



Forest Heath
District Council

DEV/FH/17/021

Planning Application DC/16/2740/FUL, Caps Cases, Studlands Park Industrial Estate, Newmarket

Date Registered:	18.01.2017	Expiry Date:	19.04.2017
Case Officer:	James Claxton	Recommendation:	Approve Application
Parish:	Newmarket Town Council	Ward:	Severals
Proposal:	Planning Application - (i) Extensions to B1 Light Industrial warehouse including loading bay (ii) additional parking area and new access		
Site:	Caps Cases , Studlands Park Industrial Estate, , Newmarket		
Applicant:	Caps Cases		

Synopsis:

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

Recommendation:

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

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Background:

The application is subject to Member call in, and because it is a major application which Newmarket Town Council have objected to, contrary to the Officer recommendation of APPROVAL.

Proposal:

1. The proposal can be divided into three key elements.
2. The first is a proposed extension to the existing building, located on its eastern elevation, near to the Studlands Park Avenue entrance for the site. It uses a repeating butterfly roof form, with the pitch orientated south west to north east. The lower valley is at an approximate height of 6.68m and the higher ridge is at 7.82m. The overall footprint for this element is approximately 23.5m in length and 18.5m width providing a total floor space of approximately 445m².
3. The second element is an extension to the existing building, located on its northern elevation. It uses a single ridge roof form, with the pitch orientated south west to north east. The eaves are at an approximate height of 6.13m and the ridge is at an approximate height of 7.86m. The overall footprint for this element is 38.7m in length by 32m in width, providing a total floor space of approximately 1260 m².
4. These elements will be constructed using a metal framework. The proposed cladding materials used for both of these elements are profiled metal sheeting (Cornflower blue in colour) over a red brick plinth, metal sheeting is to be used for the roof and will match the existing materials. White uPVC windows, timber personnel doors, and steel roller doors for vehicle accesses are proposed which also match the existing.
5. The third element of this proposal is the creation of a vehicular access onto Brickfields Avenue to serve a staff car park, which through its detailed design and that of the proposed extensions would prohibit HGV access onto the site. This is located to the north of the site. The existing landscaping along the boundary of the carpark and Brickfields Avenue is to be retained.
6. A succinct reasoning for the need for the proposed development is detailed in the Design and Access statement, and is included below;

"...The existing building is used for marketing, design development manufacturing operations for cardboard boxes with associated office space and storage of components and materials and no changes to this business are proposed

The extensions will provide additional storage and production space for the existing business, which not only is for more productivity but is paramount to enhance the Health and Safety of the workforce. To achieved this by formalising storage areas and the re-locations of production machinery to improve working areas. It is envisaged the proposed will support the need to create 7-10 more jobs for the area.

Also by providing another access and additional parking for the employees this will segregate them from the lorries and vehicular manoeuvres which currently takes place via the existing entrance..."

(The existing entrance being located on Studlands Park Avenue.)

Application Supporting Material:

- Site location plan
- Proposed site plan
- Proposed roof plan
- Existing and proposed elevations
- Superseded proposed site access
- Design and Access Statement
- Travel Plan

Site Details:

7. The site is located on the edge of Studlands Industrial Estate and is located within the settlement boundary. The site consists of the Cap Cases commercial business. The site can be split for description purposes into two sections. The first contains the existing industrial unit which is accessed off Studlands Park Avenue. The second section is located to the north west of the existing industrial unit and is currently laid with compacted stone, with an access ramp for vehicles out onto Brickfields Avenue.
8. Studlands Business Centre lies to the south-west of the site and comprises of a mix of smaller industrial units with a range of uses. To the north east of the site is the business park proper. Residential properties lie to the north and north - west of the site along Brickfields Avenue and form part of the Studlands Park residential area.
9. The ground level of the site sits lower than the adjacent Brickfields Avenue by approximately 2.7 metres, and is banked along this edge. The site is enclosed by post and wire fencing with trees along the roadside boundary to the north and west.

Planning History:

Reference	Proposal	Status	Decision Date
DC/15/1453/FUL	Planning Application - Extension to existing light industrial warehouse	Application Granted	22.10.2015
F/2006/1033/FUL	Erection of a light steel clad building mounted on a concrete base creating 192m ² of storage space	Approve with Conditions	05.02.2007
F/86/085	C/USE from warehouse to manufacture	Approve with Conditions	13.03.1986
F/76/188	Layout of land for 372500	Approve with	26.08.1976

	sq ft of ware house units in 11 blocks including roads and service areas in excess of existing as amended to 72500 sq ft of industrial and 300000 sq ft of ware house units in 11 blocks by letter dated 07/05/76	Conditions	
F/80/750	Installation of 4,500 litre diesel oil storage tank, including bund wall screen.	Approve with Conditions	27.01.1981
F/80/641	Industrial unit factories; offices; car parking.	Approve with Conditions	13.11.1980
F/81/441	[1] Modification to building approved F/80/641 [2] Additional office floor area as amended by letter dated 18/08/81 and drawing No 56221A received on 20/08/81	Application Approved	14.09.1981
F/81/543	C/USE from industrial to warehousing as amended by letter dated 28/09/81	Approve with Conditions	30.10.1981
F/79/053	Warehousing as amended by letter dated 19/03 and drawing Nos 480/16 and 480/17 received on 21/03/79	Approve with Conditions	10.03.1979
F/93/351	Alterations to form additional office accommodation and new reception as amended by plans received 14/09/93	Approve with Conditions	23.09.1993
F/99/030	Change of use from warehouse (Class B8) to industrial (Class B1).	Approve with Conditions	11.03.1999

Relevant planning applications

10. The planning application referenced F/2013/0253/FUL, for the creation of a B1 commercial building comprising a workshop and ancillary storage and office uses together with associated infrastructure, is deemed to be relevant to this proposal. This is because it was approved at committee and provided an access onto Brickfields Avenue for both HGVs and staff cars. This has been implemented in part through the creation of an access onto brickfields avenue.

Consultations:

11. **SCC Archaeology:** No objections, recommend conditions.

Environment Agency: No objections.

Environmental Team: No objections recommend conditions.

SCC Highways: Consultation response received 28th May 2017 detailed no objections to the proposal and recommended conditions.

Public Health and Housing: No objections, recommend conditions.

Representations:

12. Two representations have been received. The first is from Number 60 Brickfields Avenue, and is summarised as follows –

- Hours of operation.
- Creation of access onto Brickfields Avenue.
- Noise issues

The second representation received was from the local member Cllr Ruth Allen, and is summarised as follows –

- Concerns over noise from chipper extractor
- Removal of trees
- Provision of access

Policy:

13. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy December 2010 have been taken into account in the consideration of this application:

Joint Development Management Policies Document:

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM2: Creating Places - Development Principles and Local Distinctiveness
- Policy DM30: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
- Policy DM45: Transport Assessments and Travel Plans
- Policy DM46: Parking Standards

Forest heath Core Strategy 2010

- Policy CS1: Spatial Strategy
- Policy CS4: Reduce Emissions, Mitigate and Adapt to Future Climate Change
- Policy CS5: Design Quality and Local Distinctiveness
- Policy CS6: Sustainable Economic and Tourism Development

Other Planning Policy:

14. National Planning Policy Framework (2012)

Officer Comment:

15. The issues to be considered in the determination of the application are:

- Principle of Development and Policy Context
- Design
- Highways safety
- Residential Amenity
- Other Matters

Principle of Development and Policy Context

16. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, where its three dimensions; economic, social and environmental, must be considered where appropriate.

17. The Framework identifies the importance of securing economic growth in order to create jobs and prosperity. In addition, Core Strategy Policies CS1 and CS6 identify Newmarket as a primary location to accommodate employment growth.

18. The application site lies within an existing industrial area where economic development is encouraged and, in principle, the proposed extensions to facilitate the expansion of the existing business would be appropriate within this area and relate well to a mix of uses found within the Studlands Industrial Estate.

19. The applicant (Caps Cases) is looking to provide additional storage and production space, alongside marketing, design and development management processes completed in the existing building. This is an established business and it is envisaged that the expansion will create approximately 7 - 10 new jobs over time. It is reasonable to suggest that this would accord with the economic and social aspects of sustainable development, providing possibilities for further local employment. With regards to environmental role, the site is currently being used for an industrial purpose, but the proposal is not considered to create significant environmental issues by virtue of its operation, design and location.

20. It is considered that the proposal accords with locally adopted policies DM1 and DM30 of the Joint Development Management Policies and CS6 of the Forest Heath Core Strategy, which seek to secure Sustainable Development, and appropriate Employment Uses.

Design

21. The size, scale and design of the proposed extensions to the existing building and the associated development within the site are considered to relate well to other industrial units on adjoining sites and in general to the industrial character of the area. It is Officer's view that the continuation of the roof form and the proposed materials are considered appropriate in this location and complies with Policy CS5 that seeks to deliver good design that has regard to local context.
22. The trees and shrubs along Brickfields Avenue, the western boundary of the site, are to be retained providing a visual screen to the site. This in conjunction with the lower site levels will soften what visual impact the proposal may have on the surrounding area.
23. It is considered that the proposal accords with local plan policies DM2 and CS5, providing a development which is appropriate to its locality and does not negatively impact the street scene.

Highways safety

24. Highways issues have split down into the following topics "Proposed access", "On site safety", and "Traffic levels".

Proposed access:

25. The amended proposed access, which has been considered appropriate by the Highways authority, has been designed so that no HGVs are able to access the site via this entrance, and alongside this physical restriction an entrance sign will be installed enforcing this. Through the submitted amendments it has been confirmed that appropriate visibility splays can be achieved. This can be secured by condition.

On site safety:

26. Through the design of the proposed scheme, there would be significant improvements to on site safety for staff, by dividing the parking for staff from the HGV movements occurring at the front of the site, by the Studlands Park Avenue entrance. This is achieved through the design of the ramp, and also the extension on the northern elevation which effectively blocks the existing through passage to HGVs by restricting the height of the entrance, the proposed scheme provides substantial improvements in on site safety in comparison existing arrangements.

Traffic levels:

27. As detailed in the traffic plan, the current shift patterns for staff are weekdays: 6AM - 2PM, 2PM - 10.30PM (2PM - 8PM Fridays), with approximately 10 - 15 staff on shift. An additional 5 - 10 people travel by foot or bicycle for the same shift patterns above. It is reasonable to suggest that these movements are outside of the peak times for traffic movement, and would not result in significant negative impacts to the existing traffic flows along Brickfields Avenue.

28. Conditions have been recommended, as well as the recommendation for a KEEP CLEAR marking to be laid on the carriageway at the access to reduce any potential highway impact from queuing traffic.
29. It is reasonable to suggest that the proposal when assessed as individual parts, as above, or taken as whole, accords with policies DM45 and DM46. It has been demonstrated that the likely impacts of the proposal can be appropriately mitigated, and therefore any potential negative impacts do not outweigh the highway safety improvements which can be achieved through the scheme.

Residential Amenity

30. As per Public Health and Housing's consultation response, it is reasonable to suggest through the proposed design and use of conditions, that no significant impacts would arise to residential amenity in the area. This is due in part to the location of the proposal on site, at a distance of approximately 50 metres from the nearest dwelling, but also due to the benefits created by the design.
31. Noise from this site has been previously investigated by the authority which found that the noisiest activity related to the fans and compactors located externally to the rear of the site. The proposed warehouse extension, by acting as a barrier, is likely to reduce the noise levels observed by neighboring residents from the external plant. In addition it is reasonable to suggest that the building would also act as a barrier to noise created by the HGV area fronting Studlands Park Avenue. No changes to existing operating hours have been proposed.
32. No complaints have been received in relation to the use of the north western area of the site, closest to Brickfields Avenue, as a car park. However it is noted by Public Health and Housing that allowing HGV movements within this car park could result in some harm. By virtue of the recommended highways conditions, the design of the ramp access and building form, HGVs will not be able to access the site via the Brickfields Avenue entrance, which provides suitable mitigation against such action. In addition the conditions recommended by Public Health and Housing provides further controls over the use of the proposal, controlling the hours that the proposed loading bays can operate. It is reasonable to suggest that each of these individual factors when taken as a whole will suitably mitigate any overall harm that may be created by the scheme.
33. As such it is reasonable to suggest that the proposal accords with the thrust of the NPPF and locally adopted policies.

Other Matters

34. The representations received for this application detail concerns regarding the hours of operation, noise issues, creation of an access onto Brickfields avenue, and the removal of trees along the boundary.
35. As per the consultation response provided by Public Health and Housing, a recommendation has been made, in recognition of complaints received about operating hours on the site, which limits the hours of operation for the proposed loading bays. This condition is considered to be an

acceptable approach, and as detailed in this report above, by virtue of the design of the proposal, further reductions in noise levels are likely to be experienced.

36. The creation of the access onto Brickfields Avenue is in line with the previous permission granted at this location referenced F/2013/0253/FUL for the creation of a B1 commercial building comprising a workshop and ancillary storage and office uses together with associated infrastructure. The proposed access in this application utilises the same approach, which was acceptable to the highways authority. The removal of trees along the boundary is contrary to what has been suggested in the design and access statement. To ensure that the proposal is appropriate in design terms, it is recommended that a condition requiring the submission of further details of hard and soft landscaping be submitted and agreed.

Conclusion:

37. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

38 It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 Time limit
- 2 14FP Approved drawings.
- 3 Implementation of a programme of archaeological work
- 4 Completion of a site investigation and post investigation assessment
- 5 Provision of electric vehicle charge points
- 6 Provision of new vehicular access in accordance with Drawing No. 3875 - 009 Rev A
- 7 Provision of manoeuvring and parking areas
- 8 Provision of visibility splays
- 9 Hours of demolition and construction
- 10 Hours of use for loading bays
- 11 Hard and soft landscaping scheme

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/applicationDetails.do?activeTab=documents&keyVal=OI4QMBPDLGF00>