

Forest Heath District Council

**DEVELOPMENT
CONTROL COMMITTEE**

4 NOVEMBER 2015

DEV/FH/15/044

Report of the Head of Planning and Growth

**PLANNING APPLICATION DC/14/2218/FUL- B2/B8 WAREHOUSING AND
DISTRIBUTION CENTRE, UNIT 9 – 11, St LEGER DRIVE, NEWMARKET**

Synopsis:

Application under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT OFFICER

Case Officer: Christine Flittner
Telephone: 01638 719397

Committee Report

Date	10 December	Expiry Date:	11 March 2015
Registered:	2014		EOT granted 10.10.15
Case Officer:	Christine Flittner	Recommendation:	Grant Planning Permission, subject to conditions
Parish:	Newmarket	Ward:	Severals
Proposal:	Planning Application DC/14/2218/FUL – Construction of a B2/B8 , warehouse and distribution centre		
Site:	Plots 9 – 11, St Leger Drive, Newmarket, CB8 7DT		
Applicant:	CI Industries Ltd.		

Background:

This application was considered by the Development Control Committee on 7 October 2015. The decision was taken to defer the application until the next meeting in order to allow time for Officers to raise the concerns of the Committee with the applicant regarding the impact on residents, and to establish if it was possible to make changes to:

- **The height of the building;**
- **The colour/design of the building;**
- **The surrounding landscaping; and**
- **The hours of operation.**

A full verbal presentation will be given at the meeting to provide clarification on the issues raised at the last meeting.

The application is recommended for conditional APPROVAL.

Proposal:

1. See Working Paper 1.
2. At the October meeting members were shown plans of the building with an eaves height of 11m. As a result of the deferral the applicant has further reviewed the operational requirements of the building and has been able to reduce the eaves height to 10.5m. Additional plans have been provided in the form of detailed site sections and a street elevation and these will be shown as part of the presentation at the meeting.
3. At the October meeting the palette of external building materials was reported as consisting of the following;

- Walls – Horizontal Cladding in Mountain Blue and Vertical Cladding in Silver
- Roof – Plastisol cladding in Goosewing Grey.
- Fascia Detailing – Merlin Grey
- Doors – Merlin Grey steel and powder coated aluminium
- Sectional Doors - Silver
- Windows – Aluminium top hung double glazed units - Merlin Grey

The agent has indicated that these materials were suggested in order to match the existing buildings on adjoining sites, however the colour of cladding could be changed to overcome the concerns of the members.

Application Supporting Material:

4. See Working Paper 1.
5. The following documents have been submitted since the deferral;
 - Typical Section
 - Site Section A-A
 - Detailed Site Section
 - Street Elevation
 - Updated sun path model drawings

These drawings will be shown as part of the presentation.

Site Details:

6. See Working Paper 1.

Planning History:

7. See Working Paper 1.

Consultations: (summarised)

i) Scheme submitted with the planning application (December 2014).

8. See Working Paper 1

ii) Amended drawings/details received between February and August 2015

9. See Working Paper 1.

Representations: (summarised)

i) Scheme submitted with the planning application.

10. See Working Paper 1.

ii) Amended drawings/details received between February and August 2015

11. See Working Paper 1.

iii) Amended drawings/details received after the deferral from the October DC Committee

12. As the re-consultation period was about to close at the time of writing the report a full verbal update of representations received will be given at the meeting.

Policy:

13. See Working Paper 1.

Officer Comment:

14. See Working Paper 1 for detailed comments.
15. The agent has responded on behalf of the applicant in relation to the points of deferral;

The height of the building – the eaves height of the building has been lowered by 0.5m to an overall height of 10.5m. Additional drawings have been supplied to show the relative levels of the building. It has been illustrated that the floor level of the proposal is 1.7m lower than the floor level of plot 8 to the west. The agent stresses that this reduces the effective height of the building above road level.

The colour/design of the building – the agent has not offered any alternatives in terms of the colour and design of the building. There is an operational requirement for a building of the size proposed, however the colour could be altered to accommodate member's concerns.

The surrounding landscaping – there is no scope to increase the depth of the landscaping as it already extends beyond what has been provided on surrounding sites. The agent has confirmed that many of the existing trees along Studlands Park Avenue are to be retained in order to achieve instant mature screening of the proposal and a landscaping maintenance condition extending to five years would be acceptable.

The hours of operation – as the end user of the building is not know at this time the hours of operation will need to be carefully controlled via planning conditions. The agent has confirmed that his client is agreeable to all the conditions listed in para 118 of the report (see Working Paper 1). The conditions around hours of operation require the submission of details of operational hours of deliveries and on site working to be agreed (condition 26); restrictions on the use of roll cages between 8am and 8pm Monday to Friday (condition 28); submission of a method statement for the operation of the service yard to include the use of roll cages to be agreed (condition 27) and no lorry movements including loading and unloading outside the hours of 7.00 to 23.00 Monday to Saturday with no movements on Sundays or Bank Holidays (condition 25).

Conclusions:

16. The development proposal has been considered against the objectives of the Framework and the government's agenda for growth. Against this background, national planning policy advice states that planning permission should be granted, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. There are no specific policies in the Framework which indicate that this development should be restricted. National policy should therefore be accorded great weight in the consideration of this planning application, especially the presumption in favour of sustainable development, which this proposal is considered to represent.
17. Officers consider that the benefits of this development would outweigh the dis-benefits of the scheme, therefore having regard to the Framework and all other material planning considerations, the proposal is considered to comply with the NPPF and Development Plan policy and the recommendation is one of approval.

Recommendation:

18. It is recommended that the planning application be **APPROVED** subject to conditions including:
 1. Standard time limit
 2. Development in accordance with approved plans
 3. Archaeological investigations and recording.
 4. Surface Water Drainage details to be submitted prior to commencement
 5. Foul Water Strategy to be submitted prior to commencement
 6. Highways – refuse and recycling bins provided as per plan
 7. Highways – parking, turning areas to be provided as per plan
 8. Highways – updated travel plan to be provided
 9. Materials as detailed on plan
 10. Windows on north elevation to be obscure glazed and non opening
 11. Removal of non-domestic permitted development rights

12. Landscaping implementation in the first planting season following the commencement of development
13. Tree Protection measures to be implemented during works
14. Landscaping management and maintenance plan to be submitted
15. Site clearance to take place outside the bird breeding season
16. Control of site preparation and construction works
17. No generators in external areas outside certain hours
18. 3 days notice required for concrete pours outside specified working hours
19. Control of waste materials from site preparation
20. Submission of scheme for mitigation of dust nuisance
21. Submission of details of security and floodlights
22. Maximum noise levels for residential boundaries and facades including details of plant and machinery; equipment and soundproofing to be complied with
23. External doors to be kept closed at all times except for access and egress
24. Acoustic screen and other boundary treatments to be provided as per the submitted plan
25. No lorry movements including loading and unloading outside 7.00 and 23.00 – Monday to Saturday
26. Submission of details of operational hours of deliveries and on site working
27. Submission of method statement for the operation of the service yard including the use of roll cages
28. Use of roll cages in service yard shall only take place between the hours of 8.00 – 20.00 Monday to Friday
29. Submission of details of the measures to control light intrusion from external lighting

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY.