application site is identified for use for employment purposes within the Mid Suffolk Local Plan 1998 and the Stowmarket Area Action Plan 2013. The site forms part of a parcel of land to the south of Gun Cotton Way which is allocated as 'Employment Land' in Local Plan Policy SDA6 for the purposes of General Industrial [B2], Light Industrial [B1]; and Storage/Warehousing [B8] businesses. The site is also designated under policy SAAP Policy 7.8- Cedars Park Employment Site, of the Stowmarket Area Action Plan (SAAP). Policy 7.8 states that the council will actively promote and encourage development in appropriate use classes on the allocated employment land that is likely to meet the future needs of the

district, be consistent with other policies in the development plan and make a positive contribution to the relevant objectives of the SAAP. Policy SAAP 7.8 also sets out that future development proposals for the Cedars Park Site will require a development brief that must address aspects regarding the sewage treatment works, compatibility of uses with the amenity of nearby residential uses, the need to incorporate high standards for sustainable development, flexible design for employment spaces and management and protection of biodiversity.

7.2. The development will form a physical barrier between the residential properties opposite the site and the sewage treatment works. The proposal will provide flexibility of employment uses with a range unit sizes within the six buildings for either B1(c), light industrial uses and B8 storage. These are targeted towards affordable starter and grow-on units for new and expanding businesses. The proposal therefore provides flexibility to meet the needs of business in the district.

In terms of sustainable development, the scheme includes solar panels on the southern roof slope to provide 10% renewable energy. A Travel Plan is also to be implemented providing incentives for employees to use sustainable modes of transport. Furthermore, a new footway is to be constructed along the road frontage connecting the site with existing footways and cycle path in Cedars Park. The site is within walking distance of bus stops, Stowmarket railway station and the town centre of Stowmarket.

7.3. It should be noted that permission has been granted previously for a similar scheme in 2005 (ref. 2463/05) for 1 warehouse and 5 trade units with associated offices and car parking and a similar scheme in 2011 (ref. 0711/11).

7.4. Consequently, it is considered that the site is an appropriate location for industrial and commercial development and would constitute a sustainable employment site as set out in policy 7.1 and 7.8 of the SAAP.

8. Site Access, Parking And Highway Safety Considerations

8.1. Access will be provided from two existing roundabouts on Gun Cotton Way. The access road from one roundabout will be widened to allow for two-way traffic. 208 car parking spaces are to be provided. This exceeds the adopted parking standards should the whole development comes forward as B1 units. B1 units require more parking per square metre of floor area to B8 units.

Gun Cotton Way is an unclassified road with a speed restriction of 30mph. The road has been designed to provide access to Tomo Industrial Estate and residential development. Cycle and pedestrian footways are provided along the length of the northern edge of this road.

8.2. A Transport Assessment was submitted following comments raised by SCC Highways. The Transport Assessment provides details of the likely traffic generation and information regarding the surrounding highway network including road traffic collisions or incidents. The report also provides diagrams to show the ability for a 16.5m articulated HGV to manoeuvre into, around and out of the development site. The layout plan was updated to show bin and cycle storage areas between the two units. SCC Highways are subsequently satisfied with the proposed scheme and have recommended appropriate conditions.

8.3. The new road into the site provides a circular route around the buildings. The Tesco's unit located adjacent to the A1120 has recently installed security gates to the car park due to anti-social behaviour and nuisance behaviour at night. Due to the circular nature of the new road layout anti-social behaviour may also cause a problem within the site. Especially with the units and road facing the sewage treatment works. As such security gates or barriers should be installed to prevent or deter anti-social behaviour and provide security to the business units. This can be secured via a condition.

8.4. The highway network can accommodate the increased level of vehicular activity, the road layout within the site is appropriate for the vehicular movements, and the level of parking meets the adopted parking standards. Therefore, the proposed development is acceptable under Policies T9 and T10 of the Mid Suffolk Local Plan 1998 and National Planning Policy Framework, subject to the conditions as recommended by the Highways Engineer.

8.5. The site is well linked to Stowmarket railway, town centre, bus stops and pedestrian and cycle paths. The development will provide a new footway along the road frontage connecting the site with the existing pedestrian footway and cycle network. This is in accordance with SAAP Policy 8.1. Improvements to the existing bus stops, as requested by SCC Highways (bus shelters and real time passenger information screens) can be secured by County through the Community Infrastructure Levy.

8.6. A Travel Plan was also submitted following comments raised by SCC Highways and the County Travel Plan Co-ordinator. Several details are to be clarified with the County Travel Plan Co-ordinator prior to determining the application. A S106 Agreement alongside an appropriate condition will secure contributions to implement the Travel Plan.

9. Design, Layout, and Visual Impacts

9.1. The proposed buildings will have a substantial built form and are of a utilitarian design reflective of their commercial use. The stepped ridge heights and frontages along with the setback of the buildings by more than 20m from the road and proposed landscaping will limit any visual impact from the commercial units. The buildings are also of moderate height with a maximum ridge height of 8.8m. Due to the topography of the locality this height is comparable to the residential dwellings opposite. Furthermore, the position and scale of the buildings will also not detrimentally affect important views of Stowmarket. Whilst the layout secures parking to the front of the units, given the scale of the buildings and the proposed landscaping, the development will not appear overly car-dominant.

9.2. Stowmarket Society object to the development. They raise concerns regarding the design of the buildings and the potential for untidy sites. The Stowmarket Society comment that the site is very prominent and has a semi-residential setting but the buildings proposed are of utilitarian metal-clad sheds set within a large exposed site. They suggest the scheme should provide architectural quality that makes a good neighbour to existing and proposed new development, a layout that places all yards to the rear of the buildings behind screen walls, adequate provision of waste bins, cycle parking and other operational needs.

9.3. The layout provides for six buildings with the flexibility of providing up to 37 small units. Subsequently some units will face southwards away from the residential properties. The areas to the front of each unit are for parking vehicles and deliveries; not as outside storage space. A condition will be added accordingly to prevent outside storage as to avoid untidy sites.

9.4. The application seeks a flexible approach to allow for the use and size of the units to meet the business needs of the district. As such the buildings appear functional and simplistic as to allow for this flexible use but also remain affordable. Whilst the buildings are functional and not of significant architectural merit they are reflective of their intended commercial use.

9.5. Local Plan Policy SDA4 seeks to encourage reinforced planting along the boundaries of sites and near distributor roads within the site - an aspiration which is repeated within the Masterplan for Cedars Park.

9.6. The existing hedgerow and trees are to be retained and protection measures will be secured via condition. The newly planted hedgerow along the north will be continued along with planting within the site. Comprehensive hard and soft landscaping details will be secured through a condition along with a condition to secure the implementation of the approved landscaping.

9.7. Taking account of the design and layout, together with the landscaping, it is considered that the design, layout, and visual impact of the proposal is acceptable.

10. Impact on residential amenity]

10.1. Due to the flexible approach to the end-uses of these units' precise details of the operating hours are unknown. Previous permission 0711/11 secured working hours for the site to be 07:30 to 18:00 hours with weekend working on Saturdays between 08:00 and 13:00 hours. Given the residential properties near the site similar hours are likely to be accepted but should be assessed depending on the final use of the units (B8 or B1). The Council's Environmental Health Officer has confirmed that a condition securing the hours of operation are acceptable.

10.2. Hours regarding construction however should be restricted to between 08:00 and 18:30 hours Monday to Friday, 08:00 to 13:00 hours Saturday, no working Sunday, or Bank Holidays. A construction Management Plan is also to be secured by condition to ensure the level of impact on nearby residents during construction is limited.

10.3. Officers note the proximity of the application site to existing residential development, and that the architecture of the commercial buildings proposed is of a different scale of the residential properties. However, it is considered that this relationship will be acceptable and that there will be minimal impact on existing residential amenity.

10.4. Regarding disturbance to residential properties arising from noise and light, it is acknowledged that Gun Cotton Way already carries some commercial traffic, and that the net increase in additional traffic is unlikely to significantly exacerbate the existing situation. Similarly, planning conditions can be applied to control any outside lighting. Environmental Health have not raised any requirements in terms of noise restrictions. This is because the B1 (C) and B8 uses are use which can be carried out in a residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust, or grit.

10.5. The development is close to the sewage treatment works and will experience levels of odour. Anglian Water advise that the site layout should accommodate this treatment centre through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created. The proposed buildings are over 20m away from the boundary of the sewage treatment works.

10.6. Anglian Water indicate that there is potential for loss of amenity at sensitive property's within the proposed development due to odour emissions from the operation of the treatment works. Anglian Water comment that they operate their site in compliance with the highest appropriate regulatory standards and best practice. However, there is always an inherent possibility of short periods of potentially strong odours for which there is little practical mitigation. Therefore, they ask that the proposed layout maintains an effective distance of more than 400m between the sewage treatment works and the sensitive properties to minimise inconvenience to nearby dwellings and to allow the continuity of their operations. MSDC Environmental Health advise that this is not a sensitive end use and as such odour is unlikely to have an adverse impact. However permitted development rights to change use should be removed in order to control the future use of these buildings in relation to the sewage treatment works.

10.7 Based on the above evaluation, officers are satisfied that the proposed development accords with Local Plan Policy H16, H17 and CS4 which seek to protect residential areas by preventing development that would materially reduce the amenity and privacy of adjacent dwellings and to avoid conflict with adjacent land uses.

11. Flood Risk Issues

11.1. A Flood Risk Assessment was submitted with the application. The report details that the proposed site is in Flood Zone 1 and that combined with the mitigation measures detailed in the report will result in low risk to the site users. The report also concludes that infiltration drainage and discharge to watercourse are not considered appropriate methods of dealing with surface water drainage. Anglian Water asset plans detail that a surface water sewer crosses the site. The surface water drainage design for the masterplan for the Cedar Park development area comprises pipe networks and storage basins designed to contain runoff from the entire Cedar Park development area (including the application site). This scheme was approved by Anglian Water and the Environment Agency.

11.2. The surface water runoff from the site will discharge into filter drains which will enable limited infiltration and convey the surface water to the detention basin prior to the surface water out-falling into the Anglian Water system. The drainage system is designed to contain up to and including the 1 in 100-year rainfall event including climate change. To prevent pollution to the surface waters underlying geology and groundwater an appropriate level of water treatment has been incorporated into the design. The development will also include two swales to the central vehicular access to provide exceedance storage for storms greater than 1 in 100-year storm plus climate change and overland flow routes.

11.3. Following comments raised by SCC Floods further details were provided. This include details of an agreement in principle with Anglian Water for connection to their public surface water sewer. Permeable paving was also incorporated into the design and the swales were amended to have a 1 in 4 bank slope. SCC Floods requested that detailed landscaping and details of how surface water will be managed during construction should be provided prior to recommending approval of the scheme.

11.4. The agent however highlighted that the order and phasing of the development is currently unknown as construction phases will be dictated by the market at the time when construction is programmed. It is considered acceptable therefore to secure details of the management of surface water during construction prior to commencement of any works. The same is also considered for detailed landscaping plans. Anglian Water confirm that the proposed surface water drainage scheme is acceptable

11.5. The Environment Agency raised concerns regarding the capacity for connecting the development to the Anglian Water sewerage system. Anglian Water advise that the sewerage system at present has available capacity for these flows. If the developer wishes to connect to Anglian Water's sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991.

11.6. As such the surface water drainage scheme shall accord with the Flood Risk Assessment, the Addendum, and associated drawings 21400/821 and 822.

12. Impact on Ecology

12.1. An Ecological Assessment was submitted with the application but a further appraisal was submitted to address comments raised by Suffolk Wildlife Trust and Places Services. The amended report identifies that since the previous assessment the site has been ploughed due to management requirements. Suffolk Wildlife Trust advise that is likely to have reduced ecological value. The Ecology Assessment clarifies that the site supports no plant species of moderate or high conservation value. The existing

hedgerow and scrub immediately adjacent to the southern site boundary where there is a fence, and new hedgerow has been planted, provide potential nesting bird habitat and bat commuting/foraging habitat. The discrete areas of ruderal habitat provide foraging and refuge habitat for hedgehog, whilst amphibians (e.g. common toad) and reptiles (e.g. grass snake) may utilise these areas. The arable field has the potential to support skylark and brown hare. Mitigation and enhancement measures are detailed to improve the ecological value of the site and protect species during and after construction.

12.2. Consultation advice received on behalf of the Suffolk Wildlife Trust confirms the acceptability of the ecological survey report. In accordance with the advice received, a planning condition can be attached to the grant of planning permission which requires the recommendations set out in the report to be implemented. A further condition is recommended which requires details of external lighting, to ensure that light spill onto corridors to be retained for foraging/commuting bats is minimised. Based on the above, the proposal is considered acceptable regarding biodiversity issues.

13. Archaeology

13.1. The application 2375/15 which was refused included an archaeological desk based assessment as part of the planning application submission. This assessment acknowledged that the site may contain un-designated sub-surface archaeological features, given that the site lies immediately adjacent to a later Iron Age and Roman farmstead complex. Any groundworks associated with the proposed development therefore have the potential to cause damage or destruction to any underlying archaeological assets.

13.2. In accordance with the National Planning Policy Framework suitable planning conditions can be attached to the grant of planning permission, which requires the recording of any heritage assets before they are damaged or destroyed.

14. Planning Obligations / CIL

14.1. The proposed development seeks to provide a footway connection along the road frontage. This is partially within the site and partially on highways land. It is considered acceptable that this can be provided through a planning condition.

14.2. Contributions towards the Travel Plan shall be agreed and secured through a Section 106 agreement. The contribution meets the necessary tests as reasonable and relevant to the development. The Travel Plan is specific to the site and assists in ensuring the development encourages the use of sustainable modes of transport.

14.3. SCC Highways recommended that contributions be sought to upgrade public footpaths within the vicinity. The footpaths put forward for improvement is footpath 15 which extends north of the site along the boundary with Tomo Industrial Estate and behind the sewage treatment works. The other footpaths are along the River Gipping the other side of the railway line to this application site. This contribution is considered unreasonable given the industrial use of these buildings and the existing provision of footways to the site, especially footways and cycleways from the railway station and Stowmarket town centre. The existing footways give a direct and more convenient route to the development site. Additionally, given the nature of the site for employment it is considered unlikely that there will be a significant increase in activity along these public right of ways to warrant such extensive footpath improvements. Furthermore, the footpath along the River Gipping, whilst an attractive walk, is unlikely to be used by employees walking or cycling to work given the railway line forming a barrier between this right of way and Cedars Park. It is more likely employees opting to walk or cycle will cross over the railway line in Needham or Badley and walk along the B1113 which is the designated cycle route and up the A1120 utilising the existing footway and cycle path connections.

14.4. Highways also requested contributions towards the provision of bus shelters and real time passenger information screens. These improvements fall within the Community Infrastructure Levy and can be secured by County through a successful bid.

14.5. In accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured by way of a planning obligation deed are (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development.

16. Details Of Financial Benefits / Implications (S155 Housing and Planning Act 2016)

16.1. The proposal will provide contributions to Suffolk County Council in order to secure the Travel Plan. The development will also lead to additional business rates to the District Council, County Council and Town Council.

PART FOUR – CONCLUSION

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

17.1. 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.

17.2. In this case the planning authority worked with the agent to resolve issues raised by SCC Highways, SCC Floods and Ecology.

18. Identification of any Legal Implications and/or Equality Implications (The Equalities Act 2012)

18.1. It is not considered that there are any legal or equality implications with the determination of this application.

19. Planning Balance

19.1. The development proposal would make efficient use of an allocated employment site within the Stowmarket Strategic Development Area (SDA) and Stowmarket Area Action Plan. The scheme design and layout proposed, in conjunction with the proposed Section 106 planning obligations and associated framework of conditions, is considered to satisfactorily address all the planning concerns raised.

19.2. The proposal is considered to deliver sustainable development in line with National Planning Policy Framework, the Mid Suffolk Local Plan 1998, Stowmarket Area Action Plan 2013 and Core Strategy 2008. On this basis, the proposal is acceptable and in accordance with Development Plan policies.

RECOMMENDATION

That authority be delegated to Corporate Manager - Growth & Sustainable Planning to GRANT Full Planning Permission subject to the agreement of the Travel Plan as may be agreed, prior completion of a

Section 106 to provide such contributions to the Travel Plan and that such permission be subject to the conditions as set out below:

- * Time Limit
- * Accord with approved plans and documents
- * Agree details and construct new footway along Gun Cotton Way
- * Access constructed in accordance with approved plan and retained thereafter
- * Agree surface to new access and implement
- * Travel Plan to be agreed and implemented
- * Parking to be provided prior to occupation and thereafter retained
- * Written Scheme of Investigation (Archaeology) to be agreed prior to commencement of works and completed
- * Details of Archaeological investigation to be agreed prior to occupation
- * Details of proposed use and floor area of each unit to be agreed prior to first use and retained.
- * Removal of PD Rights for uses outside of B1 and B8 use classes.
- * Working and delivery hours to be agreed prior to first use of the respective unit and operated in accordance with the approved hours
- * Construction hours to be 0800-18:30 Monday to Friday and Saturday 0800-1300 with no working on bank holidays or Sundays
- * No external storage
- * Construction Management Plan to be agreed prior to commencement of use and implemented
- * Biodiversity mitigation measures and enhancement measures to be implement in accordance with the ecology appraisal received 17 March 2017.
- * Details of external lighting to be agreed and no other lighting installed including lighting to advertisements or signage.
- * Details of barriers and gates to be installed prior to occupation
- * Details of hard and soft landscaping to be agreed prior to commencement of works
- * Approved landscaping to be implemented including replanting of any dead or dying plants
- * Foul and Surface Water Drainage to be implemented in full accordance with the FRA, addendum and approved drainage plans. To be managed in accordance with the FRA.
- * Details of surface water drainage during construction to be agreed prior to commencement of use and implemented accordingly.
- * Tree Protection Measures to be agreed prior to commencement and implemented accordingly
- * Sustainability measures to be agreed and implemented (refer to Environmental Health- Sustainability comments).
- * Provision of fire hydrants to be agreed prior to occupation and implemented