

20 March 2024



Averil Goudy
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

Dear Averil,

GATEWAY 14, Plot 1000 –NON-MATERIAL AMENDMENT

On behalf of our client, Gateway 14 Limited, we hereby submit an application for a non-material amendment to planning permission Ref. DC/21/00407 in relation to Plot 1000 at Gateway 14.

Background

Planning permission was granted on 5th November 2021 for the following development:

“Hybrid Application for the phased employment-led redevelopment of Land at Mill Lane, Stowmarket (Gateway 14) including: Full Planning for site enabling works phase comprising, ground remodelling, utility diversions, installation of framework landscaping, creation of new footpath links, installation of primary substation, highways works including stopping up of Mill Lane, new all modes link from the A1120 Cedars Link to Mill Lane, new footway cycleway over the existing A1120 overbridge, installation of toucan crossing on the A1120 Cedars Link, footpath connection to the Gipping Valley Way, foul and surface water drainage infrastructure, outfalls and associated works: Outline Planning Permission (all matters reserved, except for access) for the erection of buildings comprising employment and commercial use, open space and landscaping, car and cycle parking, highway works, and other associated works (additional plans, documents and EIA information received 08/04/2021) and subsequent ES addendum letter received 17th June 2021.”

Since the original application was approved, the following Non Material Amendments have been approved to the original hybrid consent:

Planning Ref: DC/22/01149. This NMA amended Condition 49 relating to offsite highway works to remove reference to Plan ref. 60417/PP/012 as the works shown on this plan are also secured by Condition 52. This enables the permitted development to be occupied before works to the A14 junction are complete.

Planning Ref: DC/22/04068. This NMA included the removal of a bellmouth to the northern boundary of Plot 4000, relocated the substation access further south, amended the substation dimensions from 34m x 25.85m to 33.6m x 22.5m, and amended the

landscaping proposals (changes to the amenity grass and wildflower margins, associated repositioning of trees affected and additional screening around the proposed substation in the form of hedge planning and native trees).

Planning Ref: DC/23/03873. This NMA included the removal of a bellmouth to the eastern boundary of Plot 2000 onto Gateway Drive, changed the pedestrian crossing on the A1120 from a toucan crossing to a staggered crossing, amended the landscaping proposals including the minor relocation of trees on Plot 200 to move these away from high voltage cables).

An NMA application has also been submitted to secure additional trees on Mill Lane which is currently pending.

The amendments comprise:

Extension of road;

Associated landscape amendments;

Provision of road lighting.

A Reserved Matters Application has been submitted to deliver a warehouse building at Plot 1000. This Reserved Matters Application requires a small extension to Gostling Avenue to connect the approved estate road to the plot now being delivered.

Drawing Amendments

The approved drawings are sought to be amended as follows. A separate application has also been submitted to discharge Condition 75 (Lighting) with the amended lighting details for this section of road:

Document Title	Reference	Document Title	Reference
Approved Drawings		Proposed Drawings	
Parameter Plan	20012-FSA-XX-XX-DR-A-0105-PARAMETER PLAN_P26	Parameter Plan	20012-FSA-XX-XX-DR-A-0105-PARAMETER PLAN_P27
Application Summary Plan	20012-FSA-XX-XX-DR-A-0107-P05	Application Summary Plan	20012-FSA-XX-XX-DR-A-0107-P07
Detailed Strategic Landscape Parameters Plan 01-18-03-K	JBA 20 104 01-18-03 K	Detailed Strategic Landscape Parameters Plan 01-18-03-M	JBA 20 104 01-18-03 M
Detailed Strategic Landscape Parameters Plan 01-18-04-K	JBA 20 104 01-18-04 K	Detailed Strategic Landscape Parameters Plan 01-18-04-M	JBA 20 104 01-18-04 M

Detailed Strategic Landscape Parameters Plan 01-18-05-K	JBA 20 104 01-18-05 K	Detailed Strategic Landscape Parameters Plan 01-18-05-M	JBA 20 104 01-18-05 M
Detailed Strategic Landscape Parameters Plan 01-18-18-K	JBA 20 104 01-18-18 K	Detailed Strategic Landscape Parameters Plan 01-18-18-M	JBA 20 104 01-18-18 M
Road Long Sections	60417-C-09 B	Road Long Sections	60417-C-09C
Drainage Strategy	60417-PP-00-Rev-F	Drainage Strategy	60417-PP-001 Rev G
Highways GA Plan	60417-PP-SK05-G	Highways General Arrangement	60417-C-SK05-H
Highways Construction Details	61445-C-008	Highways Construction Details	61445-C-008 (no change)
Lighting Strategy	No approved drawing	Lighting Strategy	31952-HYD-XX-XX-DR-E-6301 P01

Procedural Context

Section 96a of the Town and Country Planning Act 1990 (as amended) allows local planning authorities to make a change to any planning permission relating to land in their area if they are satisfied that the change is not material. This includes the ability to alter conditions.

The National Planning Practice Guidance (ref ID: 17a-002-20140306) states that:

‘There is no statutory definition of ‘non-material’. This is because it will be dependent on the context of the overall scheme –an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990. The local planning authority must have regard to the effect of the change, together with any previous changes made under section 96A’.

This application requires limited and minimal changes, which are considered immaterial in the context of the wider development, and as a result an s96a application is considered appropriate. This is discussed in further detail below.

Consideration of Proposed Amendments

To achieve an access to Plot 1600 it is necessary to extend Gostling Avenue. This extension will be in the same form as the original construction of the G14 Highways. The route of Footpath 1 will follow the cycleway provided on the south side of Gostling Avenue. The Footpath will cross Gostling Avenue via a dropped crossing similar to that provided previously where its route crosses Stargazer Way. As a result, the proposed amendments are considered to have very limited impact in terms of access to the Plot 1000 site.

In terms of landscaping and lighting, the proposals seek to continue the strategy already established for the remainder of the Gateway 14 infrastructure roads and applies this to this small area of road extension as shown on the proposed plans.

Conclusion

In conclusion, the proposals are considered to be a very minor change to the consented proposals and one which is not material within the context of the scheme as a whole, and thus is capable of being supported in this regard through the NMA process.

We look forward to receiving confirmation that the planning application has been validated. However, if you require any further information, please do not hesitate to contact Annabelle Underdown (07836511354) at this office.

Yours sincerely

A large black rectangular redaction box covering the signature area.

For and on behalf of Avison Young (UK) Limited