



Application No: MS/0426/12
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## TOWN AND COUNTRY PLANNING ACT 1990

### PERMISSION FOR DEVELOPMENT

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Applicant: **Director for Children & Young People**

Development **Variation of Condition 8 discharge of surface water via foul water system (as agreed with AnglianWater). Removal of condition 9 parking provision below Environment Agency Pollution Prevention Guidance (PPG3) threshold of planning permission MS/1241/10.**

Site Address **127, Ipswich Street, Stowmarket, Suffolk, IP14 1BB**

In exercise of powers delegated to him by virtue of the constitution, the Development Manager has determined that, in accordance with Regulation 3 of the Town and Country Planning General Regulations 1992, planning permission be granted to the following proposal, subject to the thirty three conditions as set out.

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#### Planning Conditions

(Planning conditions in **bold** type indicate the need to submit additional information for approval).

- 1 Except as may be modified by the County Planning Authority, or as required by the other conditions to this permission, the development, uses and associated activities hereby approved shall only be carried out in accordance with:
  - a) The Design and Access Statement received 17 April 2010.
  - b) Flood Risk Assessment by Pick Everard dated 15 April 2010.
  - c) Environmental report dated April 2008.
  - d) Archaeological brief and specification dated 15 April 2010.
  - e) Acoustic Report H&H Acoustic Consultancy Division dated April 2010 and subsequent submissions.
  - f) Amenity External Lighting Report dated 12 January 2010.

Signed.....  
Development Control Manager

Date.....

- g) Arboricultural Implication Assessment by James Blake Associated dated January 2010.
- h) Encheck Interpretation Report dated 15th December 2009.
- i) Travel Plan dated February 2010.
- j) The approved plans:
  - I. Demolition Plan 1588J008 A02/19
  - II. Lower Ground Floor Plan 1588J008 A02/20 C
  - III. Ground Floor Plan 1588J008 A02/21 B
  - IV. First Floor Plan 1588J008 A02/22 B
  - V. Roof Plan 1588J008 A02/23 B
  - VI. Proposed Elevations 1588J008 A02/24 C
  - VII. Proposed Sections 1588J008 A02/25
  - VIII. Planning Drawing 1588J008 L-02/01

**Reason:** To ensure that new development is completed in accordance with submitted details

- 2 The development hereby permitted shall be constructed to a BREEAM (or subsequent equivalent quality assured scheme) overall 'Very Good' standard

**Reason** In order to ensure that the development meets sustainable design and relevant environmental performance criteria

- 3 **No building shall be occupied until the post investigation assessment has been completed, submitted to and approved in writing by the County Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under condition 5 of planning permission MS/1241/10 and the provision made for analysis, publication and dissemination of results and archive deposition.**

**Reason** To enable archaeological interest to be adequately investigated and recorded and in accordance with Development Plan Policy HB14

- 4 The development shall be carried out in accordance with the material details submitted and approved under condition 6 of Planning Permission MS/1241/10.

**Reason:** In the interests of visual amenity and in accordance with Development Plan Policies CS5 & GP1

- 5 The restoration/replacement works to the original sash windows shall be carried out in accordance with the details submitted and approved under condition 7 of Planning Permission MS/1241/10 and thereafter retained.

Signed.....  
Development Control Manager

Date.....

**Reason** To ensure historic features are retained

- 6 The scheme for surface water discharge submitted and approved under condition 8 of Planning Permission MS/1241/10 shall be implemented before the development is completed.

**Reason** In the interest of the environment and in accordance with Development Plan Policy CS4

- 7 The scheme of water, energy and resource efficiency measures (during construction and occupation phases) shall be carried out in accordance with the scheme and timetable submitted to and approved in writing by the County planning Authority under condition 10 of Planning Permission MS/1241/10.

**Reason** In the interest of promoting sustainable development and the protection of the environment

- 8 **Prior to occupation of any part of the building full details of the hard and soft landscaping works in accordance with Planning Drawing L-02/01 including planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme shall be submitted to and approved in writing by the County Planning Authority.**

**Reason:** To ensure the site is properly planted and in the interests of visual amenity and in accordance with Development Plan Policy GP1

- 9 All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the County Planning Authority.

**Reason:** To ensure the site is properly planted and in the interests of visual amenity and in accordance with Development Plan Policies CS5 & GP1

- 10 All planting shall be maintained for five years after initial planting has been completed by:

(1) keeping the new planting free from competing grass and weeds. Where herbicides are used, they must be an appropriate "translocated" type;

Signed.....  
Development Control Manager

Date.....

(2) replacing any trees and shrubs each year which are substantially damaged, seriously diseased or dead, with plants of a similar species and size;

(3) checking, adjusting and repairing all stakes, ties, shelters or fencing used in the scheme.

**Reason:** To ensure the site is properly planted and in the interests of visual amenity and in accordance with Development Plan Policies CS5 and GP1

11 The protection of trees to be retained on the site shall be retained in accordance with BS5837 2005 (Trees in Relation to Construction) and until construction work has been completed.

**Reason:** To ensure trees to be retained are properly protected during the construction period and in accordance with Development Plan Policies CS5 & GP1

12 The development shall be carried out in accordance with the Construction Method Statement submitted and approved under condition 16 of Planning Permission MS/1241/10

**Reason;** To minimise the risk of nuisance, inconvenience caused by construction works

13 No construction work shall take place before 07.30 and after 17.30 hours Monday to Friday, before 08.00 and after 13.00 hours on Saturdays, and not at all on Sundays or Bank Holidays. Noisy activities such as breaking of concrete or cutting of hard materials shall be restricted to Monday to Friday 08.30 to 17.00 hours and Saturdays 08.30 to 13.00 hours.

**Reason:** In the interest of residential amenity

14 All compressors shall be 'noise reduced' models fitted with properly lined and sealed acoustic covers which shall be kept closed when the machines are in use, and all ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufacturers.

**Reason;** In the interest of residential amenity

15 All vehicles and mechanical plant used for the purpose of the works shall be fitted with effective exhaust silencers and shall be maintained in good and efficient working order so that extraneous noise shall be reduced to a minimum

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Date.....

**Reason;** In the interest of residential amenity

- 16 All portable traffic signals and pumps shall be operated from mains electricity.

**Reason;** In the interest of residential amenity

- 17 Machines in intermittent use shall be shut down in the intervening periods between work or throttled down to a minimum.

**Reason** In the interest of residential amenity

- 18 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the County Planning Authority. An investigation and risk assessment must be undertaken. Where remediation is necessary a remediation scheme must be prepared, and shall be submitted to and approved in writing by the County Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the County Planning Authority.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Development Plan Policies

- 19 Any spill level of illumination must not exceed one lux when measured in the horizontal plane at the boundary with the highway

**Reason:** To ensure uniformity of lighting on the highway and in the interests of road safety and in accordance with Development Plan Policies

- 20 **Within one month of the installation of the lights, they shall be inspected by a qualified lighting engineer in the presence of a member of staff of the County Planning Authority and alterations made, where considered necessary by the County Planning Authority within one month of the inspection to ensure adherence with submitted details.**

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Development Control Manager

Date.....

**Reason:** To ensure that the development complies with submitted technical information and that any problems are rectified and in accordance with Development Plan Policies.

- 21 The secure cycle parking shall be implemented in accordance with Drawing Number 1588J008 L02/02 &L08/10 submitted and approved under condition 27 of Planning Permission MS/1241/10 before occupation of the building and shall thereafter be retained.

**Reason:** To encourage alternative modes of transport and in accordance with Development Plan Policies and Structure Plan policy T10

- 22 The vehicular access shall be laid out and completed in all respects in accordance with Drawing No A02/20 A and be made available for use prior to the occupation of the property. It shall be retained thereafter in its specified form

**Reason** To ensure that the access is designed and constructed to an appropriate specification and is brought into use before the use is commenced and in the interests of highway safety

- 23 **Before the access is first used clear visibility at a height of 0.6metres 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 and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access. Notwithstanding the provisions of Part 2 Class A of the Town and 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 area 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 in order to take avoiding action.

- 24 The use shall not commence until the areas within the site shown on Drawing No A02/20 A for the purposes of loading, unloading, manoeuvring

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Development Control Manager

Date.....

and parking of vehicles has been provided and thereafter these areas shall be retained and used for no other purpose.

**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.

- 25 Prior to the development hereby permitted being first occupied, the agreed access onto Ipswich Street shall be properly surfaced with a bound impervious material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the County Planning Authority.

**Reason:** In the interest of highway safety

- 26 Notwithstanding the provisions of the Town and County Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) any means of frontage enclosure shall be set back 10 metres from the edge of the carriageway of the adjacent highway.

**Reason** In the interest of highway safety

- 27 The building shall only be used between 09:00 and 22:00 hours on Monday, Tuesday, Wednesday Thursday and Sunday and between 09:00 hours and midnight on Friday and Saturday. Organised events and activities shall finish one hour before the closure of the centre.

**Reason** In the interest of residential amenity

- 28 No amplified music shall be played on Sundays or Bank Holidays

**Reason** In the interest of residential amenity

- 29 **Following completion of construction and prior to occupation of any part of the development, a copy of the Test Report carried out in accordance with the recommendations in Building Bulletin 93 Acoustics in Schools Regulations shall be submitted to and agreed in writing by the County Planning Authority, (see Note six).**

**Reason** In order to ensure that the development accords with building Bulletin 93

Signed.....  
Development Control Manager

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30 **A `post construction stage` assessment and related certification confirming the BREEAM standard that has been achieved shall be submitted to and approved in writing by the County Planning Authority within one month of the occupation of any part of the building.**

**Reason:** In order to ensure that energy efficiency through sustainable design and construction is achieved.

31 **Before the occupation any part of the building a Travel Plan setting out arrangements for travel to and from the site for employees, visitors and residents shall be submitted to and approved in writing by the County Planning Authority. The scheme shall include targets for the shift of transport modes into sustainable modes. The Plan shall be monitored on an annual basis for a period of not less than two years. The Plan shall also set out proposals for rectifying failures to meet modal shift targets for a period of two years following the occupation of the building. These annual target and monitoring assessments shall be submitted to and approved by the County Planning Authority prior to adoption by the applicant**

**Reason:** To encourage sustainable modes of transport

32 **The scheme of fire precaution measures submitted and approved under condition 38 of planning permission MS/1241/10 shall be implemented prior to occupation of the building and thereafter retained**

**Reason** In the interest of community safety

33 **Prior to occupation of any part of the development details of the extent and coverage of CCTV cameras shall be submitted to and approved in writing by the County Planning Authority and thereafter retained**

**Reason** In the interest of residential amenity

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Signed.....  
Development Control Manager

Date.....

Date .....

Development Manager  
Economy, Skills and Environment  
Development Section  
5<sup>th</sup> Floor, Block 2  
Endeavour House  
8 Russell Road  
Ipswich, IP1 2BX

## **POLICIES**

The County Council has determined this application in the context of the Government's current planning policy guidance, statements and relevant development plan

### **National Policy**

Planning Policy Statement 4 – Planning for Sustainable Economic Growth  
Planning Policy Statement 5 – Planning for the Historic Environment  
Planning Policy Guidance 13 – Transport  
Planning Policy Statement 23 – Planning and Pollution Control

### **Suffolk County Council Structure Plan Policy**

T10 Cycle Parking

### **Development Plan Policies:**

CS5 Mid Suffolk's Environment  
HB8 Safeguarding the character of conservation areas  
HB9 Controlling demolition in conservation areas  
HB14 Ensuring archaeological remains are not destroyed  
GP14 Design and Layout of development

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## **NOTES**

**For Information; This planning permission must be read in conjunction with planning consent MS/1241/10**

Signed.....  
Development Control Manager

Date.....

## Highways

1. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by the County Council or its agents at the applicant's expense. Management Central Area Highways Phoenix House, 3 Goddard Road, Ipswich, IP1 5NP Tele 01473 341414
2. Public Utility apparatus may be affected by this proposal. The appropriate utility service should be contacted to reach agreement on any necessary alterations which have to be carried out at the expense of the developer.

## Ecology

3. It is an offence under Schedules 5 and 8 of the Wildlife and Countryside Act 1981 and Schedule 2 of the Conservation (Natural Habitats &c) (Amendment) Regulations 2010 and other relevant legislation, to kill take, disturb or possess any wild animal or plant. The applicant is recommended to ensure the correct licence, if necessary, has been obtained from Natural England before development commences and the conditions of the licence are adhered to.
4. If a protected species is discovered during works associated with this permission all work must cease immediately and the County Ecologist contacted for further advice as a matter of urgency.
5. The removal of any vegetation should occur outside the bird breeding season. Please liaise with the Ecologists for an up-to-date estimate of when bird breeding might commence or conclude, as the season does change over the course of time.

## Environment

6. In accordance with the waste hierarchy, the applicant should consider reduction, reuse and recovery of waste in preference to off site incineration and disposal to landfill during site construction
7. In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends upon the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMOP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs-swmp.co.uk>.
8. Further advice is available from Suffolk Environment Management Team in Ipswich or on their website [www.environment-agency.gov.uk/subjects/waste/](http://www.environment-agency.gov.uk/subjects/waste/)

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## **Construction**

9. All work should be undertaken in accordance with the Considerate Contractors' scheme.

## **Fire**

10. Suffolk Fire and Rescue service recommends that the applicant considers the life and financial benefits derived from the provision of a domestic sprinkler/commercial automatic system installed in accordance with BS9251:2005.

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## **Reasons for Approval**

The car park area is significantly below the 800sqm threshold for petrol interceptors. It is therefore considered that the risk of pollution is negligible.

The sensitive renovations and design of the individual components of the development would enhance this part of the Stowmarket Conservation Area whilst respecting and complementing the setting of the adjacent listed buildings. The ancillary buildings to the rear of the site are not considered to be of any architectural importance and their removal would not adversely affect the character of the conservation area. The proposals are in accordance with Planning Policy Statement 5 and Local Plan Policy HB8.

The proposed development would accommodate support services for young people, recreational and leisure services and short term housing. Such uses would enhance the vitality and viability of Stowmarket Town Centre whilst providing a youth focus for the surrounding rural villages. The development accords with Planning Policy Statement 4 and emerging Stowmarket Area Action Plan Policy SAAP Policy 10.1.

Residential amenity would not be adversely affected by the development which addresses overlooking and noise breakout through careful attention to detail and design. The site is well served by public transport and foot and cycle paths. There are adequate public car parks in the vicinity for visitors.

Signed.....  
Development Control Manager

Date.....