

Suffolk Coastal District Council
Melton Hill
Woodbridge
Suffolk
IP6 1AU

29th October 2013

FAO: Ben Woolnough

Dear Sir/ Madam

**PROPOSED RESIDENTIAL-LED MIXED USE DEVELOPMENT
DEPOT SITE, HILLVIEW, OTLEY IP6 9NP**

On behalf of our client, Otley Properties Suffolk Limited, please find attached an outline planning application relating to the HTG Properties Depot Site at Hillview, Otley, Suffolk for the following description of development:

‘Outline planning permission for the redevelopment of the Hillview site with a residential led mix of uses comprising up to 35 dwelling units (both market and affordable) and up to 900 sq.m of B1 (a) (b) commercial use(s), including internal estate roads, landscaping and tree planting, and public open space. All existing buildings and structures to be demolished. All matters except for principal site access to be reserved for future determination’

This cover latter and outline application pack includes the following:

- Planning Application Forms and Certificate B
- Requisite Application Fee (cheque)
- Design & Access Statement
- Transport Report
- Tree and Root Protection Plan
- Flood Risk Assessment
- Extended Phase 1 Habitat Survey
- Bat Emergence Survey
- Statement of Community Consultation
- Stage 1 Land Contamination Report
- Noise Impact Assessment for Mixed Use Development
- Heads of Terms of a legal agreement.

The outline planning application follows nearly 3 years of methodical work and assessment of the site in the context that the present occupiers (HTG Trading Limited and Hubbard Products) have resolved to vacate Otley in favour of modern efficient premises that are located nearer to the strategic highway network. The process of relocation is well underway and will happen regardless of the outcome of this outline planning application.

You will be aware that the Hillview site has been identified as being suitable, in principal, for residential development as part of the evidence base supporting the Council's emerging Local Development Framework. In that respect, the site at Hillview was given the Site Reference: 886 in the Council's Strategic Housing Land Availability Assessment (SHLAA) which was supported by ourselves and also supported (in principal) by the Parish Council subject to conditions.

We have continued close liaison with the Parish Council, and the local community. Indeed, we have held several meetings/presentations with the Parish Council and held an exhibition in the Village Hall as part of formal 'Community Consultation'. The details of this comprehensive local consultation are explained and set out in the Statement of Community Consultation which supports this application. We acknowledge that all discussion have been held without prejudice and in no way seek to fetter the deliberations of the Local Planning authority.

Site Description

A full site description is provided in the 'Design & Access Statement' which accompanies the planning application. The application site is located to the west of the village of Otley, adjacent to the established form of residential properties which face onto urban area. The site is relatively flat and the surrounding topography is also generally flat before it falls away to a stream ('The Gull'). To the south-east of the site is agricultural land owned by the applicant which **does not** form part of these redevelopment proposals. This adjoining land will remain in agricultural use and is the subject of a Farm Business Tenancy to a local farmer. To the north of the site is a farm track which is unaffected by the proposals, beyond the track is agricultural land and to the north-west is land owned by Anglian Timber which does not form any part of these proposals. Anglian Timber and other third parties enjoy right of access over the development site to Church Road. Those rights will continue and will be unaffected by these proposals.



Application Site

The site is approximately 2.147ha in size and is currently occupied by a large monolithic industrial building used partly in the manufacture and storage of refrigeration equipment (no CFC's are involved), office accommodation, and a significant amount of car parking associated with the current use (the site currently provides parking for approximately 142 vehicles). The existing principal building on site comprise a fairly typical bulky industrial type structure. There is also a smaller detached office building located towards the front of the site. In terms of visual quality and appearance the existing buildings appear tired and worn. Indeed, in terms of environmental performance the buildings do not meet acceptable modern standards of accommodation, the premises leak during wet weather and do not perform well regarding energy consumption. In this respect, future industrial occupiers would need to invest very significant funds in repair, maintenance and high running costs. We also highlight that the site's hours of operation are currently constrained by planning conditions in order to protect nearby residential amenities.

The site is currently accessed from Church Road (B1079), which runs through Otley and leads to the A12 to the south, and Ipswich. Otley is served by a number of bus services (118, 555), and additional services associated with Otley College, which provide a regular public transport service from the site to Ipswich City Centre.

Planning Policy Position

The village is identified in planning terms as a Key Service Centre and suitable, in principle, for modest amount of new development to support services and maintain rural vitality in accordance with recently adopted Strategic Policies SP19 Settlement Policy and SP27 Key and Local Service Centres (adopted on the 5th July 2013).

The existing site is established employment use (light industrial and warehousing/storage) and as such is protected by the District Council's recently adopted Development Management Policy DM10 as set out in the 'Core Strategy & Development Management Policies DPD' which was adopted on 5th July 2013.

Existing employment sites can only be redeveloped for alternative uses where the following circumstances apply:

(a) the applicant has clearly demonstrated there is no current or long term demand for the retention of all or part of the site for employment use:

- (i) within the same use class;
 - (ii) for a mix of employment uses; or
 - (iii) for a mix of employment uses with other non employment uses, excluding residential; or
- (b) there would be a substantial planning benefit in permitting alternative uses..

In this respect, local Chartered Surveyors (Fenn Wright) based in Suffolk have been instructed to provide market and occupier advice. Fenn Wright has already confirmed that there is simply no demand for such a large industrial site in a rural location which is situated so close to established residential properties. Even if an operator could be found, the presence on-site of such a large outdated and worn-out building would make any investment economically risky. It is also clearly the case that such a site could generate unsuitable industrial uses which could impact on the village and

wider highway network. This current situation represents a rare opportunity to deliver a vibrant suitable mix of uses set within an attractive landscaped environment whilst supporting local services and amenities.

The applicant's preferred option is to redevelop the site with a mix of new housing (including family housing), open space, an ecological area, and an element of small-scale 'clean-tech' business uses (uses which are friendly to neighbouring uses and to the local environment, and avoid significant generation of lorries, and is in accordance with adopted Strategic Policy SP7).

The proposed mix of uses will keep car movements to the same as the site currently generates but with fewer potential HGV and service vehicles.

In determining the application the District Council will need to assess the suitability of the proposals in principle against the Core Strategy and Development Management Policies and the Parish Council's 'Housing Need Study' and also take into consideration the views and opinions of local people and the community generally. Any planning application would also be assessed against considerations such as design, access, layout, density/type of development proposed, visual impact, and impact on residential amenity.

Additional Site Constraints

The District Council's 2010 SHLAA confirmed that the Depot site is not constrained by any designations relating to nature conservation, flooding or recreation. In addition, there are no TPOs, listed buildings or designated Conservation Area within or in the vicinity of the site.

Our own technical reports have identified a small number of orchids on-site confined within a very modest area (as denoted on the masterplan). The habitat report recommends the retention of these orchids and these redevelopment proposals fully respect and adhere to the specialist advice. This element of the proposals is also fully in accordance with Objective 11 and Strategic Policy SP14 contained in the recently adopted Core Strategy (June 2013) which seek to ensure the preservation of the natural environment and protected flora and fauna.

The outline application is supported by a number of additional technical reports which cover a range of physical and environmental issues. Nothing has arisen or been identified which could not be managed through normal design mitigation or planning conditions.

We highlight that the site's planning history illustrates that the majority of planning applications on the site are minor in nature, which don't point to any constraints impacting on the future development potential of the site.

Development Capacity / Proposed Option

The applicant previously promoted the Depot site during the Core Strategy (Preferred Options) and Site Allocations (Issues and Options) consultation periods in December 2008 and in 2010. As you may recall, our previous representations suggested that the Depot site could accommodate either:

- a mixed use development comprising an element of residential development (up to 30 dwellings), employment including small business units and possibly quasi employment uses; or
- A 100% residential scheme for up to 50 residential dwellings.

Following without prejudice discussions with planning officers and local stakeholders (including the Parish Council), we concluded that a 100% residential scheme was unlikely to be readily supported by the District Council or by the local community. In this respect we were also mindful that the Council's emerging evidence base (prepared as part of the Local Development Framework) identified 50% of the Depot site could be redeveloped for residential development (Site Ref: 886). Indeed Otley Parish Council commented on the emerging evidence base, and in relation to the HTG site stated that the site is, 'the natural choice for redevelopment'.

We are mindful the recently adopted Core Strategy & Development Management Policies DPD sets out the Council's expectations regarding dwelling sizes and mix (Table 3.6). However, such standards are not necessarily appropriate in every location and we do not consider that a countryside location such as Otley would be an appropriate location for the standard mix and unit size, especially one bedroom apartment type development.

Design work carried out over the past 12 months together with consultation locally has led to the production of 3 redevelopment options proposing in the region of 43 dwellings, together with 900 sq.m of commercial space which would be delivered in a series of barn type structures served by a separate area for service vehicles and associated parking.

Further consultation during the Summer 2013 led to a clear preference in favour of a redevelopment scheme of around 40 dwellings with commercial development being sited towards the front of the site (to the rear of established properties along Church Road). Further design refinements in response to community consultation feedback included the provision of open space within the proposed housing scheme and the provision of an area of parking which will cater for parking generated by the village shop.

These additional refinements have reduced the number of dwellings to the proposed 35 dwellings which form part of this outline planning application.

Whilst we acknowledge that the published SHLAA figures cannot accurately predict the yield that each site should accommodate we consider that the proposal for 35 homes should be viewed as a minimum given that the Depot site has the capacity to deliver more residential units, if necessary.

The site is well related to the existing village and the Local Planning Authority officers have indicated that they would wish to see a scale of development appropriate to the size of the existing settlement.

Otley Housing Sites

It is highly relevant to note that all other potential development sites in Otley put forward for housing, as part of the Council's emerging evidence base have been discounted at this early stage of the LDF process. We also note that a recent proposal for new housing on the Anglian Timber site was withdrawn prior to determination. Nevertheless, that site is primarily green field and beyond the settlement boundary and critically is not supported by the local community/Parish Council through formal community consultation. The Depot site is therefore the only suitable, available, and achievable site in Otley to deliver a suitable level of housing (including affordable) and business units to support Otley as a key service centre.

Heads of Terms of a Legal Agreement

In accordance with local planning policies including the District Council's Planning Obligations SPG (1999) and the National Planning Policy Framework 2012 (paragraphs 203 – 206). The outline application is supported by a clear intention to deliver on and off site mitigation in the form of planning obligations which will be secured through a legal binding agreement (s106). The broad heads of terms of a section 106 agreement are summarised below.

- Affordable housing to be delivered on-site. A percentage and tenure split to be negotiated with the Council.

The Council's usual policy requirement in relation to new housing proposals are set in the recently approved Core Strategy & Development Management Policies DPD (June 2013). We are aware that the District Council's latest survey of housing need (July 2006) suggested that **24% of all housing need was for affordable housing**. Policy DM2 sets out the Council's requirement for the delivery of affordable housing. Notably, the Otley village housing need survey has identified a need locally for just **3 (three) affordable units**.

In light of this, we have asked the LPA whether it would consider a lower provision of affordable housing on-site to enable a S106 package to be weighted more towards the provision of other identified infrastructure needs within the village. This would accord with the District Council's aims of delivering better access to a range of housing, employment and infrastructure as set out in Objective 13 Accessibility as set out in the recently adopted Core Strategy & Development Management Policies DPD (July 2013). Specifically, we are aware that the village school is in urgent need of enhanced premises to cater for pre-school age children. Fund raising is underway but it will take the local community considerable time to raise sufficient funds. It is also unlikely that the development of 35 dwellings would generate sufficient pre-school age children to deliver such improvements as part of normal Local Education Authority contributions (using the accepted methodology to calculate financial contributions) and therefore this redevelopment opportunity provides a rare opportunity for all parties to think creatively to deliver meaningful improvements to the local community as part of an agreed package of developer contributions whilst still being in accordance with Circular advice on appropriate obligations.

- The provision of the B1 commercial space the delivery of which will be phased and triggered according to the occupation of dwelling units, in negotiation with the District Council.

Developers are highly unlikely to agree to be bound by obligations which seek the construction of un-let commercial units. Such financial commitment at the front-end of any development scheme would have a significant impact on cash flow and render most schemes (outside of London) commercially unviable and too risky on which to secure bank and third party funding. We will therefore be proposing the delivery of serviced plots at agreed phases of the overall scheme.

- The provision of (or financial contribution towards) directly related transport & highway mitigation works.
- The provision of open space and children's play equipment.
- Financial contribution towards directly related education provision.

- The Preservation of an ecological zone (orchids)
- Maintenance & management of (or a financial contribution towards) open space and the retained orchid area.

Conclusion

The application site constitutes previously developed land in a sustainable but highly rural location, and is currently used for manufacturing and warehousing. The site would make a significant contribution to the targets for re-using previously developed land and buildings, and deliver much needed family and local need housing in accordance with national planning policy guidance contained in the Government's NPPF.

Clearly, the current scale of industrial and warehouse use is incompatible with the existing residential properties adjoining the site and the general character and appearance of the locality. The existing operations are dependent upon trade deliveries (both into and out of the site) and consequently the site generates heavy goods vehicles in and around the narrow roads and land around Otley, which has and has harmful impact on rural lanes which surround the village. Indeed, many of the local roads are unsuitable for heavy goods vehicles and pass through villages with restricted access. Such impacts could increase if a more intensive commercial use occupies the site.

The site has been marketed by Fenn Wright as an industrial investment with development potential but understandably there is very limited interest in industrial sites in rural locations which are served by winding country lanes.

A proposal to redevelop the site for a residential-led mix of uses, at a scale more appropriate to the surrounding area, would have significant visual and environmental benefits in terms of the residential amenity of neighbouring properties in accordance with the Council's recently adopted Development Management Policy DM23. Such proposals would also deliver affordable housing for local people and could deliver other improvements in the village as part of a binding legal agreement.

Finally, these proposals have been developed and refined in accordance with the objectives of 'localism'. The development scheme has been subject to comprehensive community consultation which has resulted in largely pragmatic and favourable response from the local community.

I look forward to receiving confirmation that the outline planning application has been registered and validated.

Yours faithfully



PHILIP SCOTT
DIRECTOR

Enclosures as stated