

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Title:	Agenda																
Date:	Thursday 6 July 2017																
Time:	10.00 am																
Venue:	Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU																
Full Members:	<p style="text-align: center;">Chairman Jim Thorndyke</p> <p style="text-align: center;">Vice Chairman Carol Bull and David Roach</p> <p><u>Conservative Members (12)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Terry Clements</td> <td style="width: 33%;">Ivor Mclatchy</td> </tr> <tr> <td>Robert Everitt</td> <td>Alaric Pugh</td> </tr> <tr> <td>Paula Fox</td> <td>Andrew Smith</td> </tr> <tr> <td>Susan Glossop</td> <td>Peter Stevens</td> </tr> <tr> <td>Ian Houlder</td> <td></td> </tr> </table> <p><u>UKIP Group Members (2)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">John Burns</td> <td style="width: 33%;">Jason Crooks</td> </tr> </table> <p><u>Charter Group Members (2)</u></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Julia Wakelam</td> <td style="width: 33%;">David Nettleton</td> </tr> </table>			Terry Clements	Ivor Mclatchy	Robert Everitt	Alaric Pugh	Paula Fox	Andrew Smith	Susan Glossop	Peter Stevens	Ian Houlder		John Burns	Jason Crooks	Julia Wakelam	David Nettleton
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<p>SITE VISITS WILL BE HELD ON THURSDAY 29 JUNE 2017 AT THE FOLLOWING TIMES:</p> <p>The coach will depart West Suffolk House at 9.30am and will travel to the following sites:</p> <p>1. Planning Applications DC/16/2836/RM and DC/17/0048/FUL - Land North West of Haverhill, Anne Sucklings Lane, Little Wratting DC/16/2836/RM - Reserved Matters Application - Submission of details under outline planning permission SE/09/1283/OUT - The appearance, layout, scale, access and landscaping for 200 dwellings, together with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as Phase 1</p> <p style="text-align: right;">Cont. overleaf...</p>																	

DC/17/0048/FUL - Change of use of land to highway use for 1no. point of vehicular access/egress to public highway - Haverhill Road and creation of hard standing for foot/cycle way - following planning application- SE/09/1283 as amended by plans dated 28 April 2017

Site visit will be held at approximately 10.00am (CB9 7UD)

2. Planning Application DC/17/0438/FUL - Tartan House, Etna Road, Bury St Edmunds

Planning Application - (i) 80 no. bedroomed hotel (demolition of existing building) (ii) drive-through coffee outlet (mixed A3 and A5 use) (iii) associated refuse storage, parking and landscaping (iv) new pedestrian bridge access across River Lark (v) improvements and upgrading of proposed vehicular access from Compiegne Way, North of River Lark (vi) improvements and upgrading of proposed vehicular access from Etna Way/Enterprise Park (vii) in channel engineering works to River Lark

Site visit will be held at approximately 11.00am (IP33 1JF)

Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Quorum:	Six Members
Committee administrator:	Helen Hardinge Democratic Services Officer Tel: 01638 719363 Email: helen.hardinge@westsuffolk.gov.uk

**DEVELOPMENT CONTROL COMMITTEE:
 AGENDA NOTES**

Subject to the provisions of the Local Government (Access to Information) Act 1985, all the files itemised in this Schedule, together with the consultation replies, documents and letters referred to (which form the background papers) are available for public inspection.

All applications and other matters have been considered having regard to the Human Rights Act 1998 and the rights which it guarantees.

Material Planning Considerations

1. **It must be noted that when considering planning applications (and related matters) only relevant planning considerations can be taken into account. Councillors and their Officers must adhere to this important principle which is set out in legislation and Central Government Guidance.**
2. **Material Planning Considerations include:**
 - Statutory provisions contained in Planning Acts and Statutory regulations and Planning Case Law
 - Central Government planning policy and advice as contained in Circulars and the National Planning Policy Framework (NPPF)
 - The following Planning Local Plan Documents

Forest Heath District Council	St Edmundsbury Borough Council
Forest Heath Local Plan 1995	St Edmundsbury Borough Local Plan 1998 and the Replacement St Edmundsbury Borough Local Plan 2016
The Forest Heath Core Strategy 2010, as amended by the High Court Order (2011)	St Edmundsbury Borough Council Core Strategy 2010
Joint Development Management Policies 2015	Joint Development Management Policies 2015
	Vision 2031 (2014)
Emerging Policy documents	
Core Strategy – Single Issue review	
Site Specific Allocations	

- Supplementary Planning Guidance/Documents eg. Affordable Housing SPD
 - Master Plans, Development Briefs
 - Site specific issues such as availability of infrastructure, density, car parking
 - Environmental; effects such as effect on light, noise overlooking, effect on street scene
 - The need to preserve or enhance the special character or appearance of designated Conservation Areas and protect Listed Buildings
 - Previous planning decisions, including appeal decisions
 - Desire to retain and promote certain uses e.g. stables in Newmarket.
3. The following are **not** Material Planning Considerations and such matters must not be taken into account when determining planning applications and related matters:

- Moral and religious issues
 - Competition (unless in relation to adverse effects on a town centre as a whole)
 - Breach of private covenants or other private property / access rights
 - Devaluation of property
 - Protection of a private view
 - Council interests such as land ownership or contractual issues
 - Identity or motives of an applicant or occupier
4. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permission must be determined in accordance with the Development Plan (see table above) unless material planning considerations indicate otherwise.
5. A key role of the planning system is to enable the provision of homes, buildings and jobs in a way that is consistent with the principles of sustainable development. It needs to be positive in promoting competition while being protective towards the environment and amenity. The policies that underpin the planning system both nationally and locally seek to balance these aims.

Documentation Received after the Distribution of Committee Papers

Any papers, including plans and photographs, received relating to items on this Development Control Committee agenda, but which are received after the agenda has been circulated will be subject to the following arrangements:

- (a) Officers will prepare a single Committee Update Report summarising all representations that have been received up to 5pm on the **Thursday** before each Committee meeting. This report will identify each application and what representations, if any, have been received in the same way as representations are reported within the Committee report;
- (b) the Update Report will be sent out to Members by first class post and electronically by noon on the **Friday** before the Committee meeting and will be placed on the website next to the Committee report.

Any late representations received after 5pm on the **Thursday** before the Committee meeting will not be distributed but will be reported orally by officers at the meeting.

Public Speaking

Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available on the Councils' websites.



DEVELOPMENT CONTROL COMMITTEE: DECISION MAKING PROTOCOL

The Development Control Committee usually sits once a month. The meeting is open

to the general public and there are opportunities for members of the public to speak to the Committee prior to the debate.

Decision Making Protocol

This protocol sets out our normal practice for decision making on development control applications at Development Control Committee. It covers those circumstances where the officer recommendation for approval or refusal is to be deferred, altered or overturned. The protocol is based on the desirability of clarity and consistency in decision making and of minimising financial and reputational risk, and requires decisions to be based on material planning considerations and that conditions meet the tests of Circular 11/95: "The Use of Conditions in Planning Permissions." This protocol recognises and accepts that, on occasions, it may be advisable or necessary to defer determination of an application or for a recommendation to be amended and consequently for conditions or refusal reasons to be added, deleted or altered in any one of the circumstances below.

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a Member wishes to alter a recommendation:
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to;
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory);
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee.
- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Assistant Director (Planning and Regulatory) and the Assistant Director (Human Resources, Legal and Democratic) (or Officers attending Committee on their behalf);
 - A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
 - An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.

- In making a decision to overturn a recommendation, Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
 - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/alterred, together with the material planning basis for that change.
 - Members can choose to;
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory)
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee
- Member Training
 - In order to ensure robust decision-making all members of Development Control Committee are required to attend annual Development Control training.

Notes

Planning Services (Development Control) maintains a catalogue of 'standard conditions' for use in determining applications and seeks to comply with Circular 11/95 "The Use of Conditions in Planning Permissions."

Members/Officers should have proper regard to probity considerations and relevant codes of conduct and best practice when considering and determining applications.

Agenda

Procedural Matters

Part 1 - Public

1. Apologies for Absence

2. Substitutes

Any Member who is substituting for another Member should so indicate together with the name of the relevant absent Member.

3. Minutes

1 - 6

To confirm the minutes of the meeting held on 1 June 2017 (copy attached).

4. Planning Applications DC/16/2836/RM and DC/17/0048/FUL - Land North West of Haverhill, Anne Sucklings Lane, Little Wratting

7 - 46

Report No: **DEV/SE/17/026**

DC/16/2836/RM - Reserved Matters Application - Submission of details under outline planning permission SE/09/1283/OUT - The appearance, layout, scale, access and landscaping for 200 dwellings, together with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as Phase 1

DC/17/0048/FUL - Change of use of land to highway use for 1no. point of vehicular access/egress to public highway - Haverhill Road and creation of hard standing for foot/cycle way - following planning application- SE/09/1283 as amended by plans dated 28 April 2017

5. Planning Application DC/17/0438/FUL - Tartan House, Etna Road, Bury St Edmunds

47 - 82

Report No: **DEV/SE/17/027**

Planning Application - (i) 80 no. bedroomed hotel (demolition of existing building) (ii) drive-through coffee outlet (mixed A3 and A5 use) (iii) associated refuse storage, parking and landscaping (iv) new pedestrian bridge access across River Lark (v) improvements and upgrading of proposed vehicular access from Compiegne Way, North of River Lark (vi) improvements and upgrading of proposed vehicular access from Etna Way/Enterprise Park (vii) in channel engineering works to River Lark

- 6. Planning Application DC/17/0842/FUL - Land North West of Bury St Edmunds, Tut Hill, Fornham All Saints** **83 - 92**
Report No: **DEV/SE/17/028**
Acoustic Fencing along the North-West and South-West boundaries of the Northern Way employment area in connection with Hybrid Planning Permission - DC/13/0932/HYB
- 7. Planning Application DC/17/0029/OUT - Little Moseleys, The Green, Fornham All Saints** **93 - 112**
Report No: **DEV/SE/17/029**
Outline Planning Application (All matters reserved) - 4no. dwellings
- 8. Planning Application DC/17/0971/HH - 9 Westminster Drive, Bury St Edmunds** **113 - 124**
Report No: **DEV/SE/17/030**
Householder Planning Application - (i) Two storey side and rear extensions (following demolition of existing double garage) and (ii) new vehicular access

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 1 June 2017** at **10.00 am** at the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Carol Bull
John Burns
Terry Clements
Jason Crooks
Robert Everitt
Susan Glossop
Ian Houlder
Ivor Mclatchy

Alaric Pugh
David Roach
Andrew Smith
Peter Stevens
Jim Thorndyke
Julia Wakelam
David Nettleton

By Invitation:
Clive Pollington

Barry Robbins

315. **Election of Chairman for 2017/2018**

This being the first meeting of the Development Control Committee since the Authority's Annual Meeting in May 2017, the Business Partner (Litigation/Licensing) opened the meeting and asked for nominations for the Chairman of the Committee for 2017/2018.

Councillor Peter Stevens nominated Councillor Jim Thorndyke as Chairman and this was seconded by Councillor Carol Bull.

There being no other nominations, the motion was put to the vote and with the vote being unanimous, it was

RESOLVED:

That Councillor Jim Thorndyke be elected Chairman for 2017/2018.

Councillor Thorndyke then took the Chair for the remainder of the meeting.

316. **Councillor Angela Rushen**

Prior to continuing with the business on the agenda, the Chairman paid tribute to former Borough Councillor Angela Rushen who had recently passed away.

The Chairman spoke fondly of Councillor Rushen, who had served as Vice Chairman of the Development Control Committee, and asked all those present to observe a one minute silence in her memory.

317. Election of Vice-Chairmen for 2017/2018

Councillor Peter Stevens nominated Councillor Carol Bull as Vice Chairman and this was seconded by Councillor Julia Wakelam.

Councillor Robert Everitt nominated Councillor David Roach as Vice Chairman and this was seconded by Councillor John Burns.

There being no other nominations for the two Vice Chairman positions, the motions were jointly put to the vote and with the vote being unanimous, it was

RESOLVED:

That Councillors Carol Bull and David Roach be elected Chairmen for 2017/2018.

318. Apologies for Absence

Apologies for absence were received from Councillor Paula Fox.

319. Substitutes

There were no substitutes present at the meeting.

320. Minutes

The minutes of the meeting held on 3 May 2017 were confirmed as a correct record and were signed by the Chairman.

321. Planning Application DC/17/0354/HH - 5 West Road, Bury St Edmunds (Report No: DEV/SE/17/023)

Householder Planning Application - (i) single storey side extension (ii) raising of rear lean-to roof height (iii) 2 metre high timber gate and fence to side (iv) replacement front door and 2no. replacement front windows and (v) 2no. rooflights in rear elevation

This application was originally referred to the Development Control Committee on 3 May 2017 following consideration by the Delegation Panel; the application had been presented before the Panel at the request of Councillor David Nettleton, one of the local Ward Members (Risbygate). A Member site visit was held prior to the May meeting.

At the May Committee meeting a number of Members had cited concerns with the application in relation to Policy DM24 and the impact on neighbours' amenity; particularly with regard to the side extension element of the development and the impact this would have on the shared access.

Accordingly, the Committee had resolved to defer consideration of the application in order to enable Officers to work with the applicant to seek improvements to the scheme where possible, in order to try and reduce the impact on the neighbours' amenity.

Following the deferral amended plans had been submitted by the applicant which reduced the width of the single storey side extension to a maximum of 1.322 metres at the rear, tapering to 1.225 metres at the front. This resulted in a continuous gap of 0.85 metres to the side boundary (an increase in gap from 0.75 metres in the original plans).

Bury St Edmunds Town Council continued to raise no objection and Officers were still recommending that the application be approved subject to conditions, as set out in Paragraph 18 of Report No: DEV/SE/17/023.

Speakers: Samantha Reed (neighbour) spoke against the application
Councillor David Nettleton (Ward Member) spoke against the application

The Committee largely continued to raise concerns with the application despite the amendment which had been made to the plans.

Councillor Julia Wakelam again made reference to Policy DM24 and the impact on neighbours' amenity. Councillor Wakelam did not consider that the amended plans had in any way addressed this issue and proposed that the application be refused because of this. This was duly seconded by Councillor Alaric Pugh.

Other Members also spoke against the application, with a number making comments with regard to the design of the scheme, which they considered inappropriate for the property, being within a Conservation Area.

Following which Councillor Wakelam asked to amend her motion for refusal to include the design element as a second reason, alongside the loss of amenity. Councillor Pugh as seconder of the motion also supported this addition.

The Principal Planning Officer explained that should Members vote to refuse the application this would not need to be subject to a risk assessment and would, therefore, not be a 'minded to' resolution.

The Officer also made the Committee aware that the Council's Conservation Officer was content with the design scheme, and that the impact on amenity was difficult to defend in terms of the degree of impact the proposal would have.

Upon being put to the vote and with 11 voting for the motion, 2 against and with 2 abstentions, it was resolved that

Decision

Planning permission be **REFUSED** for the following reasons:

1. The proposal's impact on the character and appearance of the host dwelling and the wider area; and

2. The impact on the neighbours' amenity caused by the side extension element of the development.

322. **Planning Application DC/17/0397/OUT - Land Adjacent to 3 The Hill, Front Street, Ousden (Report No: DEV/SE/17/024)**

Outline Planning Application (Means of Access and Layout to be considered) - 1no. dwelling (following demolition of existing workshop)

This application was referred to the Development Control Committee with the agreement of the Chairman/Vice Chairmen, following consideration by the Delegation Panel and a subsequent request by the Ward Member.

The Parish Council supported the scheme and the contribution they considered it would make to the village. This was contrary to the Officer recommendation of refusal, for the reasons set out in Paragraph 50 of Report No: DEV/SE/17/024.

A Member site visit was held prior to the meeting and a supplementary paper had been circulated setting out further representations received since publication of the agenda.

For the benefit of the Committee, and in order to provide context, the Planning Officer within his presentation made reference to the history of the site alongside recently determined applications of a similar nature.

Speakers: Mr Paul Leeves (resident) spoke in support of the application
Councillor Geoffrey Ingham (Ousden Parish Council) spoke in support of the application
Councillor Clive Pollington (Ward Member for Wickhambrook) spoke in support of the application
Ms Rona Kelsey (agent) spoke in support of the application

A number of Members spoke in support of the application, giving weight to the support voiced from the local community and Parish Council.

Councillor Peter Stevens spoke in favour of the development and stated that the defined settlement boundary and policy DM27 was in danger of stifling Ousden's growth. Accordingly, he moved that the application be approved and this was duly seconded by Councillor John Burns.

The Principal Planning Officer responded to some of the comments made by Members and explained that the proposal was contrary to the Development Plan. However, Officers' advice was that if Members felt that the proposal was sufficiently well related to the cluster of the settlement boundary that it fell within the spirit of Policy DM27, then this would mean that Officers, whilst still of the view that this was a refusal, would not require the 'minded to' process. The Officer also stated that the impact of the development on the landscape was a subjective matter, which was for the Committee to judge as it saw fit.

Upon being put to the vote and with 13 voting for the motion and 2 against, it was resolved that

Decision

Planning permission be **GRANTED**.

323. **Planning Application DC/16/0788/FUL - Street Farm Barns, Low Street, Bardwell, Bury St Edmunds (Report No: DEV/SE/17/025)**

Planning Application - 2 no. detached dwellings and garages (following demolition of barns and store buildings)

This application had been referred to the Development Control Committee because the proposal was contrary to locally adopted planning policies.

Officers were recommending that the application be approved, subject to conditions, as set out in Paragraph 73 of Report No: DEV/SE/17/025.

Speaker: Mr Paul Scarlett (agent) spoke in support of the application

Councillor Andrew Smith advised the meeting that he had considered the planning application previously when it was brought before Ousden Parish Council, prior to him being elected to St Edmundsbury Borough Council. Councillor Smith stressed that he would maintain an open mind when considering the item.

Councillor Smith also remarked upon the proactive way in which the agent had engaged with the Parish Council and gave thanks for this.

Councillor Terry Clements declared a personal interest in this item and left the meeting prior to the vote being taken due to the Case Officer, as part of his presentation, advising the Committee on Class Q Permitted Development Rights in connection with the application.

Councillor Clements' private residence had been subject to Class Q Permitted Development and his planning application had been considered by the Development Control Committee in 2014. So in order to avoid any perceived conflict on his part he declared and withdrew from the meeting.

Councillor Smith raised a question with regard to boundary treatments as this was an element of the application that the Parish Council had made reference to. The Senior Planning Officer explained that conditions had been included to cover this and the Parish Council could be consulted in connection with these.

Councillor Peter Stevens moved that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Ian Houlder.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Planning permission be **GRANTED** subject to the following conditions:

1. Time Limit
2. Approved drawings
3. Submission of samples of Materials
4. Details of hard and soft Landscaping
5. Provision of access
6. Submission of bin storage areas
7. Provision of parking areas
8. Provision of visibility splays
9. Land contamination scheme of investigation
10. Land contamination verification report
11. Land contamination remediation works
12. Details of boundary treatments.

The meeting concluded at 11.30 am

Signed by:

Chairman



DEV/SE/17/026

Development Control Committee 6 July 2017

Planning Applications DC/16/2836/RM and DC/17/0048/FUL – Land North West of Haverhill, Anne Sucklings Lane, Little Wratting

Date Registered:	19.01.2017	Expiry Date:	EOT until 12 th July 2017.
Case Officer:	Penny Mills	Recommendation:	Grant – subject to present concerns in relation to SUDS being satisfactorily addressed and subject to final agreement of the site wide Design Code.
Parish:	Haverhill	Ward:	Haverhill North
Proposal:	<p>DC/16/2836/RM - Reserved Matters Application - Submission of details under outline planning permission SE/09/1283/OUT - The appearance, layout, scale, access and landscaping for 200 dwellings, together with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as Phase 1.</p> <p>DC/17/0048/FUL - Change of use of land to highway use for 1no. point of vehicular access/egress to public highway - Haverhill Road and creation of hard standing for foot/cycle way - following planning application- SE/09/1283 as amended by plans dated 28th April 2017.</p>		
Site:	Land North West Of Haverhill, Anne Sucklings Lane, Little Wratting		
Applicant:	Mr David Moseley		

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 applications and associated matters.

CONTACT CASE OFFICER:

Penny Mills

Email: penny.mills@westsuffolk.gov.uk

Telephone: 01284 757367

Background:

These applications are referred to the Development Control Committee as the development is considered to be of wider significance and due to the presence of objections from the Town Council in the context of an Officer recommendation of approval. This reserved matters application seeks approval of the detail for the first phase of one of the two strategic growth sites for Haverhill. The separate full planning application seeks consent for a vehicular access that did not form part of the original outline consent.

The wider North-West Haverhill site has been the subject of significant public engagement through the preparation and adoption of a Concept Statement and a Masterplan. The Masterplan addressed a wide range of key issues including the distribution of uses, the location of the relief road, design principles, open spaces, accessibility and built form.

The proposals are considered to comply with the relevant policies of the development plan, with the National Planning Policy Framework and are considered to be acceptable in all other material respects. The applications are therefore recommended for approval.

Proposal:

1. Planning permission is sought for the reserved matters (access, appearance, landscaping, layout and scale) for Phase 1 of the development, pursuant to the outline planning permission, ref: SE/09/1283. Permission is also sought for the creation of a further vehicular access from Haverhill Road and the creation of a hard surfaced pedestrian and cycle path.
2. The revised reserved matters application provides the details for 200 dwellings with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space.
3. The dwellings are split into three distinct parcels:
 - A Northern parcel comprising 120 homes obtaining vehicular access from the internal spine road served off the western spur from the approved roundabout on Haverhill Road;

- A Southern parcel comprising 75 homes which obtain vehicular access from a new priority junction with Haverhill Road, which is the subject of associated application DC/17/0048/FUL; and,
 - A small cluster of 5 detached houses south of Boyton Woods fronting onto Ann Suckling Road.
4. The scheme includes 60 affordable houses (which equates to 30%), comprising a mix of 18 Intermediate and 42 Affordable Rented dwellings. The scheme includes 5 bungalows which comprise part of the affordable housing offer.
 5. The application has been amended since submission to amend the layout, house types, open spaces, landscaping and street hierarchy.
 6. A Design Code for the entire site was submitted alongside the applications as required by condition B8 of the Outline Permission. The latest version of this document is currently under consideration by the relevant Officers.

Application Supporting Material:

7. The following documents accompany the planning application forms and comprise the planning application (including amendments/additional information received after the application was registered):

Reports (all received in December 2016 with the planning application, unless stated).

- Arboricultural Statement
- Drainage Impact Assessment Report
- Ecological Due Diligence Report
- Ecological Scoping Survey
- Knotweed Surveys
- Phase 1a/b hazel dormouse response
- Phase 2 Ecological Surveys and Assessment
- Anglian Water Pre-Planning Assessment Report
- Design, Access and Compliance Statement
- Phase 1 and 2 Desk Study and Site Investigation Report
- Design Code (12.06.2017)

8. Plans – A list of plans is shown at the end of this report.

Site Details:

9. The site forms the eastern section part of the wider strategic site identified by Policy HV3 of the Haverhill Vision 2031, granted outline approval under SE/09/1283. It is positioned on the north western edge of Haverhill, adjacent to Haverhill Road. The majority of the site is agricultural fields, although an area of Boyton Wood to the south is incorporated within the site where it runs along Ann Suckling Road.
10. The majority of the site, which is relatively flat, is agricultural land, bounded by hedges and ditches, with a notable hedge and tree belt running east-west through the centre of the site.

11. To the east of the site on Haverhill Road there is some linear residential development, mostly consisting of large dwellings in good sized plots, set back from the highway. Moving towards the town to the south development becomes more closely knit with modest terraces fronting the highway. To the southwest of the site is Ann Suckling Road. On the southern side of this highway there is a large-scale residential development, mostly dating from the 1970s. On the northern side, development is less dense with properties set some distance from the highways with extensive screening vegetation, as well as some newer individual dwellings closer to the junction with Haverhill Road.

Planning History:

12. A concept statement for the NW Haverhill site was adopted by the Council in October 2007. The Masterplan was adopted in June 2009 with revisions to the density parameters and height parameters approved in 2011.
13. SE/09/1283 - 1. Planning Application - (i) construction of relief road and associated works (ii) landscape buffer 2. Outline Planning Application - (i) residential development (ii) primary school (iii) local centre including retail and community uses (iv) public open space (v) landscaping (vi) infrastructure, servicing and other associated works as supported by additional information and plans received 27th September 2010 relating to landscape and open space, flood risk, environmental statement, drainage, layout, ecology, waste, renewable energy and transport issues including treatment of public footpaths and bridle paths. - Application Granted - 27.03.2015
14. DC/16/1152/EIASCR - EIA Screening Opinion under Regulation 5 (1) of the Environmental Impact Assessment Regulations 2011 on the matter of whether or not the proposed development is an EIA development -Development of up to 190 homes – Screening Opinion Not required.

Consultations:

15. **Highways England: No objection** in respect of both DC/17/0048/FUL and DC/16/2836/RM
16. **Suffolk County Highways:**

In respect of DC/17/0048/FUL: No objections

- Recommends that any permission be subject to conditions in relation to: access in accordance with DM03; details of surface water treatment; and, visibility splays.

In respect of DC/16/2836/RM: Able to recommend conditions subject to final concerns being addressed.

Minor concerns to be addressed in the latest amendment are as follows:

- Car spaces for plots 32, 97 and 155 have access coming off of the ramps, this will make manoeuvring difficult over different level kerb lines and also be detrimental to the road and pavement surface. These spaces will need to be relocated away from the junctions and ramps. Once this has been achieved and a plan showing the parking that meets SCC Parking Guidance 2015 (not just St Eds Parking Policy), I would be able to condition the parking. If SCC parking standards are not met, the site would not meet our

adoptable standards and therefore we would not look to adopt this development.

- This parking needs to be on plot or dedicated parking with visitor parking as separate spaces or safe places where visitors could park.
- Service strips adjacent to plots 135 and 131 should be detailed as block and not grass verge, as this area will be overrun and grass will not grow. This applies to any other areas of similar construction on tight bends and junctions.
- I have conditioned below all visibility splays to be to manual for streets, however, please note that trees along the main access road are in the visibility splays, even after this amended drawing. They will need to be set back as not to impede visibility and use of the footways or removed.
- Trees are also shown at the ends of layby's, these are to be relocated or removed due to a) visibility and b) distance from highway. It is against highway law for them to be 4.52m from the centre of the carriageway and our policy to be within 5m of the carriageway or overhang footways/cycleways. In some instances, we may allow trees to be planted in tree pits with a commuted sum, however they should still not overhang public parking, footways, cycleways or carriageway.
- Shared access to parking for plots 114 to 162 should be 4.5m not 4m as shown.

17. **Suffolk Rights of Way: no objections** and provided the following advice:

- No comments or observations to make in respect of this application directly affecting any public rights of way.
- Separate discussions are taking place between West Suffolk Council and Suffolk County Council on the highway layout of Haverhill North West, which includes Public Rights of Way.

18. **Ramblers:** provided the following **comments:**

In respect of DC/16/2836/RM:

- There are, at present, no public rights of way within the Phase 1 area although, there is one near 'The Fox' on the other side of the A143, (Little Wratting fp 8), heading south, and another a short distance along the A143, (Little Wratting fp 3), heading north. Both of these footpaths are, as would be expected, unsurfaced, until reaching 'civilisation'.
- Being so far from the town centre, this situation is likely to create a feeling of isolation for the new occupiers of Phase 1. I am aware that the overall Master Plan includes linear parks, footpaths and cycle routes, providing links to town via Haverhill fp 32 and the Railway Walk, and to the Wrattings via Little Wratting fp 6, but it may be some years before the various phases of development reach them, Phase 1 being at the extremity of the overall development. It is hoped that there will be an interim arrangement, particularly as far as a link with the Railway Walk is concerned, otherwise the only route for a 'walk into town' will be via highway footpaths alongside the A143.

In respect of DC/17/0048/FUL:

- It is immediately apparent that there are significant differences between the Master Plan and the layout proposals now to hand for Phase 1 South, in particular the vehicular access arrangements.
- Whereas, previously, all traffic from this phase would have reached the A143 via a roundabout at the junction with the relief road, or, to a lesser extent, via Ann Suckling Road, it is now, apparently, intended to direct almost all the traffic from the phase to the A143 via two intermediate accesses, one being to estate road standard. This arrangement will, surely, in the long term, create additional hazards, not only for motorists approaching or leaving the new roundabout, (or Phase 1 South), on a bend, but also for pedestrians and cyclists on the new frontage foot/cycle way.
- Is it, perhaps, the intention of the developers to treat Phase 1 South as 'stand alone' and to defer any highway works beyond their newly proposed Phase 1 South entrance until such time as Phase 1 North is under way? Clarification is required if you are minded to approve this proposal.
- I remarked that it appeared to be 'the intention of the developers to treat Phase 1 South as 'stand alone', and to defer any highway works beyond their newly proposed Phase 1 South entrance until such time as Phase 1 North is under way'. Something similar might be said, but more so, about footpath and cycleway links.

19. West Suffolk Public Health and Housing:

In respect of DC/17/0048/FUL: **No objections.**

In respect of DC/16/2836/RM: **Initial objection** overcome by additional information, subject to the use of a condition.

Summary of comments dated 9th February:

- Baseline noise levels for the site were included in Volume 1 of the Environmental Statement with the Outline application.
- A condition was dealing with noise mitigation measures recommended but not included in the outline approval.
- Condition B7 of the Outline Permission requires the first submission of Reserved Matters to include a Design Code for the whole of the development granted Outline Planning Permission in order to develop and interpret the approved parameter plans. The Design Code should also provide details and guidance on noise attenuation measures where necessary.
- This application does not appear to include any additional information with regard to noise levels or proposed noise mitigation measures.
- Public Health and Housing are of the opinion that the baseline noise levels, following noise monitoring undertaken almost 9 years ago, may not reflect the current noise climate in the vicinity of the application site. It is therefore recommended that a further noise assessment should be undertaken in accordance with BS 8233:2014. This will enable the developer to identify

those properties which will require noise mitigation measures to be installed in order to achieve the guideline indoor ambient noise levels, as recommended in Table 4 of BS 8233:2014. Furthermore, if there is a reliance on keeping windows closed in order to meet the guide values, full details should be provided of an appropriate alternative ventilation system that does not compromise the façade insulation or the resulting noise level.

- Consideration should also be given to noise levels within the proposed external amenity spaces, particularly in respect of the dwellings to the southern boundary of the application site.
- The original noise predictions were based on traffic assessments carried out in 2009. I would again argue that traffic flows would have increased over the last 8 years and a further traffic assessment in accordance with BS 8233:2014 should be undertaken. The standard also states that it is usual to make traffic flow rate forecasts 15 years ahead; the submitted traffic flow data currently provided only predicts flow up to 2019.
- The floor areas of a number of the proposed bedrooms are small and would not comply with the minimum requirements for single or double bedrooms, as recommended on the regulation of "Crowding and Space". It is therefore recommended that consideration is given to the proposed layout of the accommodation so as to ensure that any single bedroom has a minimum floor area of 6.5m², and double bedrooms have a minimum floor area of 9.5m².

Summary of comments received 19th May in response to Noise Survey and Acoustic Design Report:

- I have reviewed the submitted Noise Survey and Acoustic Design Advice report prepared by the FES Group, following noise monitoring over a 24 hour period on the 4 and 5 May 2017. The monitoring location was at the front elevation of proposed Plot 185, which is about 20 m from the nearest carriageway and is considered to be representative of the dwellings nearest to the noise source. The results are comparable to the previous noise assessment in 2008 for Position P1 although monitoring at that time was within 8m of the carriageway.
- Our concerns with regard to the traffic assessment have also been addressed but the figures are based on the same rate of increase assumed previously and calculations in accordance with the Calculation of Road Traffic Noise (CRTN) as advised in BS 8233:2014.
- The report concludes that if the properties are built of brick/cavity/block construction and the glazing is double in the form of two panes of 4mm glass with a 20mm airgap between, fitted with trickle vents, the internal day and night time noise levels will be below the threshold guidance as stated in Table 4 of BS 8233:2014. Calculated daytime internal levels are stated at 32.3 dB LAeq,16hour, whilst night time are 23.3dB LAeq, 8 hour. Interestingly, the glazing specification in the 2008 report suggests 4mm glazing with a 16mm air gap.
- It is however assumed that these levels can be obtained with the trickle vents open, as stated in Note 5, although the noise report does not specifically state that this is the case. Furthermore, an openable window

will increase internal noise levels by 10-15dB, therefore, if the windows need to be closed to meet the guideline values, these being 35 dB LAeq,16hour during the daytime and 30 dB LAeq,8 hour at night, there needs to be an appropriate alternative means of ventilation that does not compromise the façade insulation or the resulting noise level. This does not appear to have been considered in the current report.

- With regard to external amenity space, whilst the report states that there will be some shielding of noise by the houses themselves, as gardens tend to be at the rear, the gardens should be enclosed by 1.8m high close boarded fencing with a density of at least 15kg/sq.m. Whilst this may be the case, it would be helpful if noise levels within external amenity spaces, based on the current submitted site layout, were modelled.
- Overall, the noise report is a little sparse and no noise data has been provided to see maximum noise levels (although these are not now stated in Table 4. of BS 8233:2014.
- The current application is for dwellings only in Phase 1, therefore, we do not need to consider noise from any business or commercial premises at this time. If we include a condition with regard to the acoustic insulation of the dwellings to comply with BS 8233:2014, hopefully this will address my above concerns.

20. **West Suffolk Strategy and Enabling Officer:**

In respect of DC/17/0048/FUL: **No comments.**

In respect of DC/16/2836/RM: **No objections** and made the following comments:

- Strategic Housing support this application to provide 60 dwellings of affordable housing to meet the 30% affordable housing requirement in line with Policy CS5.
- Some minor comments on the floor plans submitted as follows –
 - Plots 63 & 64 (Plan House type M) appear to have an office on the first floor. As this dwelling is in fact supposed to be a three bedroom house the 'office' should be eliminated and labelled as a bedroom
 - Plots 147, 148, 149 (Plan House Type L) again appears to have an 'office' on the first floor. As this is in fact supposed to be a four bedroom house the 'office' should be eliminated and consideration be given to the proposed layout of the accommodation so to ensure that a fourth bedroom is provided at a reasonable size for a bedroom. The 'office' shown appears to be too small to simply be converted to a 'bedroom'.
 - Plot 128 (Plan House Type B)- Bedrooms 2 & 3 appear to be extremely small for the number of persons required to sleep in the room. I would wish to understand a basic furniture layout and how furniture would fit in alongside the beds shown on the plans.

21. NATS Safeguarding – **no objections** as the proposed development has been examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria.

22. Natural England – **No objections** and provided the following advice:

In respect of Statutory nature conservation sites:

- Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

In respect of Protected Species:

- Advised to apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

In respect of Local Sites:

- If the proposal site is on or adjacent to a local site, the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

In respect of Biodiversity Enhancements:

- This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes.
- The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework.

In respect of Landscape Enhancements:

- This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature.

In respect of Sites of Special Scientific Interest Impact Risk Zones:

- The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI.

23. Suffolk Wildlife Trust: **No objections** and the following advice provided:

In respect of Hedgerows and Woodland:

- Phase 1a/b has a hedgerow running through the centre of the site which has been identified as being 'Important' under the Hedgerow Regulations (1997). We note that this is to be retained as part of the green space of the development. This hedgerow should be protected and beneficially managed in accordance with the proposed Landscape and Ecological Management Plan.
- The development is adjacent to a small area of woodland, running east from Boyton Hall towards the A143. Whilst this woodland appears to be retained, we note that the Masterplan Layout drawing (ref. PH-125-02) shows an access road and footpath against the woodland boundary. It is important the woodland is suitably buffered and protected from any development works, and that it is ensured that no lighting/light spillage illuminates the woodland.

In respect of hazel Dormouse:

- We note the Hazel Dormouse Response (SES, Nov 2016), provided in relation to the potential presence of this species on the site. Whilst we agree with the ecological consultant's conclusion in relation to the potential impacts of the development of phase 1a/b on dormice, we consider that there is high potential for hazel dormice to be present across the wider north-west Haverhill development site. Whilst we note that dormice surveys were screened out of the assessment of the consented outline planning application (SE/09/1283/OUT), knowledge of the distribution and habitats used by this species in Suffolk has improved since the time of that application. Coupled with this, dormice have been recorded on the adjacent development site (north-east Haverhill). The wider north-west development site contains habitats suitable for hazel dormice and we therefore consider that it is essential that the wider north-west development site is surveyed for this species ahead of any further development phases being brought forward. The findings of such surveys should then be used to inform the detailed design of the development.

General comments:

- Request that the recommendations made within the ecological reports and Landscape and Ecological Management Plan are implemented in full, via a condition of planning consent, should permission be granted.

24. West Suffolk Tree Ecology and Landscape Officer: **Initial objections**, overcome through submission of amendments and further information

Summary of comments received 15th March 2017

- No information about the landscape treatment of the edge of Boyton Woods and the frontage of Haverhill Road. This is an important area in terms of protection of biodiversity.
- The hedgerow through the site is shown to be retained other than at three locations where narrow accesses are to be provided. These must be provided with the minimum of disruption to the existing habitat and a method statement and details including levels information will be required to ensure that the hedge is safeguarded.

- Plots 121-126 are located too close to the hedge and this relationship is likely to lead to pressure to over-manage the feature.
- The arboricultural plans are not included in the report and do not appear to have been submitted, it is therefore difficult to assess the impact of the layout on existing trees.
- The application is supported by an Ecological Scoping report dated December 2016. This recommends that a number of additional specialist surveys are undertaken, listed below. None of these surveys appear to have been included in the application information.
 - Tree scoping and / or aerial tree - inspections for roosting bats;
 - Great crested newt presence / absence leading to population class assessment if present;
 - Botanical survey;
 - Reptile survey;
 - Badger survey ;and
 - European hedgehog assessment.
- It is noted that the proposals, in general, are to develop agricultural land and hence the impact on biodiversity will be minimised, however the hedgerow track and ditch through the site form a significant natural feature and the proposals as submitted would affect this. The landscaping plan shows the existing vegetative cover including many shrubs to be removed and re-seeded with commercial wildflower mixes, amenity grassland and marginal mixes.
- It would be more appropriate to survey the existing vegetation cover in detail and manage this corridor – including the hedge and the ditch and the area between - to protect biodiversity including any protected species such as reptiles (which if present would be concentrated here). The existing track could be formalised by provision of the hoggin path as shown. The impact of the proposals is based on the principal that this hedge which has been identified to be important, ancient and species rich (appendix 3 of ecology study) is retained. Fragmentation of the feature will need to be avoided including (for access and for service easements) during the construction period– these should be planned at the eastern end of the hedge. Construction exclusion zone fencing will be required and this should be shown on the tree protection plan.
- The green corridor that forms the northern boundary to the site located to the south of the relief road must consider how it also relates to that road. Details of the planting along the road were included in application SE/09/1283. The concept and function of this green corridor is set out in section 4.9 of the Haverhill landscape strategy (prepared to accompany the outline planning application). It is not clear whether the space between the carriageway and the proposed development allows for the landscaping for both schemes and how these will tie together to provide the green corridor which is required as part of the ES.
- The function of the linear park east is also set out in section 4.9 of the Haverhill landscape strategy (prepared to accompany the outline planning application) as follows:
 - Preserve and protect the Local Wildlife Site;
 - Preserve the two ditches;

- Preserve the hedgerows and areas of scrub;
 - Create a green gateway into the town and the proposal site;
 - Provide informal open space close to people's homes;
 - Contain part of the SUD system;
 - Visually break up the areas of built form.
- The linear park is not intended to provide play provision. The location of this is clearly shown. This being the case it may be necessary to bring forward the formal play space to the west of this phase of development as part of this phase.
 - In detail the following principles should also be noted.
 - The site entrance is worthy of a landscape feature (which could be simply provided with planting) – the current treatment is bland
 - The base of SUDs should slope slightly to create permanently soggy point if possible
 - Lighting needs to be shown on the landscape plans to ensure that they are consistent with tree locations – lighting to avoid sensitive features such as the hedge/ditch
 - The connectivity between the north and south of the main road is poor
 - Amenity grass should be avoided except in formal play space – use formal lawn or wildflower mixes
 - There should be a barrier (knee rail /planting/bollards) between roads and green space to prevent access onto POS by vehicles
 - On the north side of the road place the small grass verge next to the hedge – on its own it is not viable

Additional comments following further information:

- Continued lack of information in relation to landscape treatment of Boyton Wood. The landscape strategy approved as part of the outline scheme shows the existing woodland to have an easement. The assessment of the impact of the proposals on bats is dependent on the retention of the woodland edge, and no other assessment of the removal of woodland is included in the biodiversity study. Previous bat survey indicates that this woodland edge is used by common pipistrelle, Barbastelle and Brown long-eared bats. If woodland is to be removed, its loss would need to be compensated.
- The hedge has been identified as a Local Wildlife site and also as an 'Important' and 'Ancient and/or species rich' hedge in the ES Appendix 8.1, table 3.2, page 20 and figure 3.2. This is not picked up in the ecology report.
- The layout and the TPP are inconsistent so it is unclear how the new properties relate to the hedge
- relating to woodland W54, which incidentally is largely outside of the red line, the details submitted do not appear to be sufficiently accurate or detailed to give assurance the existing trees will be adequately protected. The tree protection plan is not consistent with the layout plan.
- The space for the green landscape corridor on the north is now reserved however there are no revised landscape drawings.

Comments 1st June

- I note that the proposals are now not to remove any woodland trees however that does not change the fact that the homes in the south west corner of the site are too close to the woodland trees such that: the required easement for bats is not retained; the amenity of the properties would be affected by the overshadowing; and there is the potential for future resentment to lead to the deterioration of the woodland in the future.
- Neither the tree protection plan or the landscape plan show the intention to retain and protect the local wildlife site throughout the construction period and to enhance the habitat such that it will continue provide a landscape feature in the future. The scale of fencing that I would envisage to be appropriate is on the attached scanned plan. Details of the path construction and method of construction could be left to condition – I would envisage that these would be completed towards the end of the build as part of the landscaping scheme. The protection of the LWS is a key requirement and more certainty about its protection is required. I note the point that the paths use the gaps in the hedge and this is welcomed.

25. Sport England: **No comments.**

26. Environment Agency: **No comments.** Advised to consult Lead Local Flood Authority.

27. Suffolk County Council Floods Team: **Holding Objection.**

Summary of comments dated 13th February:

- SCC will require full details of the SuDS provision for the site as per our local guidance.

Summary of comments dated 16th May:

- Until such time that SCC Floods have seen a drainage strategy, with supporting hydraulic calculations, then we are not comfortable in approving the latest layout. This is so we can be sure the building layout and drainage complement each other.
- The site layout has to demonstrate that there is enough space provided to house SuDS, this is so that the site does not flood during storms up to 1 in100yr + CC event. SCC will need to see hydraulic calcs to demonstrate this. Fortunately the position and location of SuDS within the layout is acceptable.
- The building layout should allow for natural corridors to allow stormwater to find its natural path towards SuDS features. For example Block 179-184 may intervene with exceedance flows during extreme storms when stormwater will flow towards basins.
- Currently without any evidence to suggest otherwise, SCC deem the lower parts of the northern plot (more specifically plots 57, 116 -119) at potential risk of flooding. Likewise on the southern plot the area next to the proposed SuDS lagoon (plots 179-184) are the same. SCC recommend that these

lower parts of the site should be open spaces (with SuDS integrated into them) so that they mimic natural drainage processes.

- Also it would be useful to overlay SuDS layout with site landscaping so that we can be sure both will complement each other. SuDS and existing watercourses are an integral part to the landscaping and should be clearly shown on the latest layout plans.

Summary of comments received 20th June 2017:

I've reviewed the latest drainage documents from Persimmon and I still have some concerns that need addressing, thus my holding objection still applies.

Specific Points:-

- Where has the final 7l/s outflow rate from the basins come from? These rates differ to the outline drainage strategy by Capita Symonds which are based on catchment size. Hydrological calcs should be submitted in support of the hydraulic calcs.
- Max Water Depths in basins – as per out local standards and national guidance any basin within public open space cannot have a depth of water greater than 0.5m at all times. This is to protect people (mainly toddlers) that will use the POS. Currently this is not the case as some basins have water depths over 1m. The LPA are unlikely to accept these basins being fenced off, therefore they will need to be revised. Section drawings would also be useful to confirm side slopes (should be 1 in 4).
- Submission of an impermeable areas plan is required to cross reference with the hydraulic calcs.
- Submission of an exceedance plan that shows safe corridors for runoff during events in excess of the drainage system or blockages.
- There is no reference to the swale along the north eastern boundary in the Northern Plot. What is the function of this SuDS and where does it convey too?
- Interception Storage – there should be a provision in the basins or swales to absorb the first 5mm of rainfall over the site? This is too treat pollutants during concentrated flows at the onset of a storm. So far I cannot see any evidence that this is being provided.

28. West Suffolk Environment Team: **No objections** and made the following comments:

- Land contamination is a matter that should be dealt with through a discharge of conditions application rather than the reserved matters application. Despite this, the applicant has submitted a land contamination assessment, and therefore this Service has made the below comments, which may be of use prior to the submission of the discharge of conditions application.
- Actions required prior to the Geosphere Report being accepted are as follows:
 - Report needs to be final (not draft)
 - Exploratory Hole Location Plan needs to show actual locations of exploratory holes rather than the proposed locations

- Confirmation is required that the rifle range has been targeted, or if not, recommendations for further investigations provided.

29. Suffolk Archaeology: **No objections** and made the following comments:

- High potential for encountering additional archaeological deposits at this location and the archaeology which has been defined within the evaluation merits further investigation prior to development. Groundworks associated with the development will damage or destroy surviving archaeological remains.
- No grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 141), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Representations:

30. Haverhill Town Council **Objection**.

Comments made at Haverhill Town Council's Planning Meeting 7th February 2017 regarding DC/16/2836/RM:

Whilst remaining supportive of the NW Haverhill Development, has a number of concerns about the detailed plans in this application. It therefore OBJECTS to this application on the following grounds:

Density and Parking – the Developer has labelled various first floor rooms as 'offices' rather than bedrooms. Some of these offices are as big as other bedrooms in the property and across the whole range, the smallest 'office' is still bigger than the smallest room labelled as a bedroom. We believe this arbitrary re-labelling of rooms is intended to reduce the number of parking spaces required per plot, when following the Suffolk Parking Guidance. We have examined the plans and, whilst they are very complicated, the evidence appears to bear this out. In addition, some plots have parking three-deep (plot 110) which is not acceptable or practical. Our measurements also called into question the width of the internal garages on some house types. These did not meet the 7x3m requirement under the parking guide.

We are concerned about the risk of on-road parallel parking blocking nose-in spaces and potentially causing difficulties for emergency and service vehicles as well as being a potential cause of ongoing neighbour disputes. We believe that under-provision of parking in order to pack in houses is a false economy. We note the proposal by Persimmon for residents permit parking. Such schemes are normally associated with a lack of parking spaces in areas of Victorian terraces. To propose this as a solution to any parking difficulties before the estate is even built is a tacit admission of failure of intent to provide sufficient parking in the first place.

We are pleased that Persimmon's representative at our meeting agreed to go away and check that all the plots have acceptable parking provision with the

offices counted as bedrooms and undertook to ensure the development conforms fully with the Suffolk Parking Guide.

Electric Vehicle Points – We understand that the Great Wilsey development in NE Haverhill has a requirement upon it to provide charging points. The same obligation does not appear to be placed upon this development

Surface Drainage - We are disappointed to be consulted on this application ahead of the submission by SCC Flood Officers on the SUDS proposals required for this development. Flooding is an issue and in the absence of a report stating otherwise, we take the view that the necessary flood mitigation measures are insufficient for this development and object on the grounds of insufficient flood mitigation for surface run-off and treatment of existing watercourses on the site.

Highways – We would like Persimmon, as a goodwill gesture, to bring forward the commencement of the relief road. Whilst this will be an excellent stance from a PR viewpoint, it will also resolve issues around construction traffic management, even if the new road is not given its final surface and just used for construction traffic alone.

Conditions - Notwithstanding our above objections, we request that conditions are set in respect on the construction phase. These should be to:

- prevent unnecessary disturbance to residents in Ann Suckling Way;
- avoid deliveries during times of peak school traffic (Wrattling Road/Chalkstone Way junction is a problem already, without lorries adding to the risk of poor air quality); and,
- Provide a wheel wash well inside the site boundary so that no mud is brought onto the road, as this is a very heavy clay area.

To conclude, we do not feel that resolving any of these objections should prove insurmountable for Persimmon to achieve. We would also add that the general design of the proposed buildings and layout (bar the density and parking) are welcomed. We anticipate being able to withdraw our objections following amendments and reassurances being received.

Comments made at Haverhill Town Council's Planning Meeting 7th February 2017 regarding DC/17/0048/FUL:

The Council OBJECTS to this planning application for change of use to form 2 access points onto the Wrattling Road/Haverhill Road. The objection is on the following grounds:

Highways – Concern over the safety of the arrangement outside plots 193/4 where a shared driveway from a number of homes crosses the pavement. This pavement being the footway from the new development to Samuel Ward Academy, it is dangerous to have emerging traffic on what is a non-protected crossing. These houses should have an access which joins the highway inside the development.

Highways – Concern over the safety of traffic emerging from the proposed new access road onto the Haverhill Road opposite Wrattling Croft. Traffic leaving the new roundabout heading south will be accelerating towards this point and therefore drivers of vehicles emerging from the new access road will find it very difficult to accurately judge the speed of approach of these oncoming vehicles. There will also be issues about southbound traffic wishing to turn

right into the new access road causing delays potentially backing up to the roundabout. This may be exacerbated by the proximity of this proposed access road to Ann Suckling Road, so two sets of cars waiting to turn right will cause issues.

Highways – Concern over the additional vehicles joining the Haverhill Road. Original plans had these joining at the new roundabout so that traffic heading West would turn immediately onto the relief road. This alternative proposal means this traffic will join the northbound queue of vehicles at the new roundabout. This needs to be modelled. The original plan to have a minor link road from the Southern estate to the main spine crossing the new linear park would be relatively quiet as far as traffic volume and speed would be concerned presenting little difficulty in providing pedestrian crossing servicing the park. Given the minor inconvenience this original proposal offers it seems a better a far better option than this amended proposal. It would also resolve the issue of the driveway crossing as there would be no need for houses fronting the Haverhill Road to access directly onto it.

Highways – Concern over the vision splays provided for the new access road. This needs to be suitable for the actual speed of traffic on this road, which we believe is significantly higher than the legal limit. The new tree planting shown on the Haverhill Road would impinge on the vision of emerging traffic.

Highways – Ann Suckling Road junction's vision splay and entrance need revision to slow down traffic turning into it and to ensure maximum safety. Whilst on the edge of the development, the proposals for the development impact the safety of this.

The Council would like to express its disappointment that we were required to comment on this application before the highways report, vital to the consideration of the application, was available.

Comments made at Haverhill Town Council's Planning Committee 23rd May 2017 regarding DC/16/2836/RM:

The Town Council notes that some of the concerns previously raised have been addressed, specifically welcoming the reduced density to 200 dwellings, transparency in regard to the number of bedrooms and improved site layout and parking. However, the Town Council's previous objection still stands in respect of increased traffic emerging from the proposed new access road, between Anne Suckling Road and the new proposed roundabout, onto Haverhill Road.

In addition, the allocated parking for plots 116 & 117 appear too remote from the dwellings, necessitating a long walk on foot to those plots which may encourage on-street parking on the access road very close to the proposed roundabout. This should be addressed before permission is granted.

31. Public Representations:

DC/16/2836/RM.

104 nearby addresses notified and site notice posted. 5 representations received (4 of which were objections) raising the points summarised below (full representations are available to view as part of the planning file online):

Character/design/layout

- Phase 1 should be low density/executive housing in the greater interests of Haverhill and the surrounding area, balancing the town with a broader range of housing.
- Query density of dwellings being higher than described by excluding green buffer zones. It is higher than indicated at the outline.
- Insufficient green space within the housing blocks.
- Houses on Ann Suckling Road in stark contrast to size of houses currently there.

Trees/open space/landscape

- The green buffer between Boyton Wood and development indicated at the outline stage has been omitted.
- Proposed works contradict the woodland management plan.
- In the southwest corner of the southern plot the houses are built up to the woodland edge. Do these houses and gardens extend outside the development boundaries. Will this proximity impact the insurability of these houses. Plot 130 has proposed garden gate access for wheelie bins at the far end of the garden in the woodland edge.

Highways/parking

- Parking spaces insufficient in number and some cases visibility.
- Housing in Ann Suckling Road have stacked parking with no visibility spays for neighbours leading to more parking on road.
- Concern over the increased traffic on Haverhill Road/Wratting Road during the construction stage of this development and thereafter..... some sort of roundabout/traffic lights should be installed at the Ann Suckling Road junction –
- Many points were raised at the Haverhill Town Council meeting which I attended and I can see the Council have also raised concerns regarding some points – including additional traffic and the impact on existing residents adjacent to the site.
- Another issue which the Haverhill council have also raised is parking along the main road/Ann Suckling Road by residents of the Victorian terrace opposite as houses of that age do not necessarily have allocated parking areas
- No comment has been received as to any improvement or change to the Ann Suckling Road/Haverhill/Wratting road junction which I feel is important
- The town council have raised concern and suggested the “Northern bypass” be constructed in readiness for the proposed development. Why can this not be seriously considered/implemented? This to most people would be an obvious plan in readiness for development which I am sure will be ongoing for quite some time. To disregard the additional amount of traffic using what is already a busy road is not taking into account the existing residents nearby the proposed development area and I would urge the Council to consider this issue again before allowing this to go ahead.

Residential Amenity

- Dismayed to see the tallest properties 2 ½ stories on the rear boundary of properties in Boyton Woods. Sure they could be elsewhere to cause as little loss of privacy as possible to existing properties.

Other Matters

- No account of existing rights of way enjoyed over the land as access to Boyton Hall and no provision to retain the existing vehicular access across the land in its current position.
- Existing access arrangements to Boyton Hall removed – no discussion with owner on this point
- Access and rights of way over the land are required to repair and maintain a public utility (police radio mast and ancillary buildings. Has consultation been made with Suffolk Constabulary on this issue?
- The plans appear to extend over the existing boundary of Boyton hall and of the dwellings of Boyton Woods and make reference to the clearing of woodland which is not in the applicant's ownership.
- Insufficient wheelie bin routes leading to bins at the front of houses.
- No connection for housing on Ann Suckling Road to drainage and main sewer.
- There is already some concern about air quality along Withersfield Road and this can only increase with construction traffic coming through the town to the development site.

DC/17/20048/FUL

16 nearby addresses notified and site notice posted. 2 representations received (in addition to those received in relation to DC/16/2836/RM) raising the points summarised below (full representations are available to view as part of the planning file online):

- The access should be slightly further away from Haverhill, opposite the wood between the "Fox " and "Wratting Croft" where there is already a track, as otherwise it will impact on the homes on the south side of Haverhill Road in terms of noise and light.
- The layout of proposed plots 199-203 will result in increased on-road parking in Anne Sucklings Lane as well as cars backing in and out of private drives close to the junction with Haverhill Road.
- Not sufficient parking spaces are planned for proposed plots 169-192. The proposed removal of the slip road will further reduce the available on-street parking spaces on Haverhill Road.
- DC/15/2430/FUL approved 2 access roads either side of Wratting Croft which will further increase the number of cars joining Haverhill Road. The increase in required parking spaces and the reduction in available spaces will result in parked cars along Haverhill Road blocking visibility when leaving Ann Sucklings Lane as well as the proposed new entry roads opposite Greenslade House and Wratting Croft. Speed limits are routinely ignored on Haverhill Road. The combined effect of DC/15/2430, DC/16/2836 and DC/17/0048 will create an accident black spot.

Policy:

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

Joint Development Management Policies Document 2015:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM3 Masterplans
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM20 Archaeology
- Policy DM42 Open Space, Sport and Recreation Facilities
- Policy DM44 Rights of Way
- Policy DM45 Transport Assessments and Travel Plans

Haverhill Vision 2031

- Vision Policy HV1 - Presumption in Favour of Sustainable Development
- Vision Policy HV2 - Housing Development within Haverhill
- Vision Policy HV3 - Strategic Site - North-West Haverhill
- Vision Policy HV4 - Strategic Site - North-East Haverhill
- Vision Policy HV8 - New and Existing Local Centres and Community Facilities
- Vision Policy HV12 - Haverhill North-West Relief Road
- Vision Policy HV18 - Green Infrastructure in Haverhill

St Edmundsbury Core Strategy December 2012

- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity
- Core Strategy Policy CS5 - Affordable Housing
- Core Strategy Policy CS7 - Sustainable Transport
- Core Strategy Policy CS8 - Strategic Transport Improvements
- Core Strategy Policy CS12 - Haverhill Strategic Growth

Other Planning Policy:

33. National Planning Policy Framework (2012)

Officer Comment:

34. The subsequent section of the report discusses whether the development proposed by this application can be considered acceptable in principle, in the

light of extant national and local planning policies and previous consents. It then address the main areas of consideration, which are:

- Design, layout and visual amenity;
- Residential Amenity
- Accessibility and sustainable transport links and impact on the highway network;
- Open space, landscaping and drainage.
- Trees and Ecology;

Principle of Development

35. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The St. Edmundsbury Development Plan is comprised of the adopted Core Strategy, the three Vision 2031 Area Action Plans and the adopted Joint Development Management Policies Document. National planning policies set out in the National Planning Policy Framework (NPPF) and the presumption in favour of sustainable development contained at its heart are also a key material consideration.
36. The principle of development here has been established through the allocation of 138 hectares of land in policy HV4 of the Haverhill Vision 2031, latterly confirmed through the granting of outline consent SE/09/1283. At the same time as the outline consent, full planning permission was also granted for the construction of a relief road and associated works.
37. The outline permission was accompanied by a series of parameter plans which established the extent of land for development, the distribution of uses, building scales and densities, land for open space and landscaping, access routes and the level of affordable housing. An S106 agreement associated with the outline approval secured the level and timing of financial contributions and other infrastructure.
38. The density parameter plan established the principle of a density of between 35 and 45 dwellings per hectare (dph) for the majority of this phase of the development, with a lower density of below 35 dph on the eastern edge of the southern parcel and the development along Ann Suckling Road. The development proposed in this application is in general conformity with the established density parameters, with a proposed density of 40 dph on the northern parcel, 33.7 dph on the southern parcel and 31.0 dph along Ann Suckling Road.
39. The land use and landscape parameter plans identified three parcels of residential development as shown in the submitted application. A central linear park was identified as the principal open space for this phase along with a green corridor along the northern relief road and a further green buffer along the edge of Boyton Wood. The proposed scheme is considered to be in general conformity with these broad parameters.
40. In terms of the distribution of development and open spaces and the scale and density of the proposed dwelling, the proposal is considered to be acceptable in principle.

41. In terms of access arrangements, the outline consent established a single point of access from the roundabout on the proposed northern relief Road. The current proposal seeks approval for a second access from Haverhill Road, serving the southern parcel of development. As this falls outside the scope of the outline consent, a separate full planning application has been submitted alongside the reserved matters.
42. The absence of a secondary access to the development within the masterplan and outline consent does preclude the provision of such an access in principle. It is considered that the provision of this access does not prejudice the ability of the development to meet the established parameters and this aspect of the overall scheme should therefore be assessed on its own merits against relevant development plan policies and material considerations.
43. In assessing the detail of the proposals, the design principles established in the masterplan are an important consideration, as are other relevant development plan policies.

Design, Layout and Visual Amenity

44. Development Management Policy DM2 states that proposals for all development should create a sense of place and/or local character. In the case of residential schemes, Policy DM22 states that proposals should create a coherent and legible place that is structured and articulated so that it is visually interesting and welcoming. New dwellings should be of high architectural quality and should function well, providing adequate space, light and privacy.
45. The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development, indivisible from good planning. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
46. The Framework also advises that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
47. Condition B7 of the outline consent required the submission of a Site Wide Design Code with the first submission of Reserved Matters, to develop and interpret the approved parameter plans, building on the principles established within the masterplan.
48. The submitted Design Code has been the subject of considerable discussion with relevant officers and an amended document has been produced, which Officers feel better reflects both the principles and aspirations of the masterplan. The Design Code would form one of the approved documents as part of the approval of the reserved matters application and would be used to guide the design of future phases of the development.

49. This application falls within the character area described as Wratting Gardens in the final Design Code. This area is characterised by a traditional approach to layout design, architecture and boundary treatment. It states that designs here should take references from the traditional details and finishes found in Haverhill and the boundary treatments should be more rural in character including open frontages, low timber fencing and hedges.
50. A number of revisions have been made to the detailed design and layout during the course of the application to improve the overall quality and appearance of the development. As a result of this, the initially proposed 203 dwellings have been reduced to 200, as set out in the current description of development.
51. The revised layout seeks to provide a range of design solutions for parking. Whilst the majority of parking is still provided on-plot, the number of parking courts has been increased, to further reduce the visual impact of frontage parking, which previously dominated the scheme. These areas have been carefully designed to form part of the pedestrian street network, being permeable where possible and benefiting from natural surveillance through the siting of houses fronting onto or framing these streets. It is considered that the reduction in frontage parking has greatly improved the townscape and quality of the built environment.
52. The private drive which originally ran parallel to the east/west spine road has been removed as part of the amendments to the layout. This has enabled the creation of deeper front gardens and on plot parking between dwellings behind the building line, enabling the provision of additional street trees on the northern side of the linear park. This has created a more attractive green frontage, which better compliments the open space running through the middle of the scheme, creating an attractive green route into the development.
53. A gateway feature of dwellings at the eastern of the northern parcel has been created to create a better sense of arrival and stronger definition to this edge of the development, which marks an important and prominent location. The development has also been set further back from the junction to allow for additional formal landscaping, including statement trees.
54. In the southern parcel, the road running parallel with the southern boundary has been moved further away from the edge of Boyton Woods, providing greater separation and allowing the introduction of a green sward between the road and the retained woodland. The amount of road along this green edge of the development has also been reduced with plots 139, 134-145, 160-162 now having the benefit of parking to the rear.
55. The revised Design Code for the whole site envisages this part of the scheme as broadly traditional in appearance. Alterations to the house types were requested to better reflect local vernacular architecture and better create a sense of place distinctive to this development. As a result of the amendments, more variety has been introduced to the house types, with detailing to create a more bespoke development more in line with the requirements of policy DM2.
56. It is acknowledged that here are still standard developer house typologies within the development and Officers have sought to secure enhanced levels of layout and detailing on those areas that are most prominent within the scheme and which would add the greatest value to the overall character of the area. On balance, it is considered that subject to securing appropriate materials and

detailing via conditions, the overall character and appearance is acceptable and in broad accordance with Development Plan Policies and the adopted Masterplan.

Residential Amenity

57. The protection of residential amenity is a key component of good design. The Framework states (as part of its design policies) that good planning should contribute positively to making places better for people. The Framework also states that planning decisions should aim inter alia to avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development.
58. Policy DM2 of the Joint Development Management Policies Document also seeks to safeguard inter alia residential amenity from potentially adverse effects of new development.
59. It is considered that, following amendments to the design and layout, all residents of the proposed development will enjoy an acceptable level of residential amenity. Garden sizes are considered to be adequate and the positioning and scale of dwellings is such that there would be no unacceptable levels of overlooking or overbearing impacts. Appropriate boundary treatments to safeguard the amenity of future occupants would be secured through the use of a condition.
60. Some concerns were raised by the Public Health and Housing Officer regarding the potential for noise impacts on future occupants within this phase from traffic noise. In response to these concerns an additional noise survey and Acoustic Design Advice report were submitted. The report concludes that adequate noise levels can be achieved through design details and Officers are satisfied that suitable levels of amenity can be achieved in relation to noise, subject to the use of conditions to secure acoustic insulation of the dwellings in accordance with BS 8233:2014.
61. Concerns have been raised in public representations regarding the impact of the proposed development on existing neighbouring dwellings.
62. In terms of noise and disturbance from additional traffic, the number of dwellings to be accommodated on the site has already been established in the outline consent and the addition of a further access point would not materially increase or alter the likely impact from traffic to neighbouring dwellings.
63. In terms of the potential overlooking or overbearing impacts, it is considered there is sufficient separation between the proposed dwellings and the existing neighbours is such that that there would be no unacceptable adverse effects residential amenity.

Accessibility, Sustainable Transport and Impact on the Highway Network

64. The NPPF emphasises the need for the transport system to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 32 of the Framework requires all developments that generate significant amounts of movements to be supported by a Transport Statement or Transport Assessment. It goes on to advise that development

should not be prevented or refused on transport grounds, unless the residual cumulative impacts of development are severe.

65. Policy DM2 of the Joint Development Management Policies Document requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network. Policy DM45 sets out criteria for the submission of Transport Assessments and Travel Plans to accompany planning applications whilst Policy DM46 addresses parking standards.
66. Both the outline permission and the original masterplan made provision for a single point of vehicular access from Haverhill Road, via the roundabout. However, in this proposal the southern parcel of dwellings would be served by a vehicular access from Haverhill Road. This part of the scheme and the pedestrian and cycle link within that highway verge is the subject of a separate full planning application alongside the reserved matters application.
67. As previously discussed, the fact that something is not contained within the masterplan does not necessarily mean that it would be unacceptable in principle. Indeed, it would be counterproductive for a masterplan to prevent an evolution of the design where that evolution would create a better built environment. In this case, the provision of a secondary access enables the linear park to become a car-free space without the need for it to be dissected by a vehicular link between the northern and southern parcels. This is seen as being beneficial in terms of the quality of that space both ecologically and in terms of the way in which it would function as an attractive and usable public space.
68. The Town Council has raised concerns over the safety of a further access from Haverhill Road and this has been echoed in some public representations. The application has been amended so that now only a single point of access is proposed, with no additional private drives. The Highways Officer has not raised any highway safety concerns in relation to the provision a single additional point of access as shown on the amended plans and as such it is considered to be acceptable in highway safety terms and in accordance with development Plan policy.
69. The developer has worked with the Highways Officer to revise the layout and road hierarchy to ensure that it meets the County's requirements in all respects. Amendments were also sought to ensure that the transition between the traditional street and shared surfaced streets accords with the Suffolk design Guide. The Highways Officer has reviewed the amended plans and has confirmed that subject to some final points of detail being addressed, they are satisfied that the proposal is acceptable subject to the use of conditions.
70. The outline application contained an illustrative access parameter plan detailing and expanding the footpath network. The expanded network followed key desire lines and the network of green spaces. The submitted Design Code proposes that formal footway and cycle way routes will follow the principal routes within the development and this can be seen on the primary street that runs along the north of the linear park in this phase of the development, where there is a 4 metres wide cycleway/footway along the southern edge of the road adjacent to the public open space.

71. Clarification was sought as to the provision of crossing points along this Primary Street and two crossing points are now detailed along this road. It is envisaged that these would be raised tables in order to facilitate crossing and act to restrain vehicle speeds. The Highways Officer has advised that they would require a formal crossing point here, which would be secured by condition.
72. Further pedestrian routes along the eastern edge of the development adjacent to Haverhill Road, the northern side along the green corridor adjacent to the bypass and through the linear park create opportunities for circular routes within the development as well as connecting to the network that will come forward with the subsequent phases of the development and ultimately with the wider public network.
73. The quantum of parking proposed is consistent with the Suffolk Guidance for Parking 2015, that being: 1 space for 1-bed dwellings; 1.5 spaces for 2-bed dwellings; 2 spaces for 3-bed dwellings; 3 spaces for 4-bed dwellings; and; 1 visitor space for every 4 homes.
74. A number of the house types indicate a dedicated study, which the developer does not consider to be big enough to function as a bedroom. Concerns were raised with regards to house type H as a 3-bedroom property as the study had an internal area of 6.25m². To address this, a revised layout has provided for this house type, with an additional third parking space in accordance with the standard for a four bedroom property. House type L had a similar sized study to the H type and in response to officer comments the internal arrangement for this house type has been reviewed reducing the study to 3.6m² so that this room would not function as a bedroom and would not generate the need for an additional parking space.
75. The NPPF directs that applications should only be refused on transport grounds if the residential cumulative impacts of the development are severe. In this case, the proposed highway works, including the provision of a secondary vehicular access to the development outside the scope of the original outline application, are considered to present a safe and sustainable provision. The level of parking is considered to be acceptable the street hierarchy and pedestrian and cycle routes within the site are considered to be in accordance with the aims of the masterplan and development plan policies and will ensure that this first phase is well connected and accessible for pedestrians and cyclists.

Open space, landscaping drainage

76. The Masterplan and Design Code identify the linear park as the key area of open space within this phase of the development. The revised layout, which creates a green frontage to the north of the park, and the proposed additional access from Haverhill Road, which removes the need for this space to be bisected by a highway, further enhances the value that this open space will add to the character of the wider development.
77. The intended function of the linear park has previously been set out in the landscape strategy (prepared to accompany the outline planning application) as follows:
 - Preserve and protect the Local Wildlife Site;
 - Preserve the two ditches;

- Preserve the hedgerows and areas of scrub;
- Create a green gateway into the town and the proposal site;
- Provide informal open space close to people's homes;
- Contain part of the SUD system;
- Visually break up the areas of built form.

78. In respect of this part of the scheme, amendments have been sought to the landscaping plans to ensure that the functions set out above are met and the current natural corridor, that forms the backbone of the linear park, is retained and enhanced with as little fragmentation as possible.
79. It is proposed that the existing track be formalised by provision of a surfaced path. However, Officers do not want to see the provision of formal play equipment within this space due to the lack of natural surveillance, safety concerns with the proximity of the Primary Road to the north and the issues regarding maintenance in this area. The developer has undertaken to revise the plans to reinstate this as a natural space which will in itself present play opportunities through imaginative use of the natural landscape.
80. There will be an opportunity for more formal play provision in the next phase of the development, as indicated in the Masterplan and Design Code, on the edge of the playing fields. This would be well placed to serve the dwellings set out in this application in a well supervised and safe location that accords with the open space strategy submitted with the outline application.
81. The other key area of open space within this phase of the development is the green corridor at the north of the site adjacent to the landscape buffer for the approved bypass. The plans have been amended to have regard to the landscape plans for the buffer submitted at the outline stage and to better reflect the aims of the masterplan and landscape strategy submitted with the outline application.
82. Further changes to the green corridor have been requested, through the introduction of more substantial planting and bigger blocks of native species. The developer has undertaken to make these changes to the plan. In addition, Officers have also requested that all areas of public open space be either floral lawn or wildflower mix and hedges to be mixed native species which would be more resilient, of biodiversity benefit and would be more fitting with the character envisaged for this more rural edge of the development.
83. A further key function of the open spaces within the development is to accommodate the SUDS features necessary to adequately meet the surface water drainage needs of the development.
84. The County Flood Officer has reviewed the latest drainage documents and still has concerns that need addressing in relation to clarifying hydrological calculations, reducing the depth of standing water in the basins in the worst case events, demonstration of safe corridors for runoff during events in excess of the drainage system or blockages, clarification on the purpose of the northern swale and details of interception storage to treat pollutants during concentrated flows at the onset of a storm.
85. These concerns will need to be addressed before any consent for the development can be issued and as such the recommendation set out in this

report is subject to this matter being satisfactorily resolved and the current holding objection being removed.

86. Subject to the submission of amended landscape plans to address the points raised by officers and subject to the use of conditions to secure appropriate on-plot soft landscaping, it is considered that the landscaping scheme is an acceptable one, that will enhance the character of the development, provide opportunities for informal play and recreation and will enhance biodiversity.

Trees and ecology.

87. The NPPF confirms the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains where possible. This is reflected in policy DM12 which states that measures should be included in the design of all developments for the protection of biodiversity, the mitigation of any adverse impacts and enhancements commensurate with the scale of the development.
88. Given that the site is predominantly agricultural land, the impact on biodiversity will be minimised. However, the hedgerow track and ditch through the site form a significant natural feature, which should be retained and managed. The hedge has been identified as a Local Wildlife site and is marked as an 'Important' and 'Ancient and/or species rich' hedge in the Environmental Statement which accompanied the original outline application.
89. As discussed in relation to open space, amendments have been sought to the landscaping plans to ensure that this natural corridor is retained and enhanced with as little fragmentation as possible. The tree protections plans also now show adequate levels of protective fencing to ensure this feature is protected throughout construction works.
90. The amendment to the layout of the scheme has afforded greater separation between the houses and Boyton Woods and has reduced the extent of roadway bounding the woods. In addition, a Report submitted regarding the lighting design details the measures undertaken to avoid light spill. It also details how the lighting strategy has had regard to bat sensitive areas. In addition to LED lighting, front and rear shields can be fitted to luminaires close to sensitive areas (such as Boyton Wood) to further reduce light spillage.
91. The concerns of the Trees and Ecology Officer, with regards to species surveys have been addressed and additional information, including lighting details, has satisfied the concerns regarding the potential impact on bats.
92. On balance it is considered that the revised scheme makes good provision to retain biodiversity features, safeguard protected species and enhance biodiversity across the site. It is therefore considered to be in accordance with development plan policies and the guidance contained within the NPPF.

Other matters

Affordable housing:

93. The application proposes 30% affordable housing in line with the requirements of the outline consent and accompanying S106. The requirement equates to

60 homes within this phase and this comprises a mix of 20 intermediate and 41 affordable rented dwellings. The scheme is supported by the Strategic Housing Officer.

Archaeology:

94. The County archaeology team has highlighted that the proposed development lies in an area of known archaeology and has requested pre-commencement conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. This is a matter of principle that relates to the grant of the outline permission and in this regard a condition requiring a programme of archaeological work for each phase of the development was attached to the outline consent and the consent for the relief road.

Electric Car Charging Points

95. The Town Council has highlighted that the North East Haverhill development Great Wilsey Park has a requirement to provide charging points. This is a matter that must be addressed and secured by condition at the outline stage as it does not relate to the matters of detailed to be provided at the reserved matters stage. No such condition was attached to the outline application relating to this development and it would not be appropriate to attach such a condition at this stage.

Conclusion:

96. The development proposal has been considered against Development Plan Policies and the objectives of the National Planning Policy Framework and the government's agenda for growth.
97. The principle of the development is in accord with the policies within the development plan and has, in the case of the reserved matters application, been confirmed in the earlier outline application.
98. A number of revisions have been made to the scheme to address the concerns of Officers and improve the overall design and layout of the proposal. The amended proposals allow for good quality natural open space and soft landscaping to reinforce the more rural feel within this part of the wider strategic site whilst also improving biodiversity and enabling sustainable drainage of the development. The development proposed is permeable with good accessibility for pedestrians and cyclists creating, circular routes within this phase and connectivity as the next phases come forward. The design and appearance of individual dwellings has been improved to introduce local design features and the development will provide for an acceptable level of residential amenity and parking for future occupants.
99. Subject to the receipt of final amendments, there are no highway safety issues that cannot be addressed through the use of conditions, both in respect of the reserved matters application and the full application for the access.
100. Both applications are therefore recommended for approval, subject to the conditions set out below:

Recommendation:

101 It is recommended that planning permission and reserved matters be **APPROVED** subject to conditions and subject to the drainage concerns being satisfactorily overcome and the final agreement of the site wide Design Code.

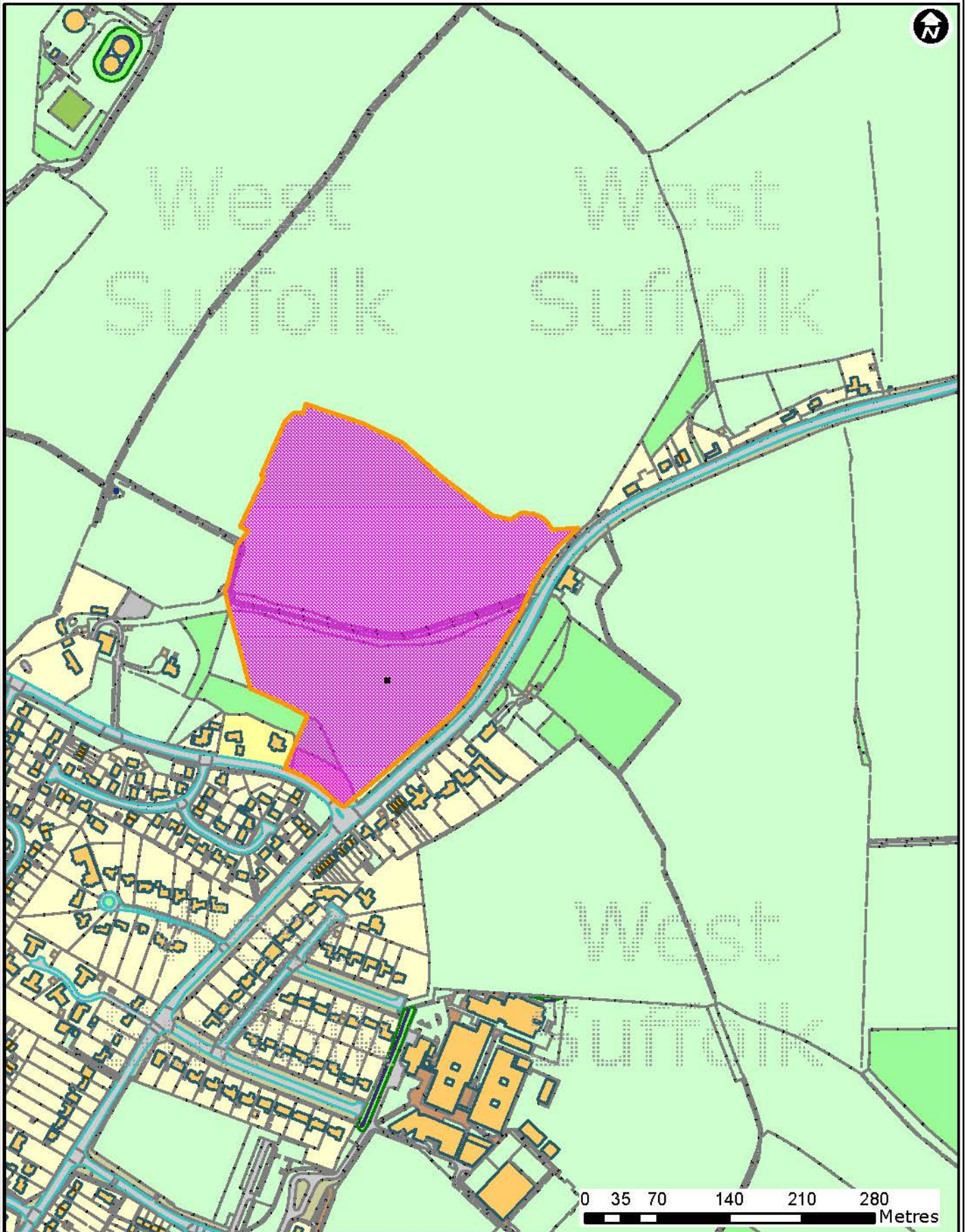
A full list of planning conditions will be circulated as late papers prior to the Development Control Committee meeting on 6 July 2017.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online DC/16/2836/RM

DC/16/2836/RM

Land North West of Haverhill, Anne Sucklings Lane, Little Wratting



Forest Heath • St Edmundsbury

West Suffolk
working together

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Date: 20/06/2017

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Legend	
	Refuge Route Household
	Refuge Collection Route LA Operative
	Refuge Storage household
	Paved Refuge Collection Point
	Parking Space Allocation
	Shared residents parking
	Visitor Parking
	1.8m high close boarded fence
	0.9m high post and wire
	900mm high railing
	1.8m high garden wall and fence panels
	450mm high knee rail
	1m verge either side of shared surface roads
	Marker blocks to private drives

PROJECT		DRAWING NUMBER		REV
Phase 1 - Haverhill		PH-125-03		A
DRAWING TITLE		DATE		
Proposed Detail Layout - North		April 2017		
SCALE @ AT SIZE				
1:500				
 PERSIMMON Persimmon Homes (Essex) Ltd 10 Cambridge Road, Witham, Essex, CM8 2ZA Tel: 01376 510011 Fax: 01376 521140 www.persimmonhomes.com				

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REV	DATE	DESCRIPTION
A	12/04/17	Revised in accordance with planning officers comments.

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Legend	
	Refuse Route Household
	Refuse Collection Route LA Operative
	Refuse Storage household
	Paved Refuse Collection Point
	Parking Space Allocation
	Shared residents parking
	Visitor Parking
	1.8m high close boarded fence
	0.9m high post and wire
	900mm high railing
	1.8m high garden wall and fence panels
	450mm high knee rail
	1m verge either side of shared surface roads
	Marker blocks to private drives

PROJECT		PHASE 1 - HAVERHILL	
DRAWING TITLE		PROPOSED DETAIL LAYOUT - SOUTH	
DRAWING NUMBER	PH-125-04	REV	A
DATE	April 2017	SCALE @ AT SIZE	1:500

PERSIMMON

 Persimmon Homes (Essex) Ltd

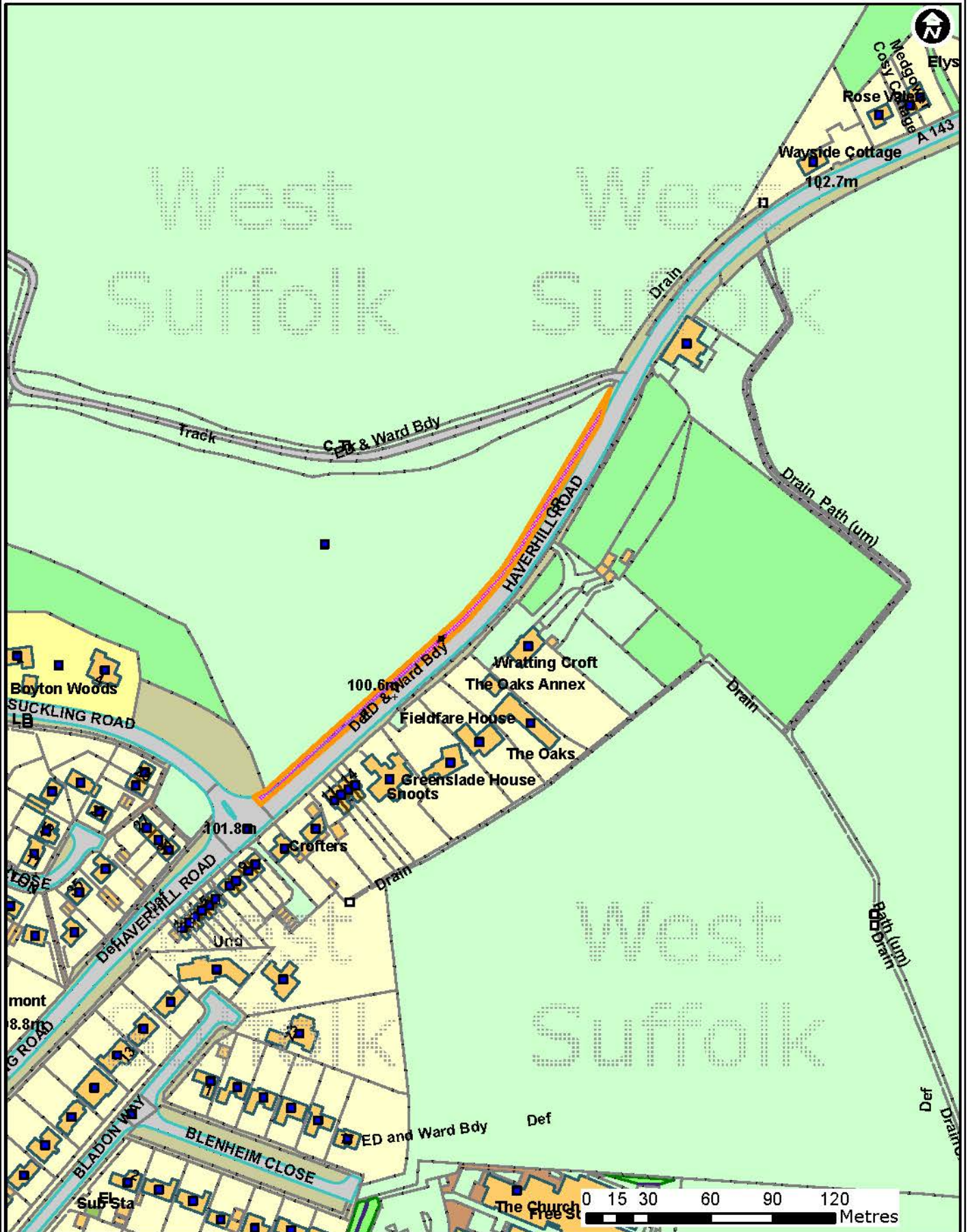
 10 Colingwood Road, Witham, Essex, CM8 2EA

 Tel: 01939 510011 Fax: 01939 524116

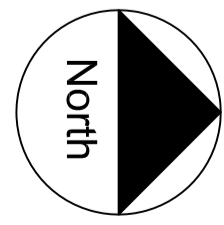
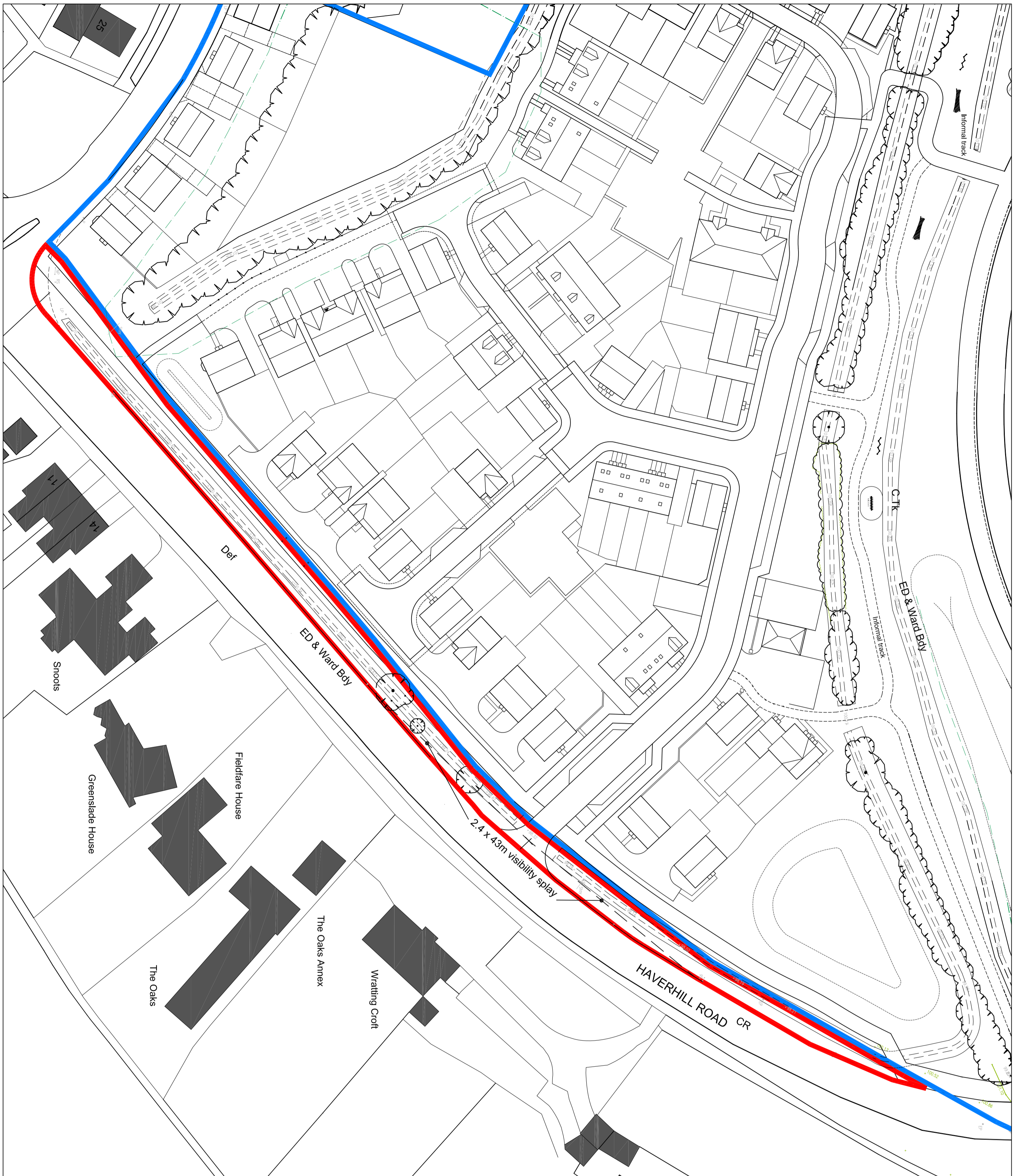
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— Application Boundary.
— Other land under the ownership or control of the applicant.

REV	DATE	DESCRIPTION
A	26/04/17	Layout updated to planners comments

PROJECT
 Access to Land off Haverhill Road, Haverhill.

TITLE
 Proposed Layout

DRAWING NUMBER	REVISION	DATE	SCALE @ A2 SIZE
PH-125-44	A	January 2017	1:500

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DEV/SE/17/027

**Development Control Committee
6 July 2017**

**Planning Application DC/17/0438/FUL –
Tartan House, Etna Road, Bury St Edmunds**

Date Registered:	09.03.2017	Expiry Date:	08.06.2017 – subject to extension of time beyond the Planning Committee
Case Officer:	Penny Mills	Recommendation:	Approve, subject to conditions
Parish:	Bury St Edmunds	Ward:	Risbygate
Proposal:	Planning Application - (i) 80 no. bedroomed hotel (demolition of existing building) (ii) drive-through coffee outlet (mixed A3 and A5 use) (iii) associated refuse storage, parking and landscaping (iv) new pedestrian bridge access across River Lark (v) improvements and upgrading of proposed vehicular access from Compiegne Way, North of River Lark (vi) improvements and upgrading of proposed vehicular access from Etna Way/Enterprise Park (vii) in channel engineering works to River Lark		
Site:	Tartan House, Etna Road, Bury St Edmunds		
Applicant:	NHP Holdings Ltd		

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.

CONTACT CASE OFFICER:

Penny Mills
Email: penny.mills@westsuffolk.gov.uk
Telephone: 01284 757367

Background:

The application has been referred to the Development Control Committee as the development is considered to be of considerable local interest, on a prominent site within Bury St. Edmunds.

Proposal:

1. Full planning permission is sought for the redevelopment of the site, with the demolition of an existing office building and construction of a 80 bedroom Travelodge hotel, a drive-through Starbucks coffee outlet along with the associated car and cycle parking and access arrangements. Additional parking is proposed in the northern part of the site, which sits on the northern side of the river. A new pedestrian bridge over the River Lark is also proposed as well as improvements within the river channel itself.

Application Supporting Material:

2. The following documents accompany the planning application forms and comprise the planning application (including amendments/additional information) received after the application was registered:

Reports (all received in March 2017 with the planning application unless stated otherwise:

- Design and Access Statement
- Ecology Report and Mitigation Strategy / Arboricultural Impact Assessment
- Flood Risk Assessment Suds / Drainage Strategy
- Acoustic Report
- Ground Investigation and Contamination
- Landscape Design / Trees
- River Enhancement Works
- Structural Engineering / Bridge Design

3. Plans: A full list of final plans is referenced in Condition 2 at the end of this report.

Site Details:

4. The application site is located on the northern edge of Bury St. Edmunds on the western side of Compiegne Way, adjacent to the junction with Etna Road. The majority of the site falls within an allocated employment site, Enterprise Park, and there is an existing, currently vacant office building and associated hardstanding and parking area. To the west are other existing businesses within the wider employment site and to the south there is residential development on Etna Road. To the east of the site, on the opposite side of the highway are the Ram Water Meadows.
5. The River Lark which bisects the site, splitting it into north and south areas, forms part of a green infrastructure designation and local wildlife site. The part of the site which lies on the northern side of the river falls outside the development envelope and has an existing, unmade vehicular access from Compiegne way. Much of the scrub vegetation on this part of the site has already been cleared, although a number of trees remain. The northern boundary of this part of the site extends to the base of the railway embankment. Further to the north is the Tesco site and the A14.

6. The site is identified as being within flood zone 2 of the Environment Agency's flood risk maps, a source protection zone and an area of groundwater vulnerability.

Planning History:

7. **DC/16/2294/P3JPA** - Prior Approval Application under Part 3 of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015- Change of use from Office (Class B1(a)) to Dwellinghouse(s) (Class C3) to create 23 no. dwellings - **Prior Approval Required** - 08.12.2016
8. **SE/00/3126/P** - Regulation 3 Application - Continued use of units E and F for institutional (education) use for temporary period of 9 months - **Application Granted** - 20.11.2000
9. **E/99/1722/P** - Regulation 3 Application - Change of use from industrial to institutional (education) for temporary period of 18 months - **Application Granted** - 02.06.1999
10. **E/88/4653/P** - Erection of entrance porch - **Application Granted** - 27.02.1989
11. **E/87/3973/P** - Recladding of existing cladding panels with silver colour coated profiled metal - **Application Granted** - 02.03.1988
12. **E/86/2357/A** - Provision of non-illuminated information panel - **Application Granted** - 05.08.1986
13. **E/86/1489/P** - Change of use to offices - **Application Granted** - 16.04.1986

Consultations:

14. Highways England: **No objection.**
15. Suffolk County Council Highways: **No objection.**
Conditions have been recommended regarding: access details; parking; HGV traffic movements; visibility splays; headlight screening; footpath provision on Compiegne Way; footpath provision on Etna Road; and, cycle provision.
16. Environment Agency – **Initial objection withdrawn.** Comments summarised below:

Comments 10th April:

In the absence of an acceptable FRA, we object to the granting of planning permission and recommend refusal on this basis for the following reasons.

The FRA submitted with this application does not comply with the requirements set out in the Planning Practice Guidance to the National Planning Policy Framework (NPPF). The submitted FRA does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to:

1. Demonstrate that the proposed development will not impede the Environment Agency's access to the main river.
2. Demonstrate that the proposed footbridge will not increase flood risk.

It is for the LPA to determine whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF.

We have reviewed the FRA for tidal and main river flood risk sources only. The Lead Local Flood Authority (Suffolk County Council) should be consulted regarding surface water drainage proposals. Your Authority must be satisfied with regard to the safety of people (including those with restricted mobility), the ability of such people to reach places of safety including safe refuges within buildings and the ability of the emergency services to access such buildings to rescue and evacuate those people.

Comments 25th May:

Based on the information submitted we are able to remove our objection to the application.

The following advice was also given:

- It is for the LPA to determine whether or not there are other sites available at lower flood risk as required by the Sequential Test in the National Planning Policy Framework.
- For your information this application falls within Flood Risk Standing Advice.
- We recommend that the mitigation measures outlined in the FRA are implemented. Additionally, the design of the proposed footbridge shown on Drawing No. J2309-01B Rev B dated 12/04/17 should be adhered to.
- Advise the Applicant of Environmental Permitting Regulations relating to any proposed works or structures in, under, over or within 8 metres from the top of the bank of the River Lark, which is designated a 'main river'. The granting of planning approval must not be taken to imply that consent has been given in respect of the above.
- Any proposed flood resilience/resistance measures should follow current Government Guidance.
- The LPA must be satisfied with regard to the safety of people (including those with restricted mobility), the ability of such people to reach places of safety including safe refuges within buildings and the ability of the emergency services to access such buildings to rescue and evacuate those people.
- The proposed development will be acceptable if a planning condition is included requiring a scheme to be agreed to ensure that the landscape within the site is managed in such a way as to protect the ecological value of the site including the proposed River Lark enhancement works.
- Where infiltration drainage schemes, including soakaways, are proposed for the disposal of uncontaminated surface water, percolation tests should be undertaken, and soakaways designed and constructed in accordance with BRE Digest 365 (or CIRIA Report 156), and to the satisfaction of the Local Authority. The maximum acceptable depth for soakaways is 2 metres below existing ground level. Soakaways will not be permitted to be located in contaminated areas. If, after tests, it is found that soakaways do not work satisfactorily, alternative proposals must be submitted.
- Only clean, uncontaminated surface water should be discharged to any soakaway, watercourse or surface water sewer.

- Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.
- Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from lorry parks and/or parking areas for fifty car park spaces or more and hardstandings should be passed through an oil interceptor designed compatible with the site being drained. Roof water shall not pass through the interceptor. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.
- Foul water drainage (and trade effluent where appropriate) from the proposed development should be discharged to the public foul sewer, with the prior approval of AWS, unless it can be satisfactorily demonstrated that a connection is not reasonably available.
- Anglian Water Services Ltd. should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. If there is not capacity in either of the sewers, the Agency must be reconsulted with alternative methods of disposal.
- If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- Notwithstanding the provision of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), any oil storage tank shall be sited on an impervious base and surrounded by oil tight bunded walls with a capacity of 110% of the storage tank, to enclose all filling, drawing and overflow pipes. The installation must comply with Control of Pollution Regulations 2001, and Control of Pollution (Oil Storage) Regulations 2001. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

17. Anglian Water: Made the following comments:

- Requested information in respect of are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.
- The foul drainage from this development is in the catchment of Fornham All Saints Water Recycling Centre that will have available capacity for these flows.
- The sewerage system at present has available capacity for these flows via a gravity connection regime. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection
- Advise to consult with the Lead Local Flood Authority and Environment Agency.
- Requested informative note regarding trade effluent.

18. Suffolk County Council Floods – Initial objection withdrawn. Summary of responses below:

Comments made 28th March 2016:

- The GI by RSA Ltd does not make assessment of the potential of using infiltration at the site, however given the proximity of the site to the River Lark SCC would not advise using infiltration SuDS anyway (due to potential of high groundwater table).
- Overall the drainage strategy is to discharge to the R.Lark at a controlled rate (currently 2l/s up to the 100yr+CC event for both plots) - this in principle is acceptable but SCC require further clarification on drainage design:-
 1. MicroDrainage outputs – please title simulation outputs North & South (or similar).
 2. Total Proposed Impermeable Area for South Plot - the contributing area outlined in the report (10.9) does not match those used in the hydraulic calcs – the drainage strategy has to show a 30% betterment over the existing brownfield flows for the entire south site. All impermeable areas of the site must be modelled (i.e. existing site + any new impervious areas). This currently means that the storage needed is being underestimated. The control device for the south plot (~35mm dia orifice) is below SCC’s minimum diameter of 100mm. SCC recommend that the permitted discharge rate is set at 5l/s for all events and the full contributing area used. Alternatively a hydrobrake could be used.
 3. The north plot should discharge at greenfield rates (2l/s/ha or Qbar whichever is higher) – however given the size of the plot the flows are going to be small and the size of the control device is key. Currently the orifice plate = 25mm dia this is below SCC’s minimum allowable size (100mm dia). Please use 5l/s for the north site to increase the size of control device. (For this plot SCC will accept nearer 60mm dia plate or again a hydrobrake could be used).
 4. Invert level of the outfalls are not given – nor the pipe sizes. SCC may require a sensitivity simulation for any surcharged outfalls when the River Lark is in flood flow – use the EA data provided in the report to assess whether outfalls may be surcharged in high flows. Furthermore please check for any exceedance flows in the network if outfalls are surcharged.
 5. Interceptors will be required on the network due to large car parking areas.
 6. Consent will be required for culverting the small section of watercourse on the southern boundary of the site.

Comments 27th April 2017:

- North site is fine @ 5l/s
- I require further information for the south site. Specifically the 1yr and 30yr existing simulations are required and the same simulations post development – this is a requirement of the non-technical standards for SuDS and BS8582. Currently the proposed discharge rate is too high for all storm events and as per national guidance should be close to as reasonable practical the equivalent greenfield rates.

Comments 26th May 2017:

- The drainage design you have here for the south plot is also acceptable and looks to be in order.

- I am happy to remove my holding objection. Suggest condition covering: implication of drainage strategy/FRA; full suds details; and, construction surface water management.

19. West Suffolk Planning Policy: The relevant policy and material considerations in relation to the principle of the development on the site are summarised below:

- The loss of employment land and failure to meet criteria b. of policy DM30 should be balanced against the fact the site already has planning permission for conversion to residential use. If this proposal does not come forward it is likely to be lost to employment use.
- Development in the countryside must be balanced against its assessment of criteria set out in policy DM5, criterion 1 appears to have been satisfied. Criterion 2 and 3 are addressed separately by landscape, ecology and transport.
- Town centre uses should be directed to the town centre first, however a sequential test has been undertaken and no alternative sites were suitable or available. The application site, although classed as out of centre is well related to the urban area and has good access to sustainable transport link and within walking distance of the town centre.

On balance the proposals are considered to be acceptable in principle in terms of satisfactorily addressing the planning policies. However matters related to details of the proposal, including landscape and ecology and transport are considered separately and will need to be addressed.

20. Natural England: No specific comments to make.

- Advised to refer to standing advice for protected species and ancient woodland/specimen trees
- Reminded the Local Planning Authority that the lack of comment does not imply that there are no impacts on the natural environment.

21. West Suffolk Landscape and Ecology Officer:

Comments 27th April 2017:

- Proposals will have an impact on the River Lark Corridor through the intensification of use either side of the river and removal of supporting habitat that contributes to the river corridor as a whole. There is no consideration to the mitigation hierarchy, which requires that proposals consider avoidance of impacts and failing that mitigation and compensation measures.
- Currently this project does not contribute to the aspirations of policy BV26. The proposals would lead to the loss of currently undeveloped land adjacent to the River Lark which is considered to be countryside.
- Mitigation/compensation measures identified: Secure/include the delivery of the river channel improvements, and adjust the design of the car park to ease car parking back from the river edge; Contribute to the River Lark corridor footpath securing the section of footpath along Compiegne Way from the development site on the eastern edge north to Tesco's; and compensate for the loss of habitat and connectivity through a contribution to habitat improvements elsewhere within the River Corridor for example on the Ram Meadow locally designated wildlife site.
- The ecological report suggests that there will be no in-channel works - the bank top habitats will be lost. Although this can in some respects be considered a degraded part of the river corridor, the landscape management

prescription would be enhancement. However the proposals will lead to further degradation and deterioration in the environment.

- It is noted that a significant amount of tree felling has been undertaken prior to the submission of the planning application, and the proposals are to further reduce supporting habitat that currently links the railway embankment to the river corridor.
- Bats are using the existing trees to the east of the site and the trees on the railway embankment for foraging. The impact of the proposals on bats is based on the current levels of lighting being maintained and limited loss of existing trees and strict control of new lighting. However given the proposals to extend the built environment across the river to the north and use this area for car parking of the hotel guests, it is unreasonable to assume that the level of lighting will not be increased to allow for the safe operation of this new facility – note that a lighting scheme has been included in the appendix to this report but does not form part of the scheme proposals – and I would fully expect them to be.
- If permission is granted, further investigation of badger activity prior to work commencing will be required. In addition any fencing must allow for movement of mammals including hedgehogs around and through the site
- The biodiversity report includes preliminary proposals for improvements to the river corridor including treatment of the Himalayan balsam. These do not appear to form part of the planning proposals and additional consent from the EA would be required. Delivery of this enhancement is not guaranteed and without this it cannot be included at a benefit of the project and should not form part of the planning balance.
- The proposals require the removal of a number of trees and shrubs which currently form an attractive green boundary to the site and enhance the river corridor. The submitted proposals do not mitigate this loss and the new hotel and coffee outlet would not be adequately softened through replacement planting. The proposals do not have sufficient regard to the boundaries of the site (red line) and there is not sufficient room for landscape planting that would form a new boundary softening the proposals from the adjacent environment and protecting public amenity including that of nearby residences. The land outside of the red line is understood to be highway land which is reserved for future highway improvements. In addition the proposals further constrain the river corridor.
- The submitted scheme is unlikely to be deliverable because of the limited space reserved for the landscape areas. Planting pits and trenches of sufficient size would unlikely to be provided. Internal hedges shown within narrow spaces between car parking on the layout plan are not included in the landscape drawing and could not be constructed without specialist underground planting pits similar to those shown for the trees (in the landscaping plan).
- The proposals do not have sufficient regard to the sight lines that would be required with trees and hedges too close for these to be maintained into the future
- The tree species should be reviewed – *Pyrus chancleer* is not suitable for car park areas because of the fruit fall, and the species variety is very limited.
- A more innovative approach to landscaping is required

22. West Suffolk Public Health and Housing: Comments summarised below:

No objection in principle, but raised concerns regarding a number of aspects that have the potential to cause nuisance to neighbouring occupiers, namely:

1. Demolition/construction/ activities - noise/dust/management of waste materials
2. Noise from the external plant at the hotel
3. Noise/odour from the hotel's kitchen extraction system
4. Noise from deliveries/collections to service areas of hotel and coffee outlet (hours stated in application are 06:45 -21:00)
5. Noise from the coffee outlet's patrons - vehicles/car doors/voices (opening hours stated in the application are 05:00-23:00) which consist mainly of small industrial units. The majority of these units operate during the day Mondays to Fridays and as such at evenings and weekends there is no noise from activities on this site. The dominant noise in the area is traffic noise from the A14 and more locally on Compiegne Way.

- Demolition and construction activities have the potential to cause nuisance to neighbouring commercial and residential occupiers from noise/vibration, dust and the disposal/recycling of waste materials. These can be mitigated by construction methods and controls and limiting the hours of work to protect the amenity of neighbours.
- The air conditioning units for the hotel are sited on the roof. There is the potential for these units to disturb neighbouring premises. The information submitted in the noise consultant's report has demonstrated that the units can be engineered such that no noise nuisance will be caused.
- Similarly kitchen extraction systems can give rise to problems with noise and odour. These can be designed to ensure no nuisance is caused. We would refer the applicant to the DEFRA document 'Guidance on the Control of Odour and Noise from Commercial Kitchen exhaust systems' 2005
- The nearest house in Etna Rd is less than 40m from hotel service area. Deliveries to and collections from the hotel could give rise to noise disturbance to residents in the evening and night; this can be mitigated by restricting the hours that these occur.
- The position for the drive through coffee outlet is less than 30m from houses in Ramplin Close. There is the potential of noise disturbance (particularly late evenings and early mornings) from vehicle engine noise, car doors slamming and noise from patrons. The noise consultant has recommended an acoustic fence along the SE site boundary (adjacent to Etna Road) which will provide some noise attenuation. However it is likely that given the proposed opening hours there may still be a loss of amenity and we would recommend that the opening hours stated in the application are reduced.
- The access road to the site (Etna Road) is adjacent to 4 houses in Ramplin Close and, as such, all traffic to the other houses, Enterprise Park and the patrons of the hotel and café would pass these properties. As most of the industrial units are not operating in the evenings and Sundays additional vehicles in the late evenings and early mornings are likely to be heard by residents. Conditions restricting the times for deliveries/collections and opening hours of the café will mitigate this to some extent but will not completely remove the loss of amenity for these residents.

23. West Suffolk Environment Officer: No objections – made the following comments:

- Recommend use of unexpected contamination condition.
- Recommend that electric car charging points be conditioned, including a rapid charge point.

Representations:

24. Town Council: No objections based on the information received

25. Bury Society: The Bury Society does not object to the use of this site as a hotel, but we have two areas of major concern:

- Several local residents have already expressed very real safety concerns about the impact of these plans on both the existing Etna Road junction and also the second proposed access from Compiegne Way. Compiegne Way is already one of the town's main traffic 'pinch points'. We are especially concerned that traffic generated by the coffee outlet will overload Compiegne Way and, at peak times, simply come to a standstill (and possibly back up onto the A14). The Society considers that this road safety hazard can only be minimised by the removal of the coffee outlet from the application.
- The Society's second area of concern is the detailed design of the hotel. We were dismayed to read in the D&A statement that it is the applicant's intention to create a hotel design that could be a model for wider use. Bury St Edmunds is a town with a distinctive character in terms of its built form, especially its dominating roofscapes (as very well interpreted at the new arc shopping precinct). Also, we find it particularly difficult to identify a local context for the stone/porcelain truncated grid superimposed on the facades. Perhaps therefore, the applicants might be asked to look again at these aspects of the design. We believe any new building in such a prominent 'gateway' location should respect the town it is serving. We therefore call for a contemporary design which is site specific rather than a routine generic approach. Many of our members recall that this site was once occupied by a landmark iconic Maltings building. The Society considers that the new hotel should reflect in a similar manner the site's important location on one of the main approaches to our historic town. The Society's membership now stands in excess of 560 and it is matters such as traffic and detailed design which causes most anxiety to our members. If these areas of concern could be satisfactorily addressed, the Society would withdraw its objection.

26. River Lark Catchment Partnership: Expressed support for the proposed changes to the river Lark.

27. Guildhall Properties

As owners of the site Enterprise Park adjacent to Tartan House we comment on the application as follows:

- We are pleased that the site is to be redeveloped. We are impressed by the proposed landscaping scheme which we believe will dramatically improve the visual appearance of the area.
- Irrespective of the development we wish to express our ongoing concern that the junction where Etna Road meets Compiegne Way is inadequate and dangerous.
- With further development there would inevitably be an increase in traffic only adding to the existing problems.
- We would suggest that this is an opportune moment to address the serious concerns raised over the road safety issues and to put in measures to improve the access.

28. Public Representations:

Pump House Thetford Road
14 Etna Road Bury St Edmunds
12 Etna Road Bury St Edmunds
4 Etna Road Bury St Edmunds
18 Out Northgate Bury St Edmunds
13 Out Northgate Bury St Edmunds
14 Etna Road Bury St Edmunds
11 Etna Road Bury St Edmunds
8 Etna Road Bury St Edmunds
69 Out Northgate Bury St Edmunds
21 Out Northgate Bury St Edmunds
19 Out Northgate Bury St Edmunds
2 Avenue Approach Bury
St Edmunds
18 Hardwick Shopping Centre Home Farm Lane
13 Whiting Street Bury St Edmunds

The points raised are summarised below:

Residential amenity

- Overlooking garden of 14 Etna Road removing privacy.
- Overlooking to Etna Road worse due to previous removal of large tree by the Council.
- Increased noise from people coming and going to the town late at night.
- Query over the length of time building work will take.
- The design appears to be four story, we find this imposing and a direct infringement on privacy for residents, it will be double the height of any property in the vicinity
- Deliveries to the hotel and coffee shop with HGVs will negatively affect the quality of life in that area.
- Increased disturbance to residents in this residential area from end users and also from the months of noise and mess involved in the demolition and build

Highways

- Lack of parking for residents and existing businesses in the area. There is not enough space if the existing space is lost.
- Concern over site access and risk of accidents.
- Increases in non-resident parking.
- no objection to the regeneration of the area, and support this, but have severe concerns over the traffic situation
- Increased volume of traffic. The current road layout is already insufficient to ensure steady traffic flow.
- Concern over loss of parking for the church.
- A traffic light system or roundabout would be the only option.
- The existing road from Compiegne Way will have parked vehicles along it making entry dangerous, works vehicles will struggle to fit down the road.
- Traffic on Compiegne Way will become heavier, access at the moment is difficult as it is. There will be issues with exiting and entering this junction.
- Adding a quick stop service such as a coffee shop will compound the existing issues on Compiegne Way.
- Motorists wishing to turn right on Compiegne Way will stop all traffic behind them. In addition, they will have to cross the path of oncoming traffic to arrive at Etna road, thus stopping motorists leaving the town

- We are all in favour of a Travelodge and Starbucks but we object to another entrance onto Compiegne Way for the 32 space car park north of the River Lark. This will cause more disruption onto one of the busiest roads into BSE. Surely a bridge could be built between the two sites for access to the north side car park.
- The narrow access to the residential part of Etna Road and Ramplin Close, together with the sharp turnings, parked cars and poor visibility involved is already hazardous. This danger will increase with the number of cars, vans and lorries using the new hotel and coffee shop.
- Pedestrian access from the town will involve crossing the new busy road at point where sightlines are restricted. A proper crossing needs to be put in place at the top of Etna Road to guide people into town along Compiegne Way, together with a safe pavement, railings, lighting and clear signage for pedestrians walking into and returning from the centre of town.

Visual / character

- Overdevelopment of the site. Conversion to flats is preferable.
- Strongly oppose the new car park area, utilising a vital green space.
- Too close to other existing businesses and an already densely used residential area.
- I see great positives in the new landscaping to improve the aesthetic of the area, I worry about the resulting light and noise pollution.
- The concept art for the Starbucks building with its natural wood cladding would be my preferred option for the hotel rather than the ugly brick box currently proposed.

Other issues

- Concern regarding the demolition of the building - can you provide a copy of the asbestos DHA and confirm how health will be safeguarded if the demolition site contains asbestos
- Concern that work has already started on site.
- The sweeping statement in the Arboricultural Impact Assessment on page 5 the elm on site will get dutch elm disease seems to me to be guess work. Dutch elm disease was at its height in the 70's for a tree to have survived and be in good health is a testament to its good health. I would also take further advice on the other trees on site in the aim to retaining as many of them as possible.
- Although it is not classified as flood plain, it think it is a risk and we need green spaces in that area of town
- Does Bury really need another 80 bedroom hotel and another coffee shop?

Policy:

29. The following policies of the Joint Development Management Policies Document and the St Edmundsbury 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 DM5 Development in the Countryside
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
- Policy DM34 Tourism Development
- Policy DM35 Proposals for main town centre uses
- Policy DM45 Transport Assessments and Travel Plans

St Edmundsbury Core Strategy December 2010

- Policy CS1 - St Edmundsbury Spatial Strategy
- Policy CS2 - Sustainable Development
- Policy CS7 - Sustainable Transport
- Policy CS9 - Employment and the Local Economy
- Policy CS10 - Retail, Leisure, Cultural and Office Provision

Bury St Edmunds Vision 2031

- Policy BV1 - Presumption in Favour of Sustainable Development
- Policy BV14 - General Employment Areas - Bury St Edmunds
- Policy BV13 - Strategic Site - Extension to Suffolk Business Park, Moreton Hall, Bury St Edmunds
- Policy BV17 - Out of Centre Retail Proposals
- Policy BV26 - Green Infrastructure in Bury St Edmunds

Other Planning Policy:

National Planning Policy Framework (2012)

Officer Comment:

30. The subsequent section of the report discusses whether the development proposed by this application can be considered acceptable in principle, in the light of extant national and local planning policies and previous consents. It then address the main areas of consideration, which are:

- Design, landscaping and visual amenity;
- Residential Amenity;
- Accessibility and highways impacts
- Ecology and Biodiversity
- Flooding and drainage

Principle of development

31. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The St. Edmundsbury Development Plan is comprised of the adopted Core Strategy, the three Vision 2031 Area Action Plans and the adopted Joint Development Management Policies Document. National planning policies set out in the National Planning Policy Framework (NPPF) and the presumption in favour of sustainable development contained at its heart are also a key material consideration.
32. In assessing the principle of development in this case there are three main issues that are relevant: development within the countryside; development of town centre uses in an edge of town location; and, the loss of an employment site.

Development in the countryside

33. Part of the application site falls outside the settlement boundary on land considered to be countryside for planning purposes. Policy DM5 of the Joint Development Management Policies Document seeks to protect such locations from unsustainable development. However, it does state that proposals for economic growth and expansion of all types of business and enterprise that recognise the character and intrinsic character and beauty of the countryside will be permitted where three criteria are met;
- It will not result in irreversible loss of best and most versatile agricultural land (grades 1,2 and 3a)
 - There is no significant detrimental impact on the historic environment, character and visual amenity of landscape or nature conservation and biodiversity interests;
 - There will be no significant adverse impact on the local highway network
34. Therefore, the countryside status does not mean that the development of the site is unacceptable in principle. However, the detail aspects of the proposal must be assessed against the criteria set out within the policy. These aspects are considered later in this report.

Town Centre Uses in Edge of Town Location

35. The development proposed within the application is considered to fall within the definition of main town centre uses in the NPPF. In respect of such uses, paragraph 24 of the NPPF requires local planning authorities to apply a sequential test. It states that when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.
36. Policy DM35 of the Joint Development Management Policies Document echoes the advice in the NPPF stating that proposals for town centre uses not in a town centre must apply a sequential approach in selecting the site, demonstrating there are no suitable, viable and available sites in defined centre or edge of centre locations.

37. An impact assessment is not required in this case, as the retail element of the proposal is below the 1000sqm threshold and the NPPF default threshold does not apply to hotel provision.
38. The application site lies more than 300m from the town centre boundary and is therefore considered to be edge of centre in planning terms. The applicant has therefore undertaken a sequential assessment of the proposals in a report dated February 2017. Three sites have been considered: The Queens Head pub, within the town centre boundary; Tayfen road, in an edge of centre location; and, Springfield road site, in an edge of centre location.
39. The Planning Policy Officer has reviewed the submitted report and agreed with the findings of the report that the above sites were either not available, suitable or sequentially preferable. No other suitable sites were identified by the economic development team to be considered in the sequential test. It is therefore accepted that the submitted sequential test has been satisfactorily undertaken and passed.

Loss of existing Employment Site

40. The site forms part of the general employment area designated under policy BV14(h), identified as appropriate for B1 and B8 uses. Policy DM30 of the Joint Development Management Policies Document states that non-employment use proposed on sites and premises designated for employment purposes and that is expected to have an adverse impact on employment generation, will need to satisfy one or more criteria, as appropriate to the site. The criteria that are considered to be relevant to this proposal are:
 - a. That there is sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements;
 - b. That evidence is provided to demonstrate genuine attempts have been made to sell/let the site in its current use and that no suitable and viable alternative employment uses can be found or likely to be found in the foreseeable future;
 - c. An alternative use or mix of uses would assist in urban regeneration and offer greater benefits to the community in meeting local business and employment needs; and,
 - d. An alternative use or mix of uses would provide other sustainability benefits that would out weight the loss of an employment site.
41. In terms of criteria (a), the strategic employment allocation proposing an extension to Suffolk Business Park will provide for long term employment needs and is coming on stream with the eastern relief road providing a link to the A14. This provides for additional employment capacity for B1 and B8 uses within the town, such that the loss of this site would not lead to an insufficient supply of suitable employment land.
42. In terms of criteria (d) the applicant states that the proposed ecological enhancement along the River Lark and the replacement of a prefabricated office building will visually enhance the amenity, and that these improvements would outweigh the loss of employment. Similarly, in terms of criteria (c), the applicant states that the creation of additional jobs and investment in the retail and hotel sector and the economic benefits to nearby local businesses outweigh the loss of employment land. Given the availability of employment land

as set out above, it is considered that these benefits are sufficient to address these criteria of the policy.

43. There has been no evidence provided in respect of criteria (b). The absence of this evidence amounts to a degree of conflict with policy DM30, which would attract some weight against the development in the planning balance. However, in this case this must also be considered in the context of a prior approval permission to convert the existing building to residential use (DC/16/2294/P3JPA). It is understood that there is no intention to revert it back to office use in the future. In this context the weight to be attributed to the already modest policy conflict noted above would be considerably reduced.
44. As with all decisions this conflict must be weighed against all other matters in the final planning balance.

Design, Landscaping and Visual Amenity

45. The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development, indivisible from good planning. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
46. The Framework also advises that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
47. Policy DM2 of the Joint Development management Policies Document requires all development to recognise and address key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of an area to maintain or create a sense of place and local character.
48. The application site is located at one of the principal gateways to the town from the north, when approaching from the A14. The existing building on the site and the associated expanse of hardstanding with limited soft landscaping does not currently make any positive contribution to the character of the immediate or wider area. In this context, and in principle, the redevelopment of the site provides an opportunity to enhance this part of the town, creating a more welcoming and attractive gateway and improving connectivity, as envisaged in the emerging Town Centre Masterplan.
49. Concerns have been raised by the Bury Society and in other public representations regarding the detailed design of the hotel. The Bury Society has called into question the design approach, seeking a contemporary design which is site specific, drawing on the distinctive character of the built form in Bury St Edmunds. In particular they find it difficult to identify a local context for the stone/porcelain truncated grid superimposed on the facades.
50. The supporting documents do not set out a design rationale influenced by local vernacular architecture and urban form. Rather, the Design and Access

Statement sets out the aspiration to create a higher quality design than would often be found on buildings of this nature. Given the lack of emphasis on creating a locally distinctive design rather than simply a high quality one, there is an inevitable degree of conflict with Policy DM2, which would carry some weight against the proposal in the planning balance.

51. Notwithstanding the above, it should also be noted that the proposed buildings would be a significant improvement on the existing structure on the site and would materially improve the quality of the built environment in this location. This is a benefit of the scheme which would weigh in its favour noting the intrinsic acceptability of the design rationale chosen.
52. Concerns have been raised that the scale of the building on the site is inappropriate and out of character with the surrounding development. The four storey hotel would be 13.25 metres in height, which is taller than other buildings on Etna Road. However, given the topography of the site which is lower than the adjacent public highway, the position of the building towards the rear of the site, the separation between the building and the residential properties on Etna Road, the simple form of the building and the proposed landscaping, it is considered that the development would not appear unduly prominent or adversely affect the character of the area. The coffee outlet would be closer to the front of the site, but would be more modest in scale and set down from the highway. As such, it is also considered that this element of the development would not appear unduly prominent in the streetscene.
53. The proposed soft landscaping, which has been amended following input from the Council's Ecology and Landscape Officer, would also bring some benefits in terms of character and appearance. As a result of the changes, a greater number of existing trees and shrubs will be retained and the detailing planting provides for more substantial screening and a more appropriate species mix. Innovative solutions have been incorporated, with living green screens with specialist underground planting pits within the car park.
54. On balance, but clearly and robustly, it is considered that the design incorporates features to create sufficient articulation and interest and whilst it would not necessarily appear as locally distinctive, it would, subject to the use of high quality materials, improve the character of the built environment in this location.

Residential Amenity

55. Policy DM2 of the Joint Development Management Policies Document requires development to take mitigation measures into account to not adversely affect the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light, other pollution (including light pollution), or volume or type of vehicular activity generated.
56. Concerns have been raised in this regard by neighbouring residents, citing overlooking, noise and disturbance from people and vehicles as key concerns.
57. In terms of impacts from overlooking, the hotel would be positioned such that the windows would face south towards the development on Etna Road. However, the building would be approximately 33 metres from the boundary with the closest property on Etna Road. In the context of an urban location, where there is already an element of mutual overlooking between existing

properties, it is considered that this degree of separation is acceptable and would not result in an adverse effect on the reasonable level of amenity these properties would expect to enjoy. It is also considered that this degree of separation is such that the hotel building would not be physically overbearing, and nor would the coffee outlet which is closer to the neighbouring properties but more modest, and therefore acceptable, in scale.

58. In terms of noise and disturbance, given that this is an allocated employment site, which also has an extant prior approval for the conversion of the existing building to flats, a degree of noise from coming and goings associated with the use on site is inevitable. However, notwithstanding this, the Public Health and Housing officer acknowledges that some of the activities on site associated with the development have the potential to cause noise and disturbance. In this regard they are recommending conditions to control the hours for deliveries to the hotel, the opening hours and timing of delivery to the coffee shop, measures in relation to proposed plant and the use of an acoustic fence. Restriction in terms of lighting and adherence to the submitted scheme and the submission of a construction management plan would also be secured by condition.
59. Notwithstanding the measures secured above, the Public Health and Housing Officer comments highlight that the access road to the site (Etna Road) is adjacent to 4 houses in Ramplin Close and, as such, all traffic to the other houses, Enterprise Park and the patrons of the hotel and café would pass these properties. Conditions restricting the times for deliveries/collections and opening hours of the café will mitigate this to some extent but will not completely remove the loss of amenity for these residents. This adverse impact should carry some weight against the development in the planning balance. However, in the context of the existing permission and allocation and the urban location the weight attached to this would be limited.

Accessibility and Highways Impacts

60. The NPPF emphasises the need for the transport system to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 32 of the Framework requires all developments that generate significant amounts of movements to be supported by a Transport Statement or Transport Assessment. It goes on to advise that development should not be prevented or refused on transport grounds, unless the residual cumulative impacts of development are severe.
61. Policy DM2 of the Joint Development Management Policies Document requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network. Policy DM45 sets out criteria for the submission of Transport Assessments and Travel Plans to accompany planning applications whilst Policy DM46 addresses parking standards.

62. Vehicular access to the site for customers and servicing is proposed off Compiegne Way from the existing Etna Road junction and an improved existing access directly onto Compiegne Way, north of River Lark, will serve a smaller hotel customer car park. A Transport Assessment has been submitted alongside the application to consider the impact of the proposed development on the highway network.
63. Automated Traffic Counts (ATCs), were undertaken at Etna Road, between the 30th November and 6th December 2016. A queue length survey was also undertaken on Tues and Wednesday 8th and 9th November 2016, 07.00-10.00 and 16:00- 19:00.
64. In terms of trip generation, calculations for the development show 29 trips peak AM trips and 22 peak PM trips for the hotel and 18 peak AM trips and 31 peak PM trips for the coffee outlet. By way of comparison the peak AM and PM trip rates for an office development which are shown to be 25 and 29 respectively. Comparing this two figure the net development trips are shown to be 22 peak AM trip and 34 peak PM trips.
65. It is noted that when scaled by an appropriate growth factor over the next five years, Compiegne Way will be operating at 92% of its maximum capacity and over its desirable capacity, with the largest increase in flow being observed northbound in the PM peak hour. The net increase in trips for this proposed re-development during this period would be just 3% of the total flow. The Transport Assessment does not consider this small increase to be material and the reduced capacity of Compiegne Way is attributed to wider strategic transport impacts arising from the planned development across Bury St. Edmunds.
66. A visibility splay of 2.4 m x 60 m is achievable at the existing Etna Road junction if vegetation is trimmed back and at the car park access north of the river, 2.4 x 77.5m can be achieved looking south and 2.4 x 90m is indicated to the north.
67. The onsite parking provision for the hotel and coffee shop will be in accordance with the Suffolk Guidance for Parking as shown in the table below/overleaf, reproduced from the Transport Assessment:

Hotel		Requirement	Achieved
Vehicle	1 space per bedroom plus 1 space per full time equivalent (13 full time equivalent staff working in the Travelodge hotel)	= 80 spaces +13=93	80
Cycle	1 stand per 5 staff plus 1 space per 20 bedrooms	= 3 stands+ 4 spaces= 5 stands	5 stands
PTW	1 space + 1 per 20 car spaces (for first 100 car spaces); then 1 space per 30 car spaces (over 100 car spaces)	= 5 spaces	5
Disabled	3 bays or 6% of total capacity, whichever greater	=5 spaces	6
Coffee Shop		Requirement	Achieved
Vehicle	1 space per 5 m ² public area	= 20 assuming 100 m ²	20
Cycle	1 stand per 100 m ²	= 1 stand	1 stand
PTW	1 space + 1 per 20 car spaces (for first 100 car spaces); then 1 space per 30 car spaces (over 100 car spaces)	= 2 spaces	2
Disabled	3 bays or 6% of total capacity, whichever greater	= 3 spaces	3

Table 9.2: Parking provision guidance interpreted for the site

68. The Highways Officer has reviewed the Transport Assessment and has advised that the traffic flows would not make the site 'severe' with regard to highway safety, which the relevant test / threshold is set out in the NPPF. They have also confirmed that if the site can deliver the required visibility splays and pedestrian links then some safety mitigation is delivered.
69. Given that the site has had previous uses that have high vehicle movements, and the accident data gives no rise for concern, the Highways Officer has no objection to the development, subject to the use of conditions. The development is therefore considered to be acceptable in terms of the impacts on the highways network and highway safety and in accordance with development plan policies and the guidance contained within the NPPF.

Ecology and Biodiversity

70. Paragraph 109 of the NPPF recognises that the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. The Natural Environment and Rural Communities Act which requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.
71. Policy DM10 of the Joint Development Management Policies Document 2015 recognises that proposals which would result in significant harm to biodiversity, having appropriate regard to the 'mitigation hierarchy', will not be permitted.

72. The application site straddles the River Lark which is recognised locally as an important wildlife habitat particularly given its linear nature providing connectivity through the town and its varied structural diversity. The River Lark Corridor is an important Green Infrastructure (GI) corridor through Bury St Edmunds. Policy BV26 of Bury St Edmunds Vision 2031, requires that:

In and around the town of Bury St Edmunds the integrity and connectivity of the strategic green infrastructure network will be maintained, protected and enhanced, which includes the creation of new habitats, through the implementation of the St Edmundsbury Green Infrastructure Strategy.

Opportunities to extend the coverage and connectivity of the strategic green infrastructure network should be undertaken in association with new development, where appropriate.

73. In particular the policy requires that Green Infrastructure projects will; enhance and extend, where practical, the wetland landscape character of the urban River Lark and River Linnet, and connect multifunctional green infrastructure routes/corridors in the town to existing and future green spaces.

74. Initial concerns were raised by Officers that the proposals would be likely to have an impact on this GI feature, through the intensification of use either side of the river and removal of supporting habitat that contributes to the river corridor as a whole. Indeed, the loss of a currently undeveloped area of land adjacent to the River Lark was seen as at odds with the aspirations of policy BV26.

75. In such circumstances, consideration must be given to the mitigation hierarchy, which requires that proposals consider avoidance of impacts and failing that mitigation and compensation measures.

76. The Landscape and Ecology Officer identified a number of possible measures that might mitigate and compensate the impacts of the proposals. These were:

- Secure/include the delivery of the river channel improvements, and adjust the design of the car park to ease car parking back from the rivers' edge;
- Contribute to the River Lark corridor footpath securing the section of footpath along Compiegne Way from the development site on the eastern edge north to Tesco's; and,
- Compensate for the loss of habitat and connectivity through a contribution to habitat improvements elsewhere within the River Corridor for example on the Ram Meadow locally designated wildlife site.

77. Without the measures set out above, it is considered that the development would be in direct conflict with policies BV26 and DM10, indicating that the development is not acceptable in planning terms. However, during the course of the application additional information has been provided and applicant has undertaken to undertake the measures set out above, which will be secured by condition.

78. In light of the above and subject to the use of conditions to secure the complete package of compensatory measures, the development is considered to be

acceptable in terms of ecology and biodiversity and in accordance with development plan policies and the guidance contained within the NPPF.

Flood risk and Drainage

79. The site is indicated as being within Flood Zones 2 of Environment Agency's flood map for planning. In accordance with the National Planning Policy Framework paragraph 101, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

80. The NPPF goes on in paragraph 102 to state:

If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared*
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall*

Both elements of the test will have to be passed for development to be allocated or permitted.

81. Notwithstanding this, the submitted flood risk assessment (FRA) asserts that in due to improvement works after the 1968 flooding event, based on hydraulic modelling, the site is predicted to flood at less than 0.1% annual exceedance probability (i.e. Equivalent to Flood Zone 1). The Environment Agency has confirmed that this modelling is correct, however, the site is still deemed by the Environment Agency to be within Flood Zone 2 due to the historic flooding.

82. The sequential test seeks to direct development to flood zone 1. Given that this site has been shown through modelling to have a flood risk equivalent to flood zone 1 the application of the sequential test would not realistically serve any useful or sensible flood risk purpose in this case. Notwithstanding this, the sequential work carried out in relation to the location of a main town centre use demonstrate that there are no alternative sites available within the town, and by default no sites at a lower risk of flooding.

83. In applying the exception test to the development, set out at paragraph 102 it is considered that the development would bring wider sustainability benefits through the creation of jobs and through the provision of additional hotel accommodation to serve the town in a sustainable location. The Flood Risk Assessment, which the Environment Agency has reviewed has been found to be acceptable.

84. The County Floods Officer has reviewed the surface water drainage information and is satisfied that the development is acceptable subject to the use of conditions.
85. The development is therefore considered to be acceptable in terms of flood risk and surface water drainage and in accordance with development plan policy and the guidance contained within the NPPF in this regard.

Other matters

Benefits of the development

86. The proposed development would bring both short term and long term economic benefits from the employment during construction and once operational. The hotel would bring economic benefits from providing additional overnight accommodation within walking distance of the town centre, along with associated increased local expenditure from guests.
87. The ecological benefits in terms of improvements to the river channel, improved soft landscaping and offsite works to Ram Meadow are required to mitigate the impact of the development on the green corridor but would nevertheless also bring benefits in terms of biodiversity.

Contaminated Land

88. The application is supported by a Ground Investigation Report, reference 14430GI, dated April 2016, undertaken by RSA Geotechnics Ltd. The report does not identify any levels of contaminants that would pose a risk to end users of the site and does not recommend any specific additional actions. This report has been reviewed by the Council's Environment Officer, who has recommended a condition be attached, should planning be granted, to allow sufficient protection in the event of unexpected contamination being encountered.
89. Concerns have been raised from a neighbouring occupier over the potential for asbestos to be present in the existing building to be demolished. If this is the case this would fall under the Control of Asbestos Regulations 2012, under the Health and Safety Executive and would fall outside the scope of the planning process.

Air Quality:

90. The Council's Environment Officer draws attention to the EPUK document Land-Use Planning & Development Control: Planning For Air Quality (May 2015(v1.1)), which recommends that major developments are subject to measures to help reduce the impact on Local Air Quality.
91. Paragraph 35 of the NPPF states that 'plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to ... incorporate facilities for charging plug-in and other ultra-low emission Vehicles'. In addition, the St Edmundsbury Core Strategy Policy CS2, Sustainable Development, requires the conserving and, wherever possible, enhancing of natural resources including, air quality.

92. The Design and Access Statement, confirms that the hotel will be provided with Electric Vehicle (EV) charging points, with the Site Location Plan showing 8 locations, which equates to 10% of the 80 parking spaces. The Environment Officer has advised that given these charge points are likely to be used for overnight charging, a minimum charging speed for these points would not be required. However, the coffee outlet does not appear to have been provided with any similar provision and given its location, within easy access of the strategic road network, it is ideally placed to incorporate a rapid charger, which would also match the anticipated generally short duration of visits. The provision of this charge point is formalised by attaching an appropriately worded condition, should planning permission be granted.

Conclusion and Planning Balance:

93. The development proposal has been considered against Development Plan Policies and the objectives of the National Planning Policy Framework and the government's agenda for growth.
94. The development is considered to meet the necessary requirements of key policies relating to the principle of development, those being policy DM5 (development in the countryside) and DM35 (town centre uses).
95. In terms of the fact that this site has an employment land allocation, development Plan Policy DM30 allows for non-employment uses to be considered on employment sites subject to specified criteria being met. In this case, no evidence has been provided of marketing for alternative users. However, the context of an existing prior approval consent for a residential use here the weight that this policy conflict would attract against the proposal is diminished.
96. Policies BV26 and DM10 seek to protect biodiversity and green infrastructure and require proposals which would result in significant harm to biodiversity, having appropriate regard to the 'mitigation hierarchy'. Subject to securing all of the mitigation measures identified by the Landscape and Ecology Officer by condition, the development is considered to be acceptable in terms of ecology and biodiversity and in accordance with development plan policies and the guidance contained within the NPPF.
97. Subject to the use of conditions the development is also considered to be acceptable in terms of flood risk, drainage, highway safety and visual amenity.
98. The increase in the levels of noise and disturbance that would arise as a result of the development on the amenity of nearby residents can be mitigated to a large extent through the use of conditions. However, residual impacts would remain from movement to and from the site and this adverse effect attracts some weight against the development in the planning balance, albeit of a limited nature due to context of the site and urban location, as well as due to the fact that it is an allocated site with some anticipation that it will be redeveloped, with consequential impacts in any event.
99. There are some economic and environmental benefits which would carry weight in favour of the development. It is also considered that there would

be an enhancement in the quality of the built environment in this location as a result of the redevelopment of this site. Taken together these factors would carry substantial weight in favour of the development.

100. On balance, the proposal is considered to be broadly in accordance with development plan policy and those areas of modest conflict would be outweighed by the very significant benefits associated with the development, as outlined above. The application is therefore recommended for approval.

Recommendation:

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

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.
2. Approved Plans
A full list of approved plans will be circulated as late papers prior to the Development Control Committee meeting on 6 July 2017.
3. The drive though coffee outlet shall be open only between the hours of 07:00- 21:00.
Reason: To safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.
4. Deliveries to and collections from the site shall take place only between the hours of 07:00-18:00.
Reason: To safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.
5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

6. Demolition and construction works shall take place only between the hours of 07:30-19:00 Mondays to Fridays and 07:30-13:00 on Saturdays. No work shall take place on Sundays or Bank Holidays.

Reason: To safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

7. Prior to works commencing a construction method statement be produced to and be agreed by the local planning authority. The method statement is to include the measures to control dust emissions, noise & vibration and methodology for waste recycling on site and waste disposal. The agreed method statement to be adhered to throughout the demolition and construction works.

Reason: This condition is pre-commencement to safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

8. All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas in accordance with policy DM2 of the Joint Development Management Policies Document.

9. No development shall commence until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:

1. Measures for the protection of those trees and hedges on the application site that are to be retained,
2. Details of all construction measures within the 'Root Protection Area' (defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: This condition is pre-commencement to ensure that the most important and vulnerable trees are adequately protected during the period of construction.

Reason: To ensure that the most important and vulnerable trees are adequately protected during the period of construction.

10.No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan throughout the entire construction period.

Reason: This condition is pre-commencement, to ensure the development does not cause increased pollution of the watercourse in line with the River Basin Management Plan.

11.No above ground construction shall take place until full details of the external materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

12.No above ground construction shall take place until full details of the location, design and method of installation of stock proof fencing and gates on Ram Meadow, have been submitted to the local planning authority and approved in writing. The location of the fencing shall be in general conformity with the details shown on the 'Indicative Fencing Location - Ram Meadow, BSE', which attaches to this consent. The fencing and gates shall be fully installed in accordance with the approved details prior to the first use of the development hereby approved or in accordance with a timetable agreed in writing with the local planning authority.

Reason: In part mitigation for the loss of River Lark Corridor in this development in accordance with policy DM10 of the Joint Development Management Policy Document 2015.

13.No development shall take place until a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved for the lifetime of the development and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- enhancement of the river channel
- detail extent and type of new planting (NB planting to be of native species)
- details of maintenance regimes
- details of any new habitat created on site
- details of treatment of site boundaries and/or buffers around water bodies
- details of management responsibilities.

Reason. To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

14. The enhancements within the River Channel detailed in condition 13 above shall develop the proposals set out in Appendix F of the submitted Design and Access Statement that accompanies the application. The details shall be agreed in writing prior to any above ground construction taking place and shall be fully implemented prior to the first use of the development hereby approved or in accordance with a timetable agreed in writing with the local planning authority.

Reason. To secure opportunities for the enhancement of the nature conservation value of the River Lark in part site in part mitigation for the loss of River Lark Corridor in this development in accordance with policy DM10 of the Joint Development Management Policy Document 2015.

15. Notwithstanding the submitted landscaping plan, full details of the soft landscaping, taking account of the need to retain planting within the highway verge, shall be submitted to the local planning authority and agreed in writing. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

16. No above ground construction shall take place until details of a proposed footway from Etna Road to the Northern Car Park and from the northern car park onto the Tesco car park taking into consideration existing road signs, have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety and available for use prior to the first use of the hotel hereby approved. Thereafter the footpath shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and to provide a sustainable link for employees and visitors from the adoptable highway to the access paths shown as per the application plans and to facilitate future public access along the River Lark Corridor as part of the Green Infrastructure Strategy for Bury St Edmunds as set out in policy BV26 in part mitigation for the loss of River Lark Corridor in this development.

17. No above ground construction shall take place until details of a proposed footway and how it ties into the existing footway network from Etna Road to the Main site entrance have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and

constructed in its entirety prior to First occupation of the property. Thereafter the footpath shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and to provide a sustainable link for employees and visitors from the town centre amenities to the site main entrance without conflict with vehicles.

- 18.No above ground construction shall take place until details of proposed vehicle headlight screening have been submitted to and approved in writing by the Local Planning Authority. The approved screening shall be laid out and constructed in its entirety prior to First use of the property and thereafter retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification to prevent vehicle headlight from distracting/dazzling vehicle users on Compiègne and made available for use at an appropriate time in the interests of highway safety.

- 19.The use hereby approved shall not commence until the area(s) within the site shown on 4761/3-02 Rev B for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

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.

- 20.Before the first use of the access onto Etna Road from site, visibility splays shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays, which shall be set back 2.4m and then 43m in the direction of Compiègne Way and to the nearside of the kerb.

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 to take avoiding action.

- 21.Before the access is first used onto Compeigne Way from Etna Road, visibility splays shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays, which shall be 43m set back 2.4m in both directions.

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 to take avoiding action.

22. Before the access is first used onto Compeigne Way from the application site car park visibility splays shall be provided in accordance with details previously approved in writing by the Local Planning Authority and thereafter shall be retained in the approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays, which shall be set back 2.4m for a distance of 70m in both directions.

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 to take avoiding action.

23. No part of the development shall be commenced until details of the proposed access (including the position of any gates to be erected and visibility splays provided) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to First occupation of the property. Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety.

24. The use shall not commence until the area(s) within the site for the storing of bicycles has been submitted to and approved in writing by the Local Planning Authority for the purposes parking and storing of bicycles to meet SCC parking standards, plus one space per hotel staff has been provided and thereafter that area(s) shall be retained and used for no other purposes, these spaces are required to be secure and covered.

Reason: To ensure that sufficient space for the on site parking of bicycles is provided and maintained in order to ensure the provision of adequate sustainable transport methods due to the site not providing on site staff parking.

25. The strategy for the disposal of surface water (dated Feb 2017, ref: 130/2016/03) and the submitted Flood Risk Assessment (FRA) shall be fully implemented in accordance with these details prior to the first use of the development hereby permitted. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

26. Prior to the first use of the development hereby permitted, full details of all Sustainable Urban Drainage System components and piped networks shall be submitted, in an approved form, to and approved in writing by the

Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register

27. Prior to the first use of the development hereby approved, an imperforate noise barrier shall be erected along the south east site boundary of the site between the drive through café and Etna Road. The barrier shall be installed in accordance with details submitted to and approved by the local planning authority. The approved barrier shall be maintained in perpetuity. Reason: This condition is pre-commencement to safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

28. Prior to the first use of the development hereby approved, details of any kitchen ventilation systems, to include noise attenuation and odour control systems and details of any external plant, shall be submitted to and approved by the local planning authority. The approved systems and plant shall be installed in full accordance with the agreed details and in respect of kitchen ventilation systems, before the commercial kitchen is brought into use. Reason: This condition is pre-commencement to safeguard neighbouring amenity in accordance with policy DM2 of the Joint Development Management Policies Documents 2015.

29. Prior to first use of the hotel as approved under this planning permission, at least 8 electric vehicle charge points shall be provided for customer use at reasonably and practicably accessible locations within the car park. The Electric Vehicle Charge Points shall be retained thereafter. Reason: To promote and facilitate the uptake of ultra-low emission vehicles in order to enhance local air quality in line with the National Planning Policy Framework (NPPF) paragraph 35; Policy DM2 (k) of the Joint Development Management Policies Document and Policy CS2 (E) of the Core Strategy.

30. Prior to first operational use of the Coffee Outlet as approved under this planning permission, at least 1 publically available 'rapid' electric vehicle charge point shall be provided in a location within the car park to be agreed in writing with the local planning authority. The Electric Vehicle Charge Point shall be retained thereafter.

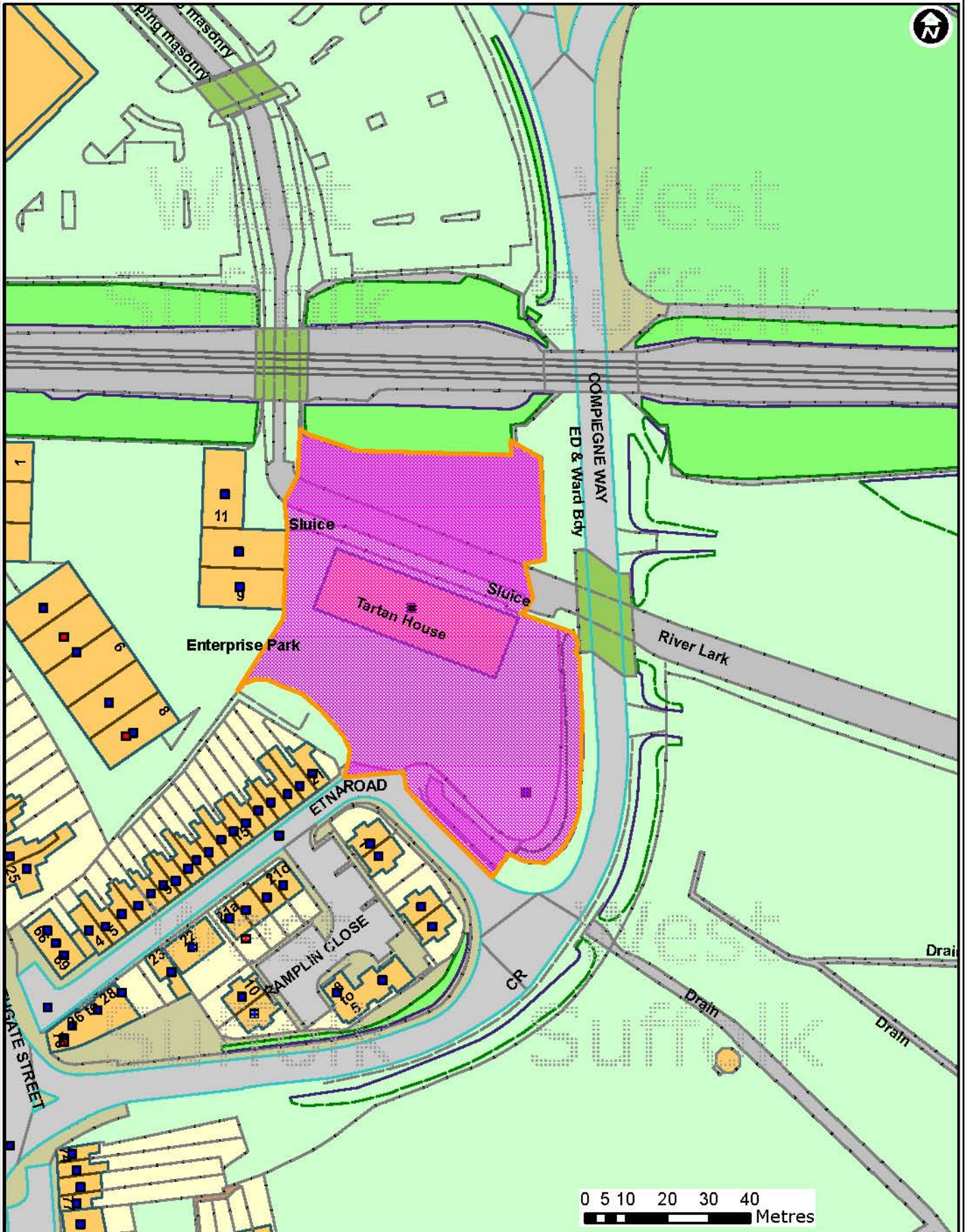
Reason: To promote and facilitate the uptake of ultra-low emission vehicles in order to enhance local air quality in line with the National Planning Policy Framework (NPPF) paragraph 35; Policy DM2 (k) of the Joint Development Management Policies Document and Policy CS2 (E) of the Core Strategy.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/17/0438/FUL](https://www.dorset.gov.uk/DC/17/0438/FUL)

DC/17/0438/FUL

Tartan House, Etna Road, Bury St. Edmunds



Forest Heath • St Edmundsbury

West Suffolk
working together

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Date: 20/06/2017

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SITE AREA		
	AREA (m ²)	AREA (ft ²)
SITE AREA	4018 m ²	43244 ft ²

AREA SCHEDULE - HOTEL GIA		
LEVEL	AREA (m ²)	AREA (ft ²)
00 - Ground Floor	643 m ²	6926 ft ²
01 - First Floor	644 m ²	6935 ft ²
02 - Second Floor	644 m ²	6935 ft ²
03 - Third Floor	644 m ²	6935 ft ²
	2576 m ²	27730 ft ²

AREA SCHEDULE - BEDROOM TYPE TOTALS		
TYPE	TOTAL AREA (m ²)	TOTAL AREA (ft ²)
Accessible Room	84.9 m ²	914.2 ft ²
4	84.9 m ²	914.2 ft ²
Double Shower Room	580.4 m ²	6,247.7 ft ²
39	580.4 m ²	6,247.7 ft ²
Family Room	778.9 m ²	8,383.9 ft ²
37	778.9 m ²	8,383.9 ft ²
80	1444.3 m ²	15,545.8 ft ²

80 ROOMS TOTAL

AREA SCHEDULE - COFFEE OUTLET GIA		
	AREA (m ²)	AREA (ft ²)
COFFEE OUTLET (PUBLIC SPACE)	109 m ²	1,177 ft ²
COFFEE OUTLET (STAFF SPACE)	59 m ²	635 ft ²
	168 m ²	1,812 ft ²

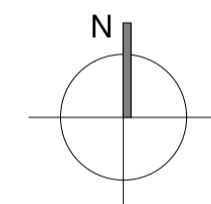
PARKING SCHEDULE

HOTEL PARKING

- SOUTH SITE**
 - 47 CAR PARK SPACES
 - 1 POSSIBLE ADDITIONAL STAFF SPACE
 - 5 PTW SPACES
 - 5 BICYCLE STANDS
- NORTH SITE**
 - 32 CAR PARK SPACES
- TOTAL**
 - 80 CAR PARK SPACES
 - 5 PTW SPACES
 - 5 BICYCLE STANDS

COFFEE OUTLET PARKING

- SOUTH SITE**
 - 20 CAR PARK SPACES
 - 2 PTW SPACES
 - 1 BICYCLE STAND



PLANNING

Rev	Description	Issued	Dwn	Chk
B	SITE BOUNDARY LINE AMENDMENT	09.03.17	PF	CH
A	INITIAL PLANNING DRAWING	20.02.17	PF	CH

Client: NHP Holdings Ltd.
Project: Tartan House, Bury St. Edmunds, IP33 1JZ

Drawing: PROPOSED Site Layout Plan

Scale: 1 : 200@A1
Date: 09/03/17
Drawn: PF
Checked: CH

Scale: 1 : 200@A1
Date: 09/03/17
Drawn: PF
Checked: CH

Brookes Architects
Upstairs at The Grange
Bank Lane, London SW15 5JT
T 020 8487 1223
F 020 8876 4172
E info@brookesarchitects.co.uk
www.brookesarchitects.co.uk

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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/028

**Development Control Committee
6 July 2017**

**Planning Application DC/17/0842/FUL –
Land North West of Bury St Edmunds, Tut Hill,
Fornham All Saints**

Date: 25/04/2017 **Expiry Date:** 20/06/2017
Registered:

Case Officer: Charles Judson **Recommendation:** Approve

Parish: Bury St Edmunds **Ward:** Fornham

Proposal: Acoustic Fencing along the North-West and South-West boundaries of the Northern Way employment area in connection with Hybrid Planning Permission - DC/13/0932/HYB

Site: Land North West of Bury St Edmunds, Tut Hill, Fornham All Saints

Applicant: Mr David Cohen, Countryside Properties (UK) Ltd

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.

CONTACT CASE OFFICER:
Charles Judson
Email: charles.judson@westsuffolk.gov.uk
Telephone: 01638 719267

Background:

This application is referred to the Development Control Committee because the application site is Council owned land.

Proposal:

1. Planning permission is sought for the erection of a 4m high acoustic fence to provide noise attenuation between Northern Way Industrial Estate and the development known as Marham Park to the north west of Bury St Edmunds.
2. The application has been amended since submission to include details of tree protection, construction methodology and mitigation planting.

Application Supporting Material:

3. Information submitted with the application as follows:
 - Location plan
 - Elevation plans
 - Tree survey plan
 - Tree report
 - Tree removal plans
 - Tree protection plan
 - Fence routing plans
 - Noise survey and report
 - Biodiversity survey and report
 - Method statements
 - Mitigation planting plan

Site Details:

4. The site is situated to the north west of Bury St Edmunds and runs parallel to the north-west and south-west boundaries of Northern Way Industrial Estate which contains a range of B1, B2 and B8 and associated uses. The site forms part of an existing mature woodland belt owned and managed by St Edmundsbury Council. To the north and west of the site is land granted planning permission for development under application DC/13/0932/HYB.

Planning History:

5. DC/13/0932/HYB: 1. Formation of link road from Mildenhall Road (A1101) to Tut Hill (B1106). 2. Change of use of 15.7 ha. of land between new link road and Fornham All Saints to informal countryside recreation. 3. Outline Planning Application - (i) residential development within Use Classes C2 and C3; (ii) local centre (iii) reservation of land for primary education (Class D1) (iv) public open space (sports & leisure facilities, allotments, play facilities and informal open space). Land North West Of Bury Tut Hill Fornham All Saints Suffolk. Approved 8 October 2014.

Consultations:

6. Highway Authority: The proposal does not affect the highway and, therefore, we have no objection.
7. SCC Flood and water Engineer: No comments
8. Public Health and Housing: No objection
9. Ecology and Landscape Officer: No objections following submission of tree protection plan, mitigation planting plan and method statements.

Representations:

10. Fornham All Saints Parish Council (following receipt of planting mitigation plans): The committee noted that the number of trees removed (or planned for removal) was approx. 131, but new information provided by Countryside Properties has revealed:

a) an additional area, covering 1,396 sq metres, will be planted with trees. This more than mitigates for the loss of the approx. 131 trees removed (or planned for removal).

b) none of the trees to be removed are covered by TPOs.

c) bat boxes will be installed in the woodland area adjacent to the proposed acoustic fence.

Additionally, a recent re-visit to the existing woodland site adjacent to the acoustic fence has confirmed that there will be "no loss of amenity" as the result of the present scheme.

As a result of the above information, the Parish Council wishes to withdraw its objection to Planning Application DC/17/0842/FUL.

11. Ward Member (Councillor Beccy Hopfensperger): No comments received
12. Herga Technology Limited, Northern Way Industrial Estate:
 - The construction of the fence has commenced leaving us to think that a decision has already been made
13. 34 Pigeon Lane, Fornham All Saints:
 - I object very strongly to the cutting down of all the trees to make way for the acoustic fence
 - The applicants have remove shrubs, flowers and wildlife from Pigeon Lane
 - The woodland is well used and the tree removals are not necessary

Policy: The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

14. Joint Development Management Policies Document:

- Policy DM1 – Presumption in favour of sustainable development
- Policy DM2 – Creating Places – development principles and local distinctiveness
- Policy DM11 – Protected species
- Policy DM12 – Mitigation, enhancement, management and monitoring of biodiversity
- Policy DM13 – Landscape features

15. St Edmundsbury Core Strategy December 2010

- Policy CS2 – sustainable development
- Policy CS3 – Design and local distinctiveness

Other Planning Policy:

16. National Planning Policy Framework (2012) core principles and paragraphs 56 – 68

Officer Comment:

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

- Impact on landscape
- Impact on woodland and ecology
- Impact on users of industrial estate

18. The application seeks full planning permission for the erection of an acoustic fence to be sited on the north-west and south-west boundaries of Northern Way Industrial Estate within an existing established woodland.

19. The proposal has been submitted following the approval of DC/13/0932/HYB which granted, inter alia, outline consent for residential development on agricultural land to the north and west of the industrial estate. Recognising that the industrial estate would have a noise impact on the residential development it is a requirement of the section 106 agreement of this permission to provide a noise attenuation fence in one of two locations ('option A' and 'option B' for the purposes of this report). Option A requires the fence to be erected in the location proposed as part of this application. The application is therefore in direct response to this section 106 requirement. The section 106 agreement states that in the event that for practical or technical reasons it is not possible to construct the noise fence along all or part of option A the applicants shall instead construct the noise fence on option B (on the 'Marham Park' side of the woodland belt).

20. The fence would be 4m in height and would be sited adjacent to the existing industrial estate within an existing mature woodland. The proposal would require the removal of 131 trees and pruning of 35 trees to make space to construct the fence. It is understood that this work has already been

undertaken with the consent of the Council's estates team. These trees are not protected by way of Tree Preservation Order and the removal of these trees does not therefore represent a breach of planning legislation.

21. The woodland belt in which the fence would be sited is used by the public for informal access. The proposed fence would deteriorate the amenity afforded by the woodland by imposing a regular and utilitarian structure as well as a reduction in the width of the woodland belt. The woodland belt also provides an ecological habitat and the tree removals and proposed fence would have an adverse impact on this habitat. As mitigation for this impact on amenity, biodiversity and ecology it is proposed to provide a strip of land 4m in depth to the north-west and south-west of the existing where replacement planting can be secured by way of condition. The applicants have provided a plan to show the location of mitigation planting and the wording of a condition has been agreed.
22. Subject to this mitigation being secured and provided that the proposed tree protection and methodology are followed and a scheme for bat boxes is provided the Landscape and Ecology Officer raises no objections to the development proposed. A representation has been received from an occupant of Pigeon Lane objecting to the removal of the trees. The number of trees to be removed is considered necessary to facilitate the construction of the fence and appropriate tree protection will be required to protect trees to be retained. Furthermore, appropriate mitigation will be provided in a 4m deep extension to the woodland to compensate for the loss of trees, woodland and habitat. The loss of trees is therefore considered on balance to be acceptable.
23. The landscape impact of the fence is limited being sited on the industrial estate side of the woodland belt (as opposed to the 'Marham Park' side of the woodland belt) and its visual impact would therefore only be noted from within the woodland belt and from the industrial estate. It is not considered that this visual impact would be significant and any impact would soften over time. Furthermore, the proposed fence would provide greater security to the industrial estate which is considered to be a benefit of the scheme.
24. The fence would be sited directly adjacent to the boundary with the industrial estate and a number of the units have windows or doors in elevations facing towards the fence. Furthermore, the industrial estate is at a lower level than the woodland. Whilst the fence would therefore be a feature visible from within some of the industrial units and from land associated with them and be sited at a higher level, bearing in mind the impact of the existing woodland and the nature of the adjacent land use it is not considered that the proposal would result in an unacceptable loss of light or amenity for users of the industrial estate.
25. A business owner on the industrial estate has commented that work has commenced and has raised concerns that this suggests that a decision on the acceptability of the proposal has already been made. The applicants did commence construction of the fence but have subsequently ceased all work when the Council became aware of the work. The application must be considered on its merits and Members will be aware that the part

retrospective nature of this proposal should have no bearing on its acceptability.

Conclusion:

26. 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:

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

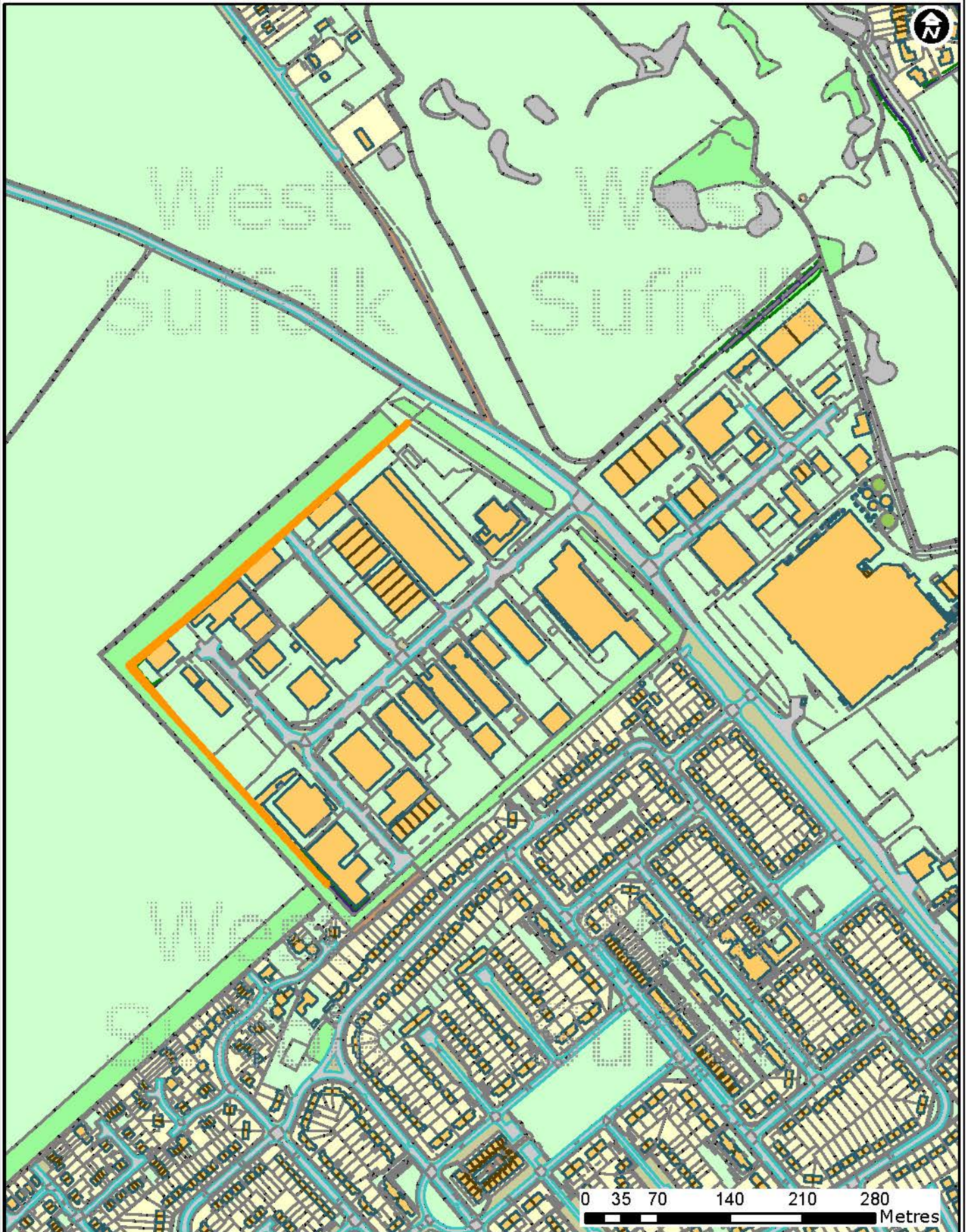
1. 3 year time limit condition
2. Within three months of the date of this planning permission, a scheme for the mitigation planting (the location of which is indicated on approved drawing 180604/URB/SK/AFMP/001)), to comprise a 4m-deep strip of native species woodland, shall be submitted to and approved in writing by the Local Planning Authority. The mitigation planting shall be provided during the first planting season following the grant of planning permission, except for that between Points B and C as indicated on the approved drawing where it shall be provided during the first planting season after three years from the grant of planning permission. Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
3. Prior to the completion of the acoustic fence, a scheme for the provision of bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be provided in accordance with the approved scheme.
4. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online here: <DC/17/0842/FUL>

DC/17/0842/FUL

Land North West of Bury, Tut Hill, Fornham All Saints



Forest Heath • St Edmundsbury

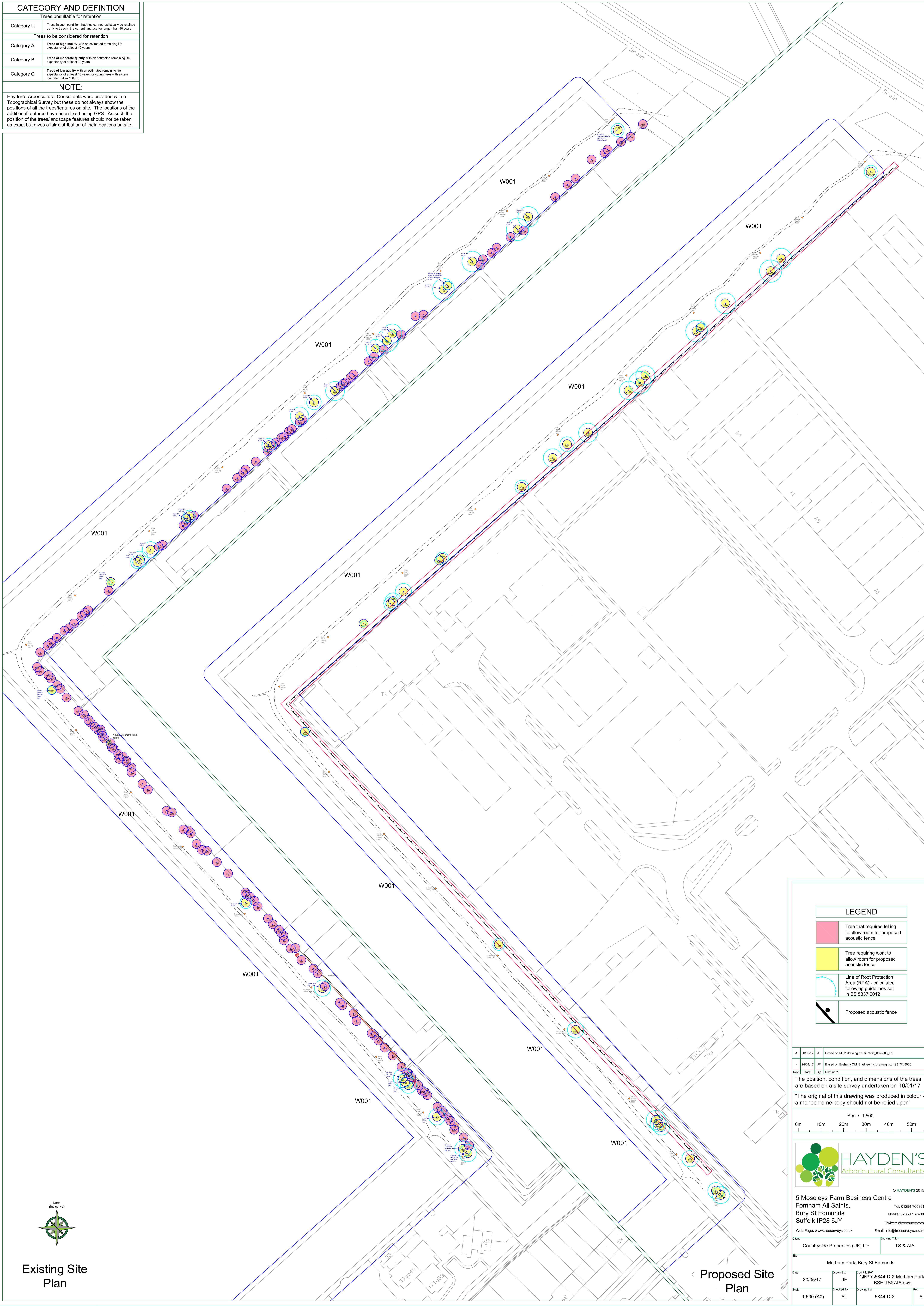
West Suffolk
working together

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Date: 20/06/2017

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CATEGORY AND DEFINITION	
Trees unsuitable for retention	
Category U	Trees in such condition that they cannot realistically be retained as living trees in the current land use for longer than 10 years
Trees to be considered for retention	
Category A	Trees of high quality with an estimated remaining life expectancy of at least 40 years
Category B	Trees of moderate quality with an estimated remaining life expectancy of at least 20 years
Category C	Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm
NOTE:	
Hayden's Arboricultural Consultants were provided with a Topographical Survey but these do not always show the positions of all the trees/features on site. The locations of the additional features have been fixed using GPS. As such the position of the trees/landscape features should not be taken as exact but gives a fair distribution of their locations on site.	



Existing Site Plan

Proposed Site Plan

LEGEND	
	Tree that requires felling to allow room for proposed acoustic fence
	Tree requiring work to allow room for proposed acoustic fence
	Line of Root Protection Area (RPA) - calculated following guidelines set in BS 5837:2012
	Proposed acoustic fence

A	30/05/17	JF	Based on M.M drawing no. 607588_607-608_P2
-	24/01/17	JF	Based on Bratheny Civil Engineering drawing no. 4981/91/3000
Rev:	Date:	By:	Revision:
The position, condition, and dimensions of the trees are based on a site survey undertaken on 10/01/17			
The original of this drawing was produced in colour - a monochrome copy should not be relied upon			
Scale 1:500			
0m	10m	20m	30m 40m 50m
© HAYDEN'S 2015			
5 Moseleys Farm Business Centre			
Fornham All Saints,			
Bury St Edmunds			
Suffolk IP28 6JY			
Web Page: www.treesurveys.co.uk			
Email: info@treesurveys.co.uk			
Client:	Countryside Properties (UK) Ltd	Drawing Title:	TS & AIA
Site: Marham Park, Bury St Edmunds			
Date:	30/05/17	Drawn By:	JF
Client File Ref:	C:\Pro\5844-D-2-Marham Park, BSE-TS&AIA.dwg		
Scale:	1:500 (A0)	Project No.:	5844-D-2
Sheet:	A		

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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/029

**Development Control Committee
6 July 2017**

**Planning Application DC/17/0029/OUT –
Little Moseleys, The Green, Fornham All Saints**

Date: 10.02.2017 **Expiry Date:** 07.04.2017 EOT
Registered: agreed until 11.07.2017

Case Officer: Britta Heidecke **Recommendation:** Approve with conditions

Parish: Fornham All Saints **Ward:** Fornham

Proposal: Outline Planning Application (All matters reserved) - 4no. dwellings

Site: Little Moseleys, The Green, , Fornham All Saints

Applicant: Mr C Browne

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.

CONTACT CASE OFFICER:

Britta Heidecke
Email: Britta.heidecke@westsuffolk.gov.uk
Telephone: 01638719456

Background:

This application is referred to the Development Control Committee because the proposal is a departure from the Development Plan.

Proposal:

1. Outline planning permission is sought for four detached dwellings (following removal of an existing agricultural workshop) with associated parking and vehicular and pedestrian access with all matters reserved. Scale, layout, access details and landscaping and appearance are therefore reserved for future consideration.
2. The application has been amended since submission to include, within the red line, land which will allow a foot and cycle link into the village and details for this pedestrian access.

Application Supporting Material:

3. Information submitted with the application as follows:
 - APPLICATION FORM
 - INDICATIVE SITE PLAN
 - HERITAGE STATEMENT
 - SUPPORTING STATEMENT
 - LOCATION PLAN
 - EXISTING SITE PLAN
 - INDICATIVE SECTION

Site Details:

4. The site is situated adjacent to the existing dwelling of Little Moseleys (east) and to Moseleys Barn and garden wall (west), south of the residential development of Chestnut Close and north of Moseleys Farm Business Centre. The application site is within the Countryside and Fornham All Saints Conservation Area, abutting the settlement boundary of Fornham All Saints. The site comprises presently of a steel framed agricultural building and associated yard (to be demolished), surrounded on two sides by hardstanding, which was formerly associated with Moseleys Farm and includes Little Moseleys dwelling (to be retained), garage and garden.
5. Little Moseleys is a generous detached dwelling with detached garage. The dwelling and private garden are screened from the adjacent open countryside (east), the business park and dwellings by established conifer hedging and a number of trees.
6. To the south of the site lies Moseleys Farm Business Centre with a range of business units which essentially are all orientated towards the yard.
7. Access details are a reserved matter. However, the proposal would utilise the existing shared vehicular access to Hengrave Road to the west of the

site. A pedestrian and cycle path would be provided through the business park to the village centre.

Planning History:

8. There are a number of householder type applications in relation to Little Moseley dwelling which are not relevant for the consideration of this application. There are also numerous application in relation to the Business Centre, the most recent and relevant application being the one below:
9. DC/17/0270/FUL (Storage Barn Moseleys Farm Business Park): Conversion of existing agricultural barn into offices (B1) and a coffee shop (A3): Granted (08.05.2017). *This utilises the same pedestrian and cycle access.*

Consultations:

10. Highway Authority: No objection (subject to conditions) and providing the current visibility splays and the access are maintained in their current form.
11. Historic England: no comments received
12. Conservation Officer: No objection subject to details
13. SCC Archaeology: No objection subject to conditions
14. Planning Policy: Concludes that, *'it is for the case officer to balance the above planning issues. However, planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. From the information submitted, the proposal is judged to be contrary to policies CS2, CS7, CS13, DM2, DM5, DM15, DM17, DM22 and DM 27 of the St Edmundsbury Local Plan. On the basis of the above, it is considered from a planning policy perspective this application as submitted should be refused.*

If it can be demonstrated that the proposal will not have an adverse effect on the setting of the adjacent listed buildings and the character and appearance of the conservation area and also a suitable cycle / pedestrian link secured to the village, the adverse impacts of the proposal would be reduced.' (24 Mar 2017)

Updated comments following amendments and submission of indicative section (20 June 2017):

'The amended drawings and comments of the Conservation Officer confirming that the scheme will not have a detrimental impact on the setting of the listed buildings and character or appearance of the conservation area satisfactorily address a number of the concerns raised in earlier comments.

Given the proposals location adjacent to the settlement boundary, surrounded on three sides by residential development and with business units on the fourth the proposal would not lead to isolated homes in the countryside and / or have a visual impact on the wider landscape. In terms of policy CS13 the proposal will not be detrimental to the character, appearance, historic qualities and biodiversity of the countryside. The proposal does not strictly conform to criteria a and b of policy DM27, however development in this location would not promote isolated homes in the countryside, undermine a visually important gap that contributes to the character and distinctiveness of the rural scene, have an adverse impact on the environment or highway safety.

It is for the case officer to judge if the proposal is sustainable and if the minimal harm to the countryside in this location outweighs the benefits of development.'

15. Public Health And Housing: no objection

16. Environmental Health: no objection subject to conditions

Representations:

17. Parish Council: object to the principle of the proposed development.
(24.03.2017)

'The site is located outside of the settlement boundary for Fornham All Saints. As the proposal is therefore situated in the rural countryside, the applicant has failed to provide a reason as to whether there are special circumstances to justify an exemption from the policy which states that new housing in the countryside should be restricted to avoid harm to the character and appearance of the countryside. Of equal concern is the location of the site entrance which is at the point where the national speed limit commences and outside of the 30mph zone. Currently there is poor visibility and the Parish Council fails to see how access and visibility might be improved given the contour of the road. It was also felt that the location of the dwellings would make it difficult for maintenance of neighbouring properties.

The application is therefore contrary to policies DM1, DM2, DM5 and DM27 of the Development Management Policies and local and national rural housing policies.'

Retain their objection following amendments to secure a sustainable and safe pedestrian and cycle access (20.04.2017):

'Whilst the amendment alleviates the pedestrian issue, and provides, if secured in perpetuity, a pedestrian and access route to existing amenities and services in the village, the Parish Council still holds that there are fundamental safety issues relating to the site entrance and poor visibility at this point in the village.

The Parish Council also holds that as an infill village with a designated housing settlement boundary, this application being outside of that

boundary fails to satisfy the provisions of Rural Visions 2031 Policies CS13, DM5 and DM27.'

18. Four neighbour representations have been received. These can be read in full as part of the electronic file. The comments can be summarised as follows:

- Concerns for loss of privacy and overlooking (*note this is an outline and detailed layout, scale, design and appearance are to be considered under reserved matters applications*)
- There is insufficient information / plans (*note this is an outline and detailed layout, scale, design and appearance are to be considered under reserved matters applications*)
- Loss of value of property (*Note: this is not a material planning consideration*)
- Concerns regarding the access onto Hengrave Road (*see 'officer comment' section below*)
- New trees should be carefully chosen in the interest of neighbour amenity (*Note: this will be considered at a later stage under a reserved matters application*)
- Limited resources in the village / new development will adversely affect the character of the village and conservation area. (*see 'officer comment' section below*)

Policy: The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

19. Joint Development Management Policies Document:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM7 Sustainable Design and Construction
- Policy DM11 Protected Species
- Policy DM15 Listed Buildings
- Policy DM17 Conservation Areas
- Policy DM20 Archaeology
- Policy DM27 Housing in the Countryside
- Policy DM46 Parking Standards

20. St Edmundsbury Core Strategy December 2010

- Core Strategy Policy CS2 - Sustainable development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity
- Core Strategy Policy CS7 - Sustainable Transport
- Core Strategy Policy CS13 - Rural Areas

Other Planning Policy:

- Vision Policy RV1 - Presumption in favour of Sustainable Development
- Vision Policy RV3 - Housing settlement boundaries

21. National Planning Policy Framework (2012)

Officer Comment:

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

- Principle of Development
- Impact upon the character and appearance of the countryside
- Impact upon the conservation area and setting of listed buildings
- Highways considerations
- Impact on residential amenity
- Contamination
- Biodiversity
- Other Matters
- Other Material Considerations and Overall Balance

Principle of development

23. The application is for outline planning permission, thus it is the principle which is for consideration. The detail would be considered at a later stage.

24. The Supporting Statement at para 3.1 and 3.2 state that *'The site originally formed part of the Moseleys Farm complex providing both a substantial dwelling and workshop facility associated to the operations of the farm business. Over recent years, the development of the business has seen the day to day agricultural operations relocate to areas more central to the farm land holding. This in turn has seen a phased development of the former yard into a successful rural business centre.'*

The site of Little Moseleys is largely self-contained and separated from what is now the business centre. The relocation of the daily operations mean that the workshop building is largely surplus to requirement effectively creating an under-used 'brownfield' half to the site...'

25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
26. Policy CS4 identifies the settlement hierarchy and designates Fornham All Saints as an Infill Village. These are villages that only have a limited range of services. In these villages, only infill development comprising single dwellings or small groups of five homes or less within the designated housing settlement boundary would be permitted. This would be dependent on other environmental and infrastructure constraints.
27. RV3 confirms housing settlement boundaries for the Infill Villages listed in Appendix 2 (including Fornham All Saints). The policy states "Planning permission for new residential development, residential conversion schemes, residential redevelopment and replacement of an existing dwelling with a new dwelling will be permitted within housing settlement boundaries where it is not contrary to other policies in the plan."
28. The application site lies outside of, but directly abutting to the south and west, the settlement boundary of Fornham All Saints. Development is therefore contrary to Policies CS4 and RV3 and this weighs against the proposal. The application site is within the conservation area and shares a vehicular access onto Hengrave Road to the west. The application has been amended to include a sustainable and safe pedestrian and cycle access into the village.
29. The NPPF is a 'material consideration' in the determination of the application. The presumption in favour of sustainable development as set out at Paragraph 14 of the NPPF only applies if the Council is not able to demonstrate a 5 year supply of deliverable housing sites or relevant policies are absent or silent or otherwise out of date. It is considered that St. Edmundsbury has a sufficient supply of housing sites, including a 5% buffer and, on this basis, the presumption in favour of sustainable development does not apply and the proposal should be considered in accordance with the Development Plan unless material considerations indicate otherwise.
30. Paragraph 12 of the NPPF reaffirms the primacy of the Development Plan and states that the Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.
31. Policy DM5 (Development within the Countryside) states that areas designated as countryside will be protected from unsustainable development. The policy goes on to state that 'a new or extended building will be permitted, in accordance with other policies within this plan, where it is for a small scale residential development of a small undeveloped plot, in accordance with Policy DM27'.

32. Policy DM27 (Housing in the Countryside) states that proposals for new dwellings will be permitted in the Countryside subject to satisfying the following criteria;
- (i) the development is within a closely 'knit' cluster of 10 or more existing dwellings adjacent to or fronting an existing highway and
 - (ii) the scale of the development consists of infilling a small undeveloped plot by one dwelling or a pair of semi-detached dwellings commensurate with the scale and character of existing dwellings within an otherwise continuous built up frontage.
33. The application proposal does not accord with this policy as it is for more than 2 dwellings, does not front a highway and is not a small infill plot. It does also not meet the criteria as set out in policy DM5 and is therefore contrary to the Development Plan. The proposals are therefore contrary to the Development Plan policies of settlement restraint and this is a factor which weighs against the proposal.
34. To conclude therefore, the proposal is contrary to the Development Plan and this must be taken as weighing heavily against the proposal. However, whilst the Development Plan is the starting point other material considerations must also be considered.

Impact upon the character and appearance of the countryside

35. The dwelling Little Moseley would be retained and would together with the residential development to the north and west and the business units in the south enclose the proposed new dwellings. As such the proposal would not encroach into the open countryside, notwithstanding its technical position within such. The replacement of the existing work shop by a carefully designed residential development of a lower scale is not considered to be harmful to the intrinsic character of the locality given that the site is largely enclaved with existing development on three sides.

Impact upon the conservation area and setting of listed buildings

36. The application site is within the conservation area and adjacent to two listed buildings. It contains a large agricultural workshop. The Council's conservation officer noted that '*Glimpses of the existing modern workshop building can be viewed from The Green, however it is not a building of any architectural interest which needs to be retained, its demolition therefore is supported...*'
37. The indicative cross section details demonstrate a reduction in ridge heights and overall scale to that of the existing workshop. The conservation officer therefore considers that the proposal will have no adverse impacts upon the setting of the listed buildings or upon the Conservation Area as a result of the removal of the buildings and their replacement.
38. In fact, subject to details of the design and materials, the proposal has the significant potential to enhance the character and appearance of this part of the conservation area. This would accord with the aims of policies

DM17, CS4 and CS13 and is considered to weigh notably in favour of the proposal.

Highways considerations

39. The concerns raised by the PC and neighbours in regards to the access onto Hengrave Road are noted. However, paragraph 32 of the Framework states (inter alia) that development should not be prevented or refused on transport grounds, unless the residual cumulative impacts of development are severe. It is assumed the previous agricultural use would have had large vehicles using the access. Whilst the development will increase the number of vehicles using this access, the access is an existing approved access. It is wide enough and open so that two large vehicles can pass easily. The proposed 4 dwellings (in addition to the extra units and café recently approved) cannot be said to have a severe impact on the highway. SCC Highways have raised no objection to the proposal. In negotiated with SCC Highways a save pedestrian and cyclist access to the development has been secured.

Impact on residential amenity

40. The protection of residential amenity is a key component of good design. The Framework states (as part of its design policies) that good planning should contribute positively to making places better for people. The Framework also states that planning decisions should aim inter alia to avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development.
41. Policy DM2 of the Joint Development Management Policies Document seeks to safeguard inter alia residential amenity from potentially adverse effects of new development.
42. Concerns were raised by neighbours in regards to the potential impact upon residential amenity by reason of overlooking and loss of privacy.
43. It is an expectation that a full assessment of the potential impacts of the scheme on residential amenity would be carried out at the detailed planning stage when parameters such as building scale and layout are formalised. Officers consider that sufficient safeguards exist within the Development Plan and the NPPF to protect the interest of occupiers of existing residential properties.
44. The indicative layout shows that 4 dwellings and associated parking *can* be sited with sufficient spacing from the site boundaries (10m at the nearest point) to ensure an acceptable impact upon amenity. The site is surrounded generally by existing landscaping and additional boundary treatments and supplemental landscaping could be secured at reserved matters stage should this be considered necessary.
45. On the basis of the above evaluation, officers are satisfied that the residential amenity of the occupants of existing properties would not be compromised by what is proposed.

Contamination

46. The application has been submitted in support of a Phase 1 Geo-Environmental Desk Study. Whilst the report identifies a number of potential contamination linkages, which require further investigation the Council's Environmental team is satisfied that suitable investigation and if required mitigation can be secured through standard land contamination conditions. The proposal is therefore acceptable in this respect.

Biodiversity

47. The Act places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. The proposal involves the demolition of an agricultural workshop. Natural England's (NE) standing advice states that bats are less likely to be using a building if it was built after the 1970s with few gaps and is pre-fabricated with steel and sheet materials. Based on this advice the proposal is not likely to have any impact on bats or other protected species.

48. Policy DM12 requires all new development to include enhancement for biodiversity commensurate with the scale of the development. Given the site is part residential curtilage and part hardstanding and agricultural workshop the current biodiversity value is limited. The applicant has agreed that this could be enhanced through the provision of bat and bird boxes, by the retention and provision of appropriate landscaping and boundary treatments, i.e. hedges and hedgehog gates within any fencing etc. Details of such enhancements can be secured by condition.

Other Matters

49. There are a number of trees within the residential curtilage of Little Moseley dwelling. The western part of the site, where the 4 new dwellings would be sited do not contain any significant trees or hedges. The proposal is therefore not reasonably be considered to have an adverse impact on trees.

50. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding. The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere. The application site is within flood zone 1, low risk. In terms of flood risk the proposal is sequentially acceptable and accords with local and national policies.

51. Development Management Policy DM6 states that proposals for all new development are required to demonstrate that on site drainage will be managed so as not to cause or exacerbate flooding elsewhere. Given there is no watercourse within the vicinity surface water drainage is not reasonably be considered to be an issue and appropriate measures such as soakaways or SuDS will be covered by building regulations.

52. Archaeology can be covered satisfactorily by a condition and the proposal will not lead to the loss of the best and most versatile agricultural land, noting the present uses and development on site.
53. DM7 states (inter alia) proposals for new residential development will be required to demonstrate that appropriate water efficiency measures will be employed. No specific reference has been made in regards to water consumption. Therefore a condition will be included to ensure that either water consumption is no more than 110 litres per day (including external water use), or no water fittings exceeds the values set out in table 1 of policy DM7.

Other Material Considerations and Overall Balance

54. Further material consideration include the site specific matters. Policy CS13 Rural Areas states (inter alia) that development outside the settlements defined in Policy CS4 will be strictly controlled, with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside while promoting sustainable diversification of the rural economy.
55. The site is directly adjacent to the settlement boundary, thus in a relatively locationally sustainable location. Whilst the vehicular access would be indirect and not suitable for safe pedestrian access to the village, the application site has been amended to include a 1.8m wide dedicated pedestrian and cyclist access through the business park to the centre of the village. This would be demarked and made safe through the use of bollards, providing direct and safe access to existing amenities, services and public transport links to Bury St. Edmunds, Mildenhall and beyond.
56. The application site is surrounded on three sides by residential development and has business units on the fourth. The proposal, whilst outside the defined settlement boundary, would not intrude into the open countryside and have no adverse visual impact on the wider countryside nor would it lead to isolated homes in the countryside.
57. These points all serve to very significantly limit the weight that can be attached against this scheme as a result of its failure to meet the provisions of the Development Plan. It is also the case that the provision of four dwellings in an otherwise generally suitable area from a locational perspective relative to services and employment opportunity etc. must also be given some weight in support of the proposal. However, an absence of harm is not in itself sufficient however to outweigh the harm in principle arising from the failure to accord with the provisions of the Development Plan.
58. One of the core principles of the NPPF is to 'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'. The applicant is claiming weight should be offered in support in this regard. However, the site contains a dwelling and curtilage, plus land and buildings formerly in use for agricultural purposes. The glossary to the NPPF makes it clear

that garden land in 'built up areas', which this is considered to be, plus former agricultural land, is excluded from this definition. No weight can be offered in support in this regard therefore.

59. Overall however, and noting the need to make effective as possible use of land, Officers view is that the principle can be supported at this outline stage. The harm arising as a result of the policy conflict is significantly limited by reason of the discrete location and lack of visual harm as set out above. Weight can also be attached in support of the proposal on the basis of the benefit arising from the provision of four dwellings.

60. On this basis, and in particular noting the material benefit that will arise to the Conservation Area as a result of the removal of the existing buildings plus the provision of suitably designed replacements, this is considered to be a material consideration of notable weight, such that Officers' view is that the principle for this particular proposal can be supported notwithstanding the ostensible conflict with both the Development Plan and the general policies of restraint in countryside locations.

Conclusion:

61. In conclusion, the proposal does not comply with the relevant development plan policies of settlement restraint. However, the weight to be attached to this policy conflict is significantly limited. Furthermore in this particular case, the site specific consideration as set out above including the clear heritage benefit arising is considered sufficient to justify a departure from the Development Plan in support of the application.

Recommendation:

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

1. Reserved Matters:

Details of the [access, appearance, landscaping, layout, and scale], (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

2. Time limit Outline

Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-

i. The expiration of three years from the date of this permission;

or

ii. The expiration of two years from the final approval of the reserved matters; or,

iii. In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Pedestrian access

The use shall not commence until the area within the site shown on drawing number 16 1508 02 Rev C for the purposes of providing safe pedestrian access through the site has been provided and shall be retained and used for no other purposes.

Reason: To ensure that a safe pedestrian route through the site is provided and maintained in order to ensure the pedestrians and vehicles are separated in the interest of the safety of all users of the development.

4. Contamination – Preliminary Risk Assessment

No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

i) A site investigation scheme (based on the approved Preliminary Risk Assessment (PRA) within the approved Desk Study), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM).

iii) Based on the risk assessment in ii), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

5. Contamination verification report

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in iii) is submitted and approved, in writing, by the Local Planning Authority. The long term monitoring and maintenance plan in iii) shall be updated and be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

6. Unidentified contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

7. Archaeology Written Scheme of Investigation

No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation

f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy HC9 of Replacement St Edmundsbury Borough Local Plan 2016, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2012).on shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

8. Archaeology post investigation assessment

No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy HC9 of Replacement St Edmundsbury Borough Local Plan 2016, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2012).

9. Biodiversity enhancement

Before occupation details of biodiversity enhancement measures to include where relevant bird boxes, bat bricks or boxes and hedgehog gates to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with the provisions of Policy DM12 of the Joint Development Management Policies.

10. Water efficiency

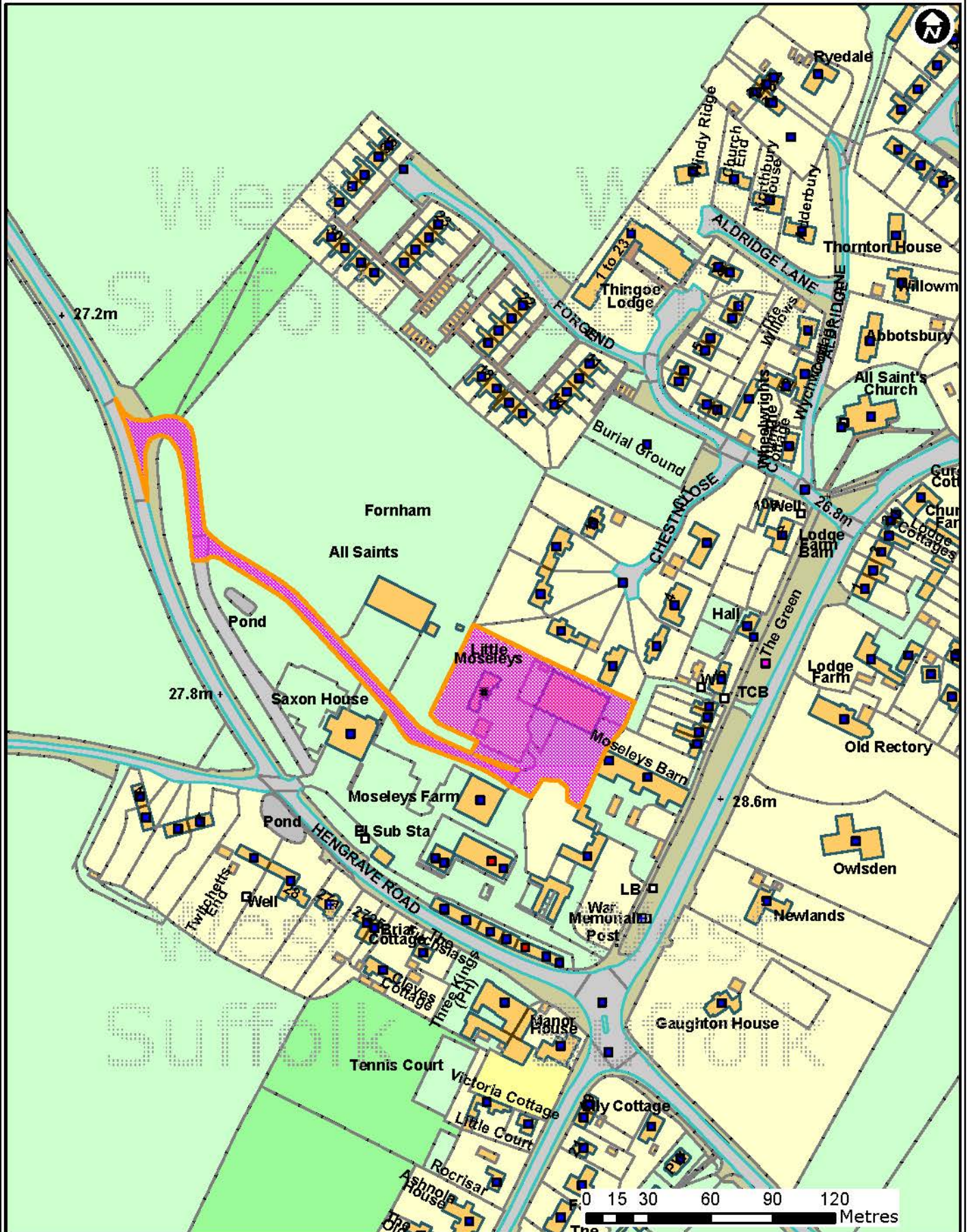
No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

Reason: To secure sustainable development in accordance with Policy DM7.

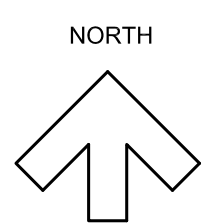
Documents:

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=OJD9E9PDLV100>



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Location plan

Project: Proposed residential development
Little Moseleys, Fornham All Saints

Client: R C Browne and Son

The Studio
Drinkstone Office Park
Kempson Way
Bury St Edmunds
Suffolk IP32 7AR



Drwg: 16 1508 sl **Revision:** B

Tel: 01284 756166
Fax: 01284 702615

Date: December 2016 **Scale:** 1: 1250 @ A3

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Revision B - red line amended to include footpath April 2017
Revision A - line of proposed footpath added March 2017

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DEV/SE/17/030

**Development Control Committee
6 July 2017**

**Planning Application DC/17/0971/HH –
9 Westminster Drive, Bury St Edmunds**

Date Registered: 19.05.2017 **Expiry Date:** 14.07.2017

Case Officer: Matthew Gee **Recommendation:** Approve Application

Parish: Bury St Edmunds **Ward:** Westgate

Proposal: Householder Planning Application - (i) Two storey side and rear extensions (following demolition of existing double garage) and (ii) new vehicular access

Site: 9 Westminster Drive, Bury St Edmunds

Applicant: Mr Rod Eggleston

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.

CONTACT CASE OFFICER:

Matthew Gee
Email: matthew.gee@westsuffolk.gov.uk
Telephone: 01638 719792

Background:

1. The application is referred to the Development Control Committee as the applicant is related to a member of staff.

Proposal:

2. Planning permission is sought for
 - i. Two storey side extension measuring 5.5m wide, 11.9m deep, 4m to the eaves, and 8.3m in height, including 7.7sqm balcony enclosed on eastern elevation (following demolition of existing double garage) and;
 - ii. Single storey rear extension attached to two storey side extension measuring 3.4m deep, 8.3m wide, 2.2m to the eaves and 3.4m in height.
 - iii. New vehicular access

Site Details:

3. The site is located within the settlement boundary for Bury St Edmunds, and comprises of a detached two storey dwelling with attached garage.
4. The site fronts the highway to the south, residential properties to the east and west and a school to the north.

Planning History:

Reference	Proposal	Status	Decision Date
DC/14/0295/TPO	TPO42(1962) - Tree Preservation Order Application - Fell one Horse Chestnut tree (T1 on plan, Area A1 on order)	Application Granted	14.04.2014
TPO42(1962)17	TPO42(1962)17 - Tree Preservation Order Application (i) Reduce protruding limb by 40% and remove two lower laterals facing school to one Horse chestnut tree (1 on plan), (ii) Fell one Horse chestnut tree (2 on plan), and (iii) Remove two lower laterals facing school to one Horse chestnut tree (3 on plan)(all trees within area A1 on Order) protected by a Preservation Order.	Application Granted	16.05.2005
E/83/3228/P	Erection of house with garage and access	Application Granted	09.01.1984

E/82/2034/P	Construction of access road and services	Application Granted	06.09.1982
E/79/3948/P	CHANGE OF USE FROM RESIDENTIAL TO HOTEL USE	Application Refused	14.04.1980
E/79/3725/P	ERECTION OF 10 DWELLINGS AND GARAGES WITH ACCESS	Application Withdrawn	21.01.1980
E/79/2835/P	HOUSING DEVELOPMENT (10DWELLINGS) WITH ACCESS	Application Granted	13.12.1979
E/79/2178/P	ERECTION OF 10 DWELLINGS AND GARAGES TOGETHER WITH ACCESS ROAD	Application Withdrawn	14.06.1979
E/79/1602/P	9 HOUSES WITH ACCESS TO GLASTONBURY ROAD AND MAIN BUILDING INTO 12 FLATS	Application Withdrawn	08.10.1979
E/78/2814/P	CONVERT LARGE COUNTRY HOUSE TO LUXURY HOTEL WITH BARS AND BALLROOM	Application Withdrawn	07.09.1978
E/76/3193/P	PROVISION AND CONSTRUCTION OF VEHICULAR ACCESS	Application Granted	11.01.1977
E/74/2578/P	LAYOUT FOR RESIDENTIAL DEVELOPMENT BY 24 HOUSES	Application Refused	05.12.1974

Consultations:

5. Tree Officer: No objection – two trees in rear garden are a suitable distance from the proposed extensions
6. Highways Authority: No objection subject to conditions

Representations:

7. Letter of representation – 8 Westminster Drive: No objection to proposal
8. Town Council: No objection based on information received

Policy: The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

9. Joint Development Management Policies Document:
 - Policy DM1 Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places Development Principles and Local

- Distinctiveness
 - Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
 - Policy DM46 Parking Standards
10. St Edmundsbury Core Strategy December 2010
- Policy CS3 Design quality and local distinctiveness
11. Bury St Edmunds Vision Document 2031
- Policy BV1 Presumption in Favour of Sustainable Development

Other Planning Policy:

12. National Planning Policy Framework (2012) core principles and paragraphs 56 - 68

Officer Comment:

13. The issues to be considered in the determination of the application are:
- Impact on character, design and scale of existing dwelling and surrounding area
 - Impact on amenity
 - Highway Safety
 - Other concerns

Impact on character, design and scale of existing dwelling and surrounding area

14. Policies DM2, DM24 and CS3 all seek to ensure that proposed extensions to dwellings respect the character, scale and design of the existing dwelling. The proposed extension will be of a design and will use materials that are sympathetic to the character and design of the existing dwelling. In addition, the proposed extension will be approximately the same width of the garage for which it replaces, and will be no taller than the existing dwelling. As such it is considered that the proposal respects the existing scale of the dwelling. Given the above-mentioned points it is considered that the proposal complies with policies DM2, DM24 and CS3.
15. The above policies also seek to ensure that proposed development respects the existing character and appearance of the surrounding area. The surrounding area is characterised by dwellings of similar design all set within large spacious plots. It is not considered that this proposal would detract from that character. In addition, the proposed design and materials used are considered sympathetic to the surrounding dwellings. Given the above-mentioned points it is considered that the proposal respects the existing character and appearance of the surrounding area and as such complies with policies DM2, DM24 and CS3.
16. Policy DM24 also seeks to ensure that proposed development does not result in the overdevelopment of the dwellings curtilage. It is considered that the curtilage of dwellings is of a sufficient size that the proposed extensions will not result in the overdevelopment of the site.

Impact on amenity

- 17.The proposal includes the introduction of a first floor 7.7sqm balcony. The balcony will be enclosed on the eastern side which is considered to give a sufficient screening that protects the amenity space of no.10 (east) from potential overlooking. In addition, the dwelling of no.8 (west) and its private amenity space is considered to be located a sufficient distance from the balcony such that it will not result in any material overlooking or loss of privacy. It is also considered that the school to the rear of the site is located a sufficient distance that it would not result in overlooking, not that overlooking of school grounds would be an issue in any event.
- 18.The proposal includes the introduction of 2no. first floor side elevation windows. These windows will serve 2no. bathrooms, and as such it is considered necessary for it to be conditioned for them to be obscured glazed and remain so.

Highway Safety

- 19.The Highways Authority have raised no objections to the proposal, and there is sufficient room on site to accommodate the parking of 3no. vehicles as is required for a dwelling of 4 or more dwellings.

Other concerns

- 20.The site is located within a TPO area. The Tree Officer has confirmed that the trees in the rear garden are located a sufficient distance from the proposed extensions that they will not be adversely impacted by the development.

Conclusion:

- 21.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:

- 22.It is recommended that planning permission be **APPROVED** subject to the following conditions:
- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.
Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.
 - 2 The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM03; and with an entrance width of 3 metres and made available for use prior to the improved dwelling be first used.
Thereafter the access shall be retained in the specified form.
Reason: To ensure that the access is designed and constructed to an

appropriate specification and made available for use at an appropriate time in the interests of highway safety.

- 3 Prior to the improved dwelling hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.
- 4 Prior to the construction of the new access, hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
Reason: To prevent hazards caused by flowing water or ice on the highway.
- 5 The use shall not commence until the area(s) within the site shown on drawing No. 09/WMD/01 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
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.
- 6 Before the dwelling/extension hereby permitted is first occupied/brought into use, the 2no. windows in the eastern elevation shall not be glazed other than with obscure glass and this form of glazing shall be retained permanently at all times thereafter.
Reason: To prevent the overlooking of adjacent properties in order to ensure that residential amenity is not adversely affected.
- 6 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:
Reason: To define the scope and extent of this permission.

Reference No:	Plan Type	Date Received
(-)	Location Plan	19.05.2017
09/WMD/02	Existing Block Plan	19.05.2017
(-)	Location Plan	19.05.2017
09/WMD/01 REV B	Existing and Proposed Plans	13.06.2017

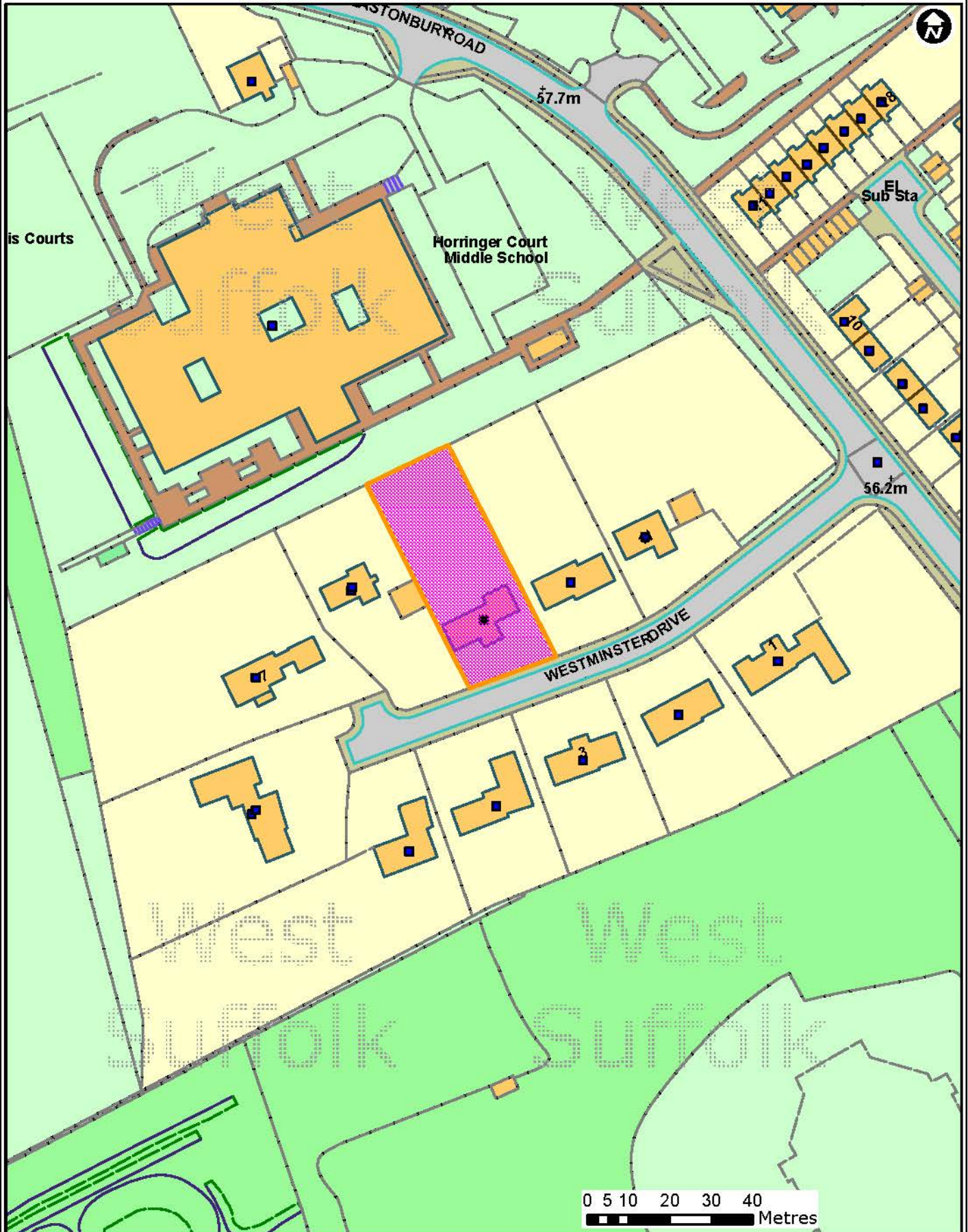
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online <DC/17/0971/HH>

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DC/17/0971/HH

9 Westminster Drive, Bury St. Edmunds



Forest Heath • St Edmundsbury

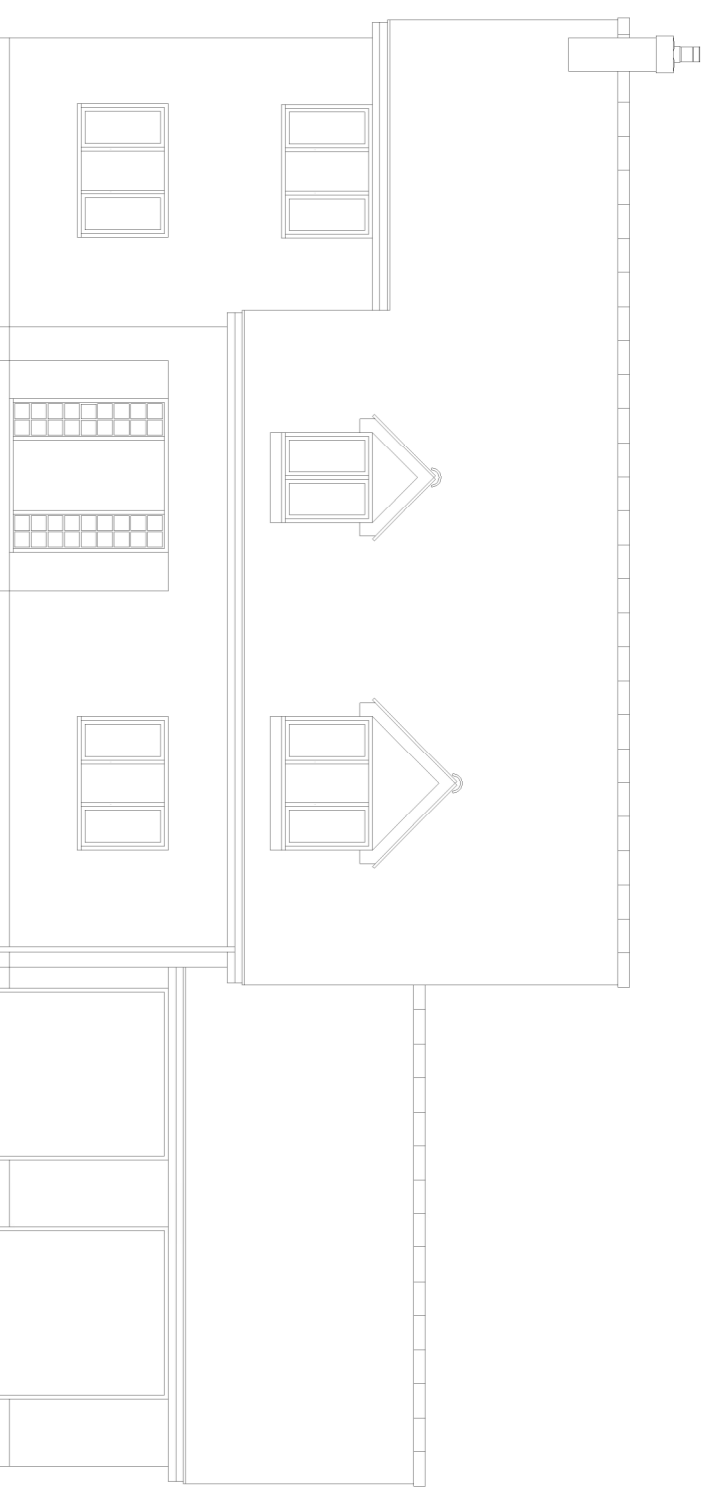
West Suffolk
working together

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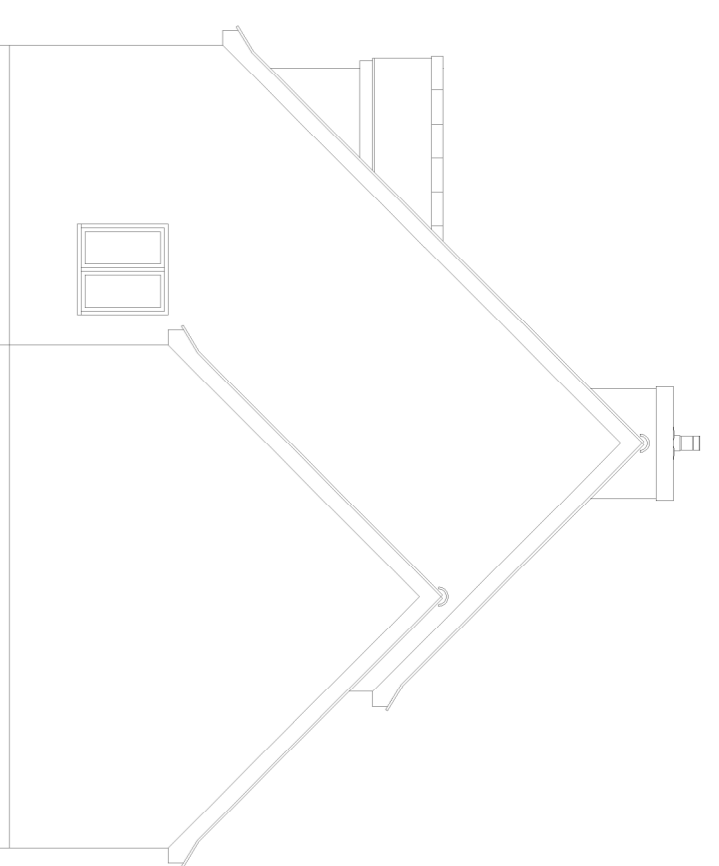
Page 121

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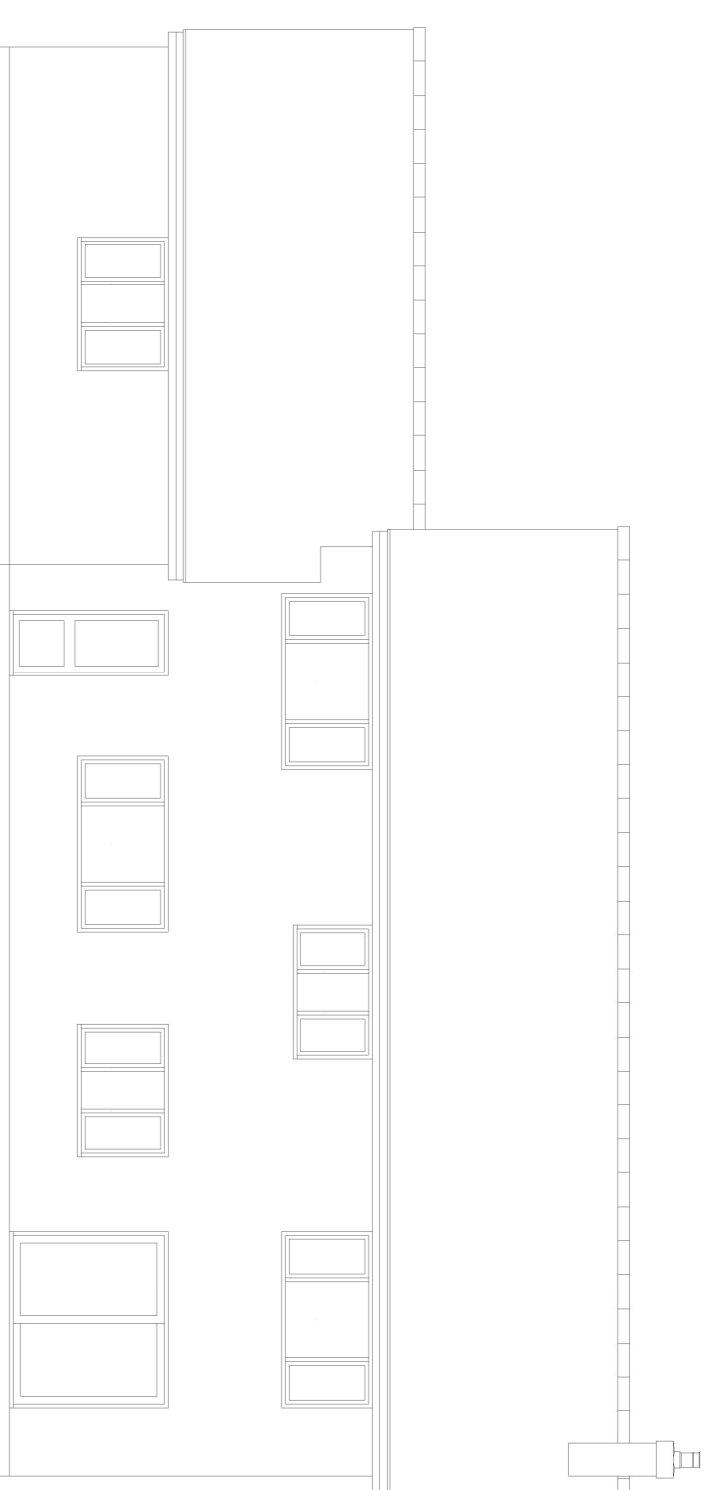
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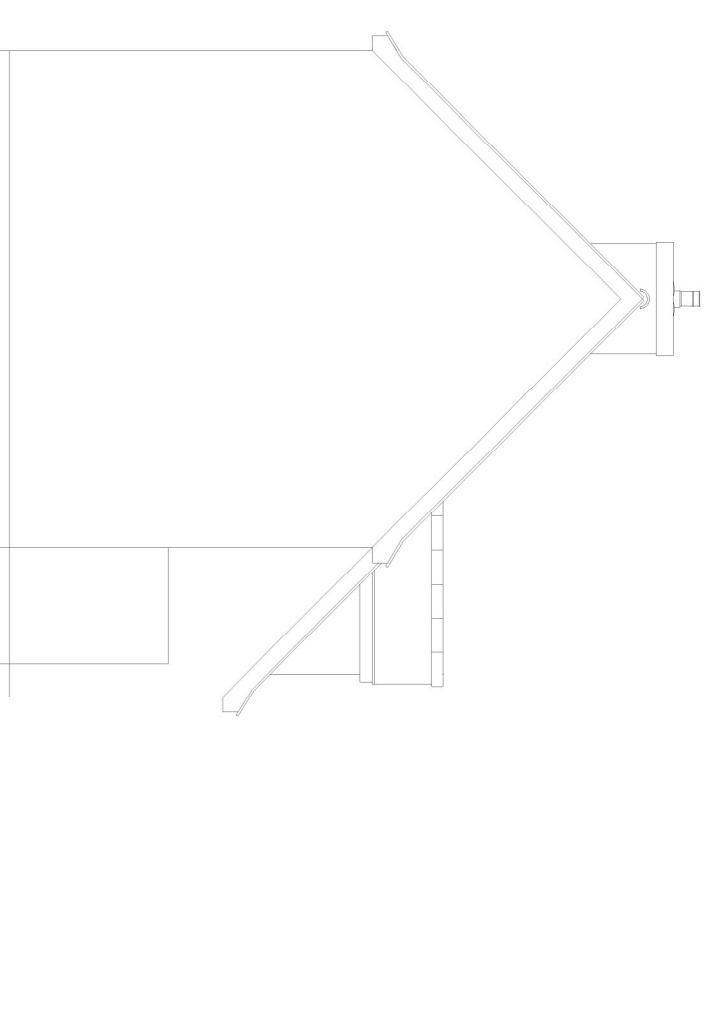
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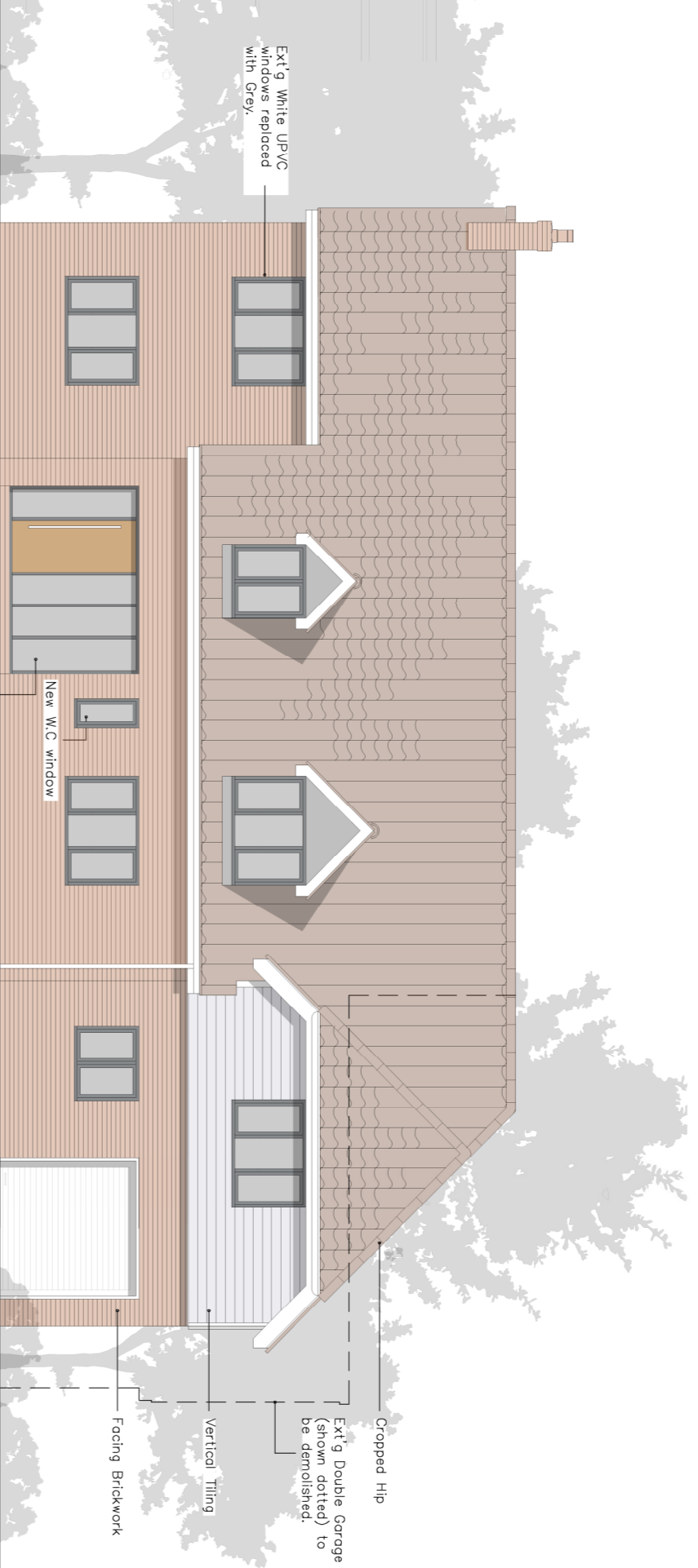
Side Elevation



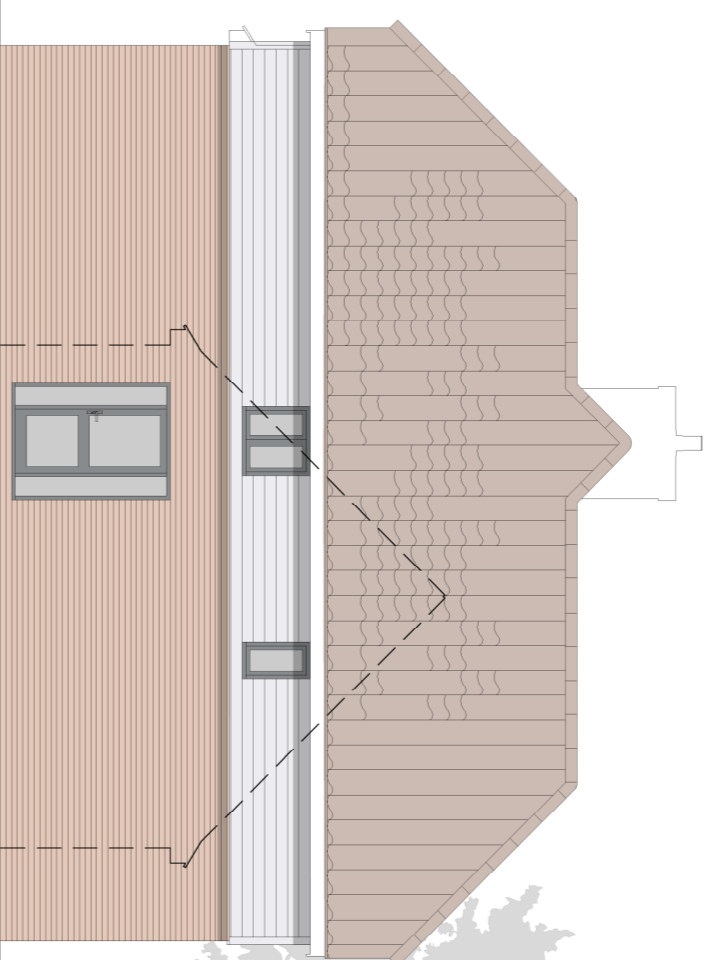
Rear Elevation



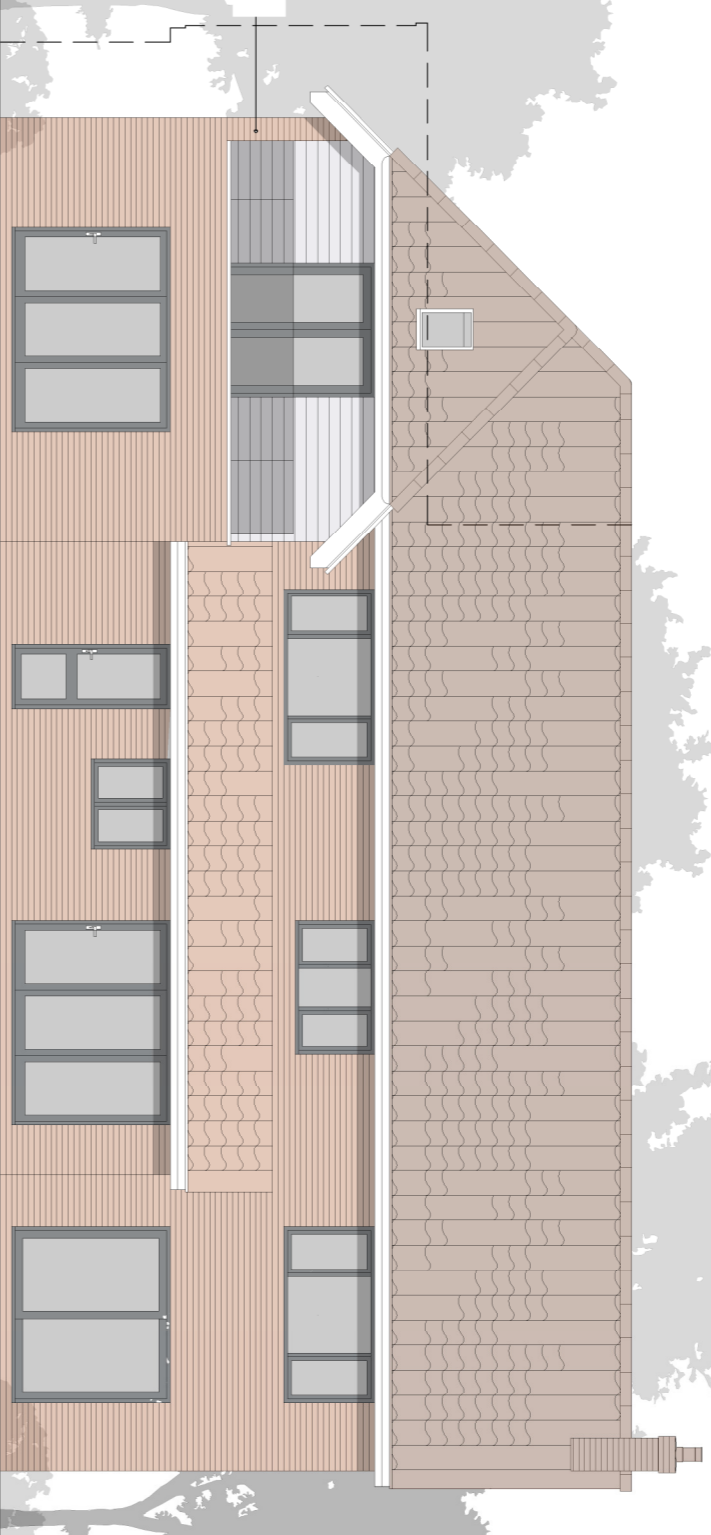
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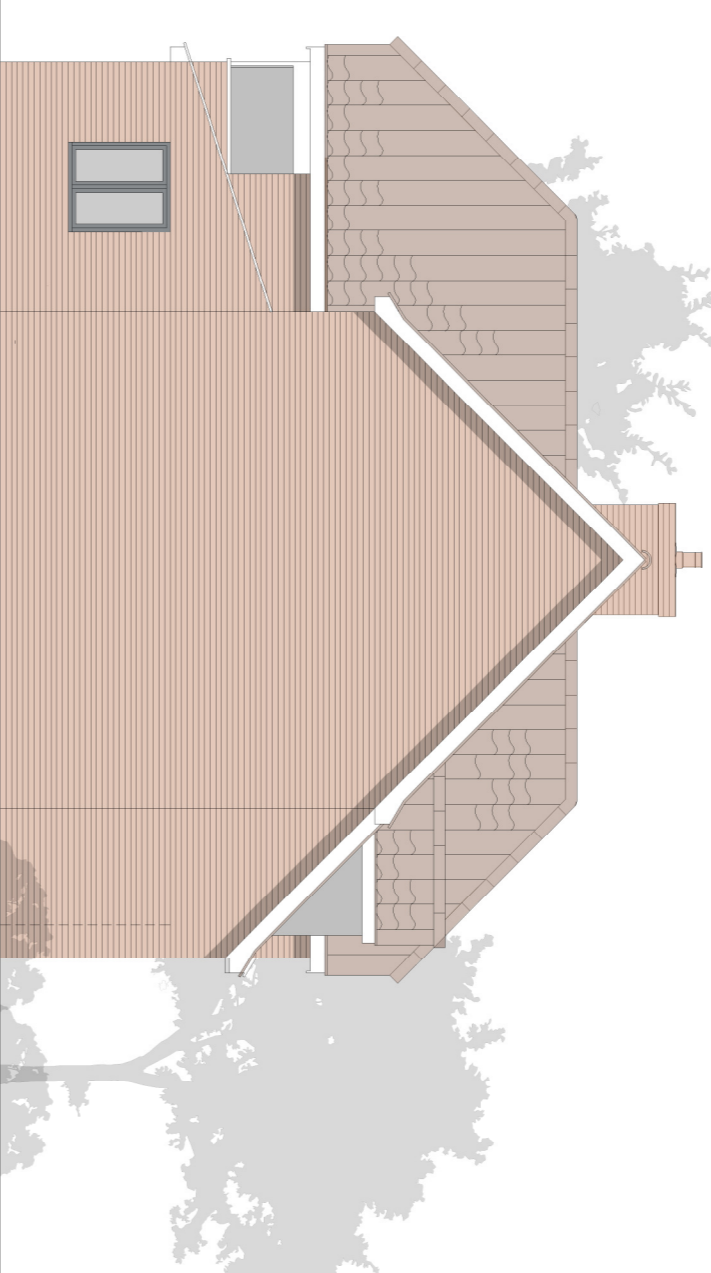
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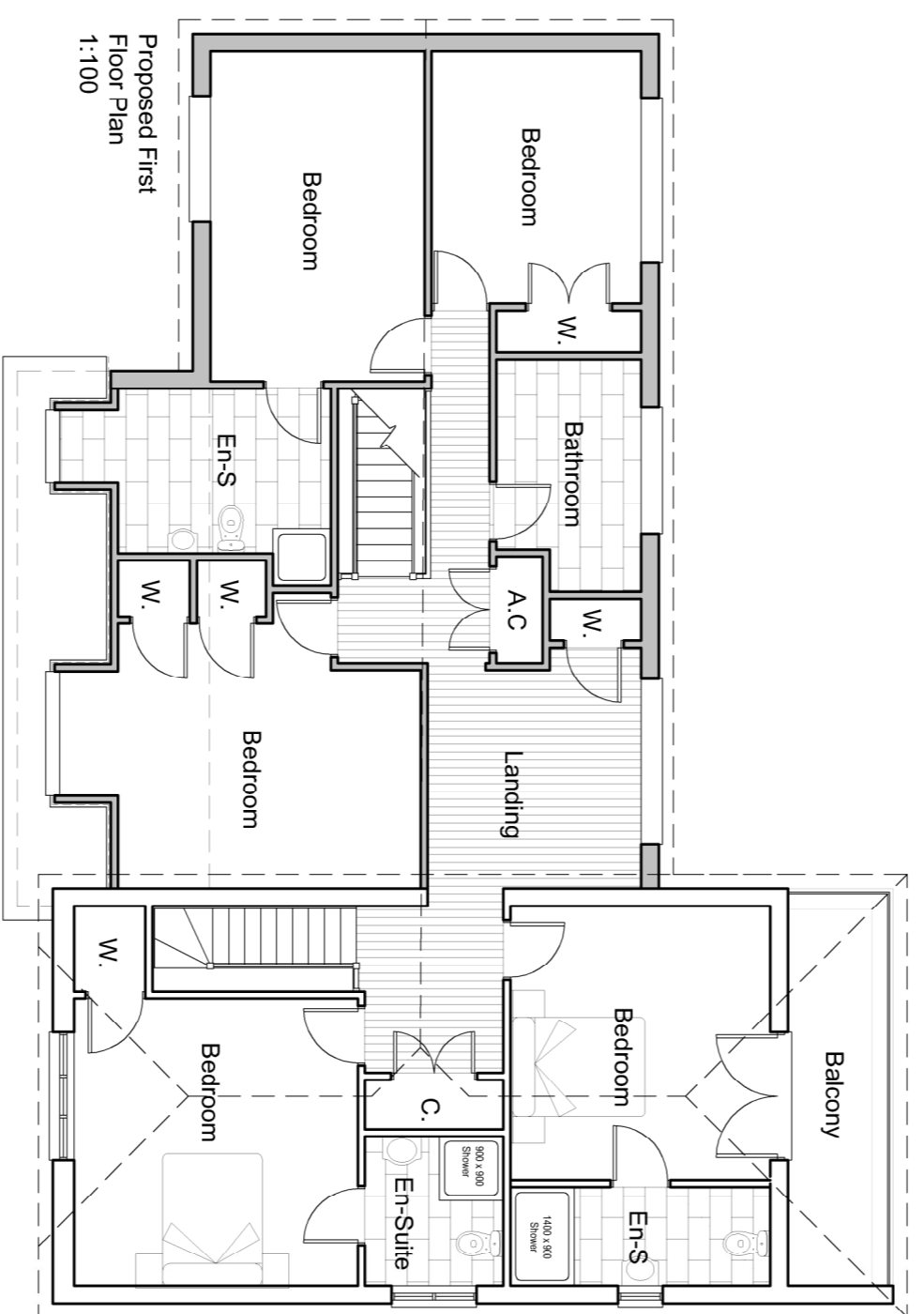
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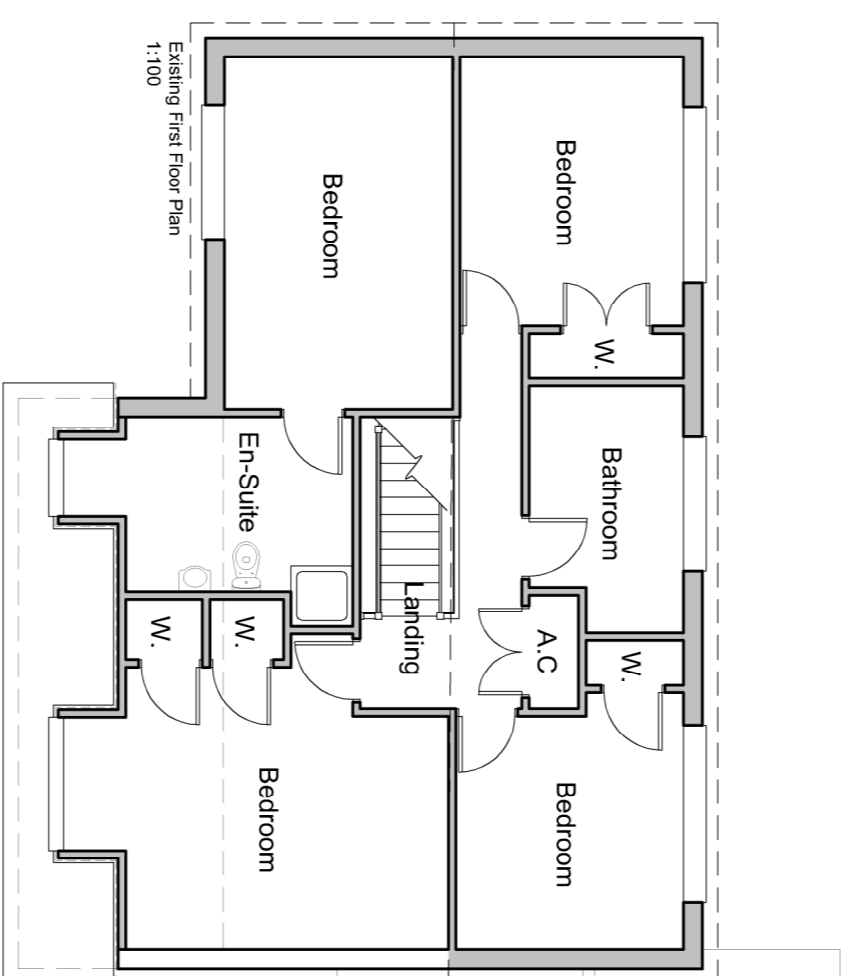
Rear Elevation



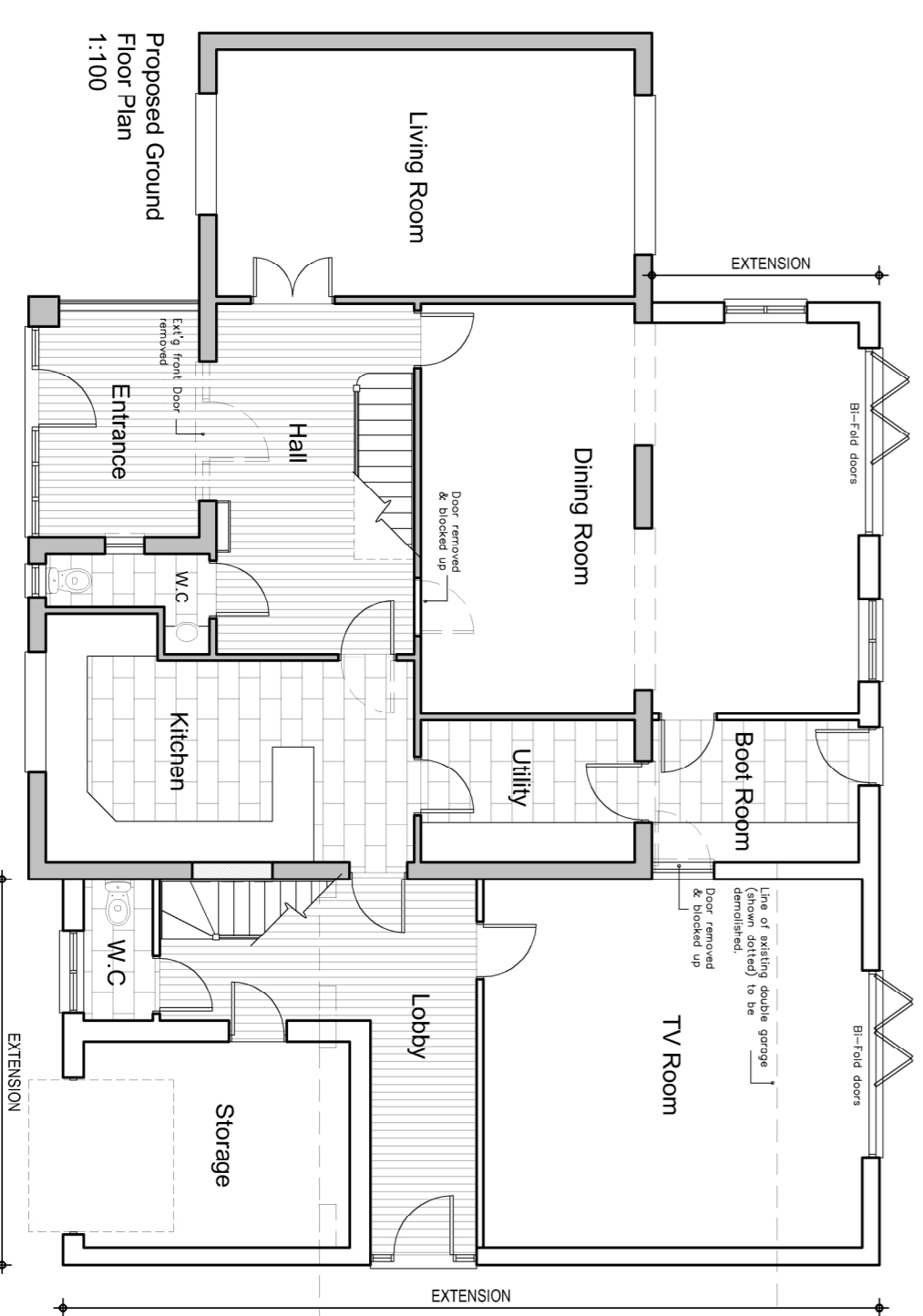
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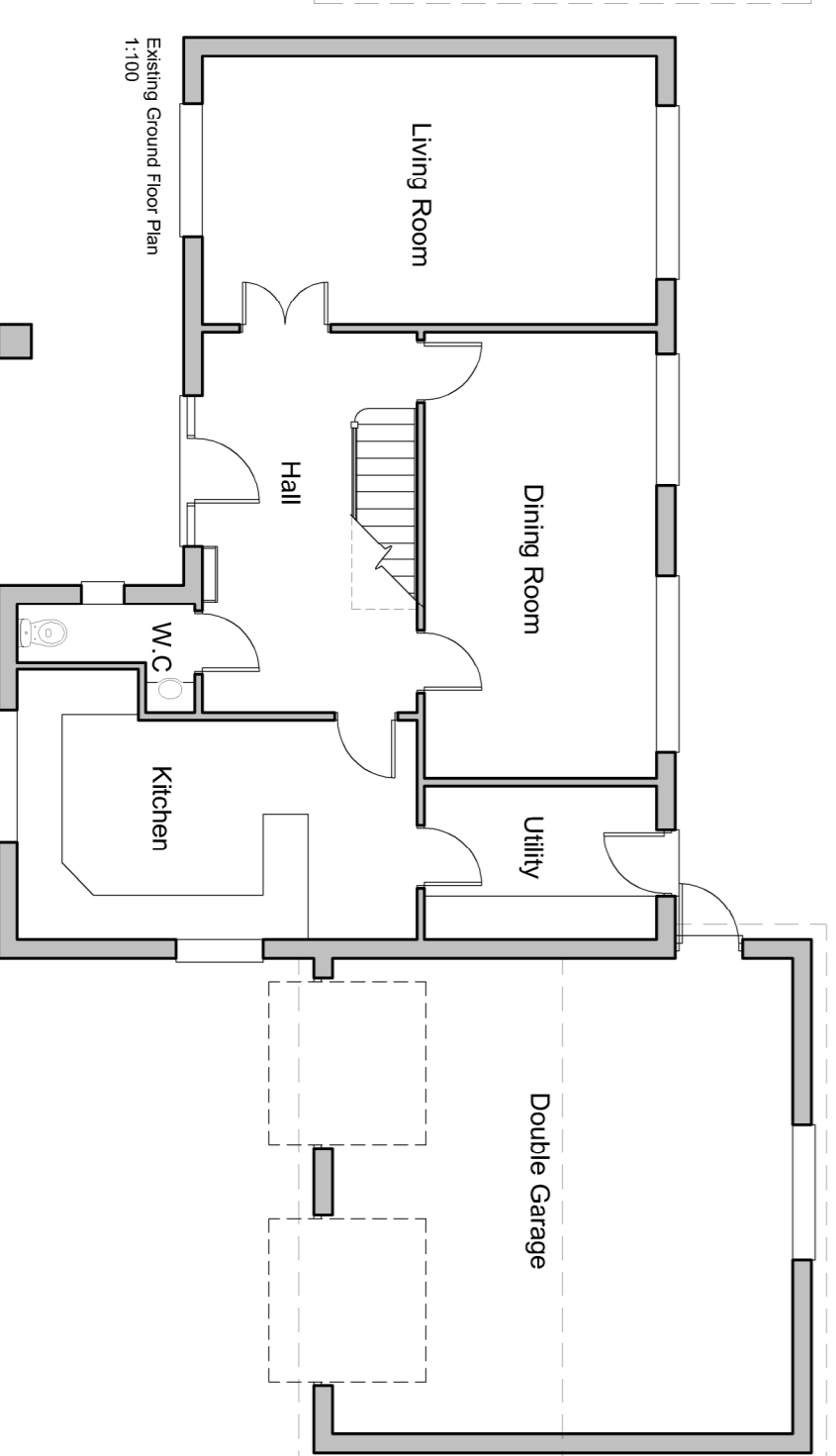
Proposed First Floor Plan 1:100



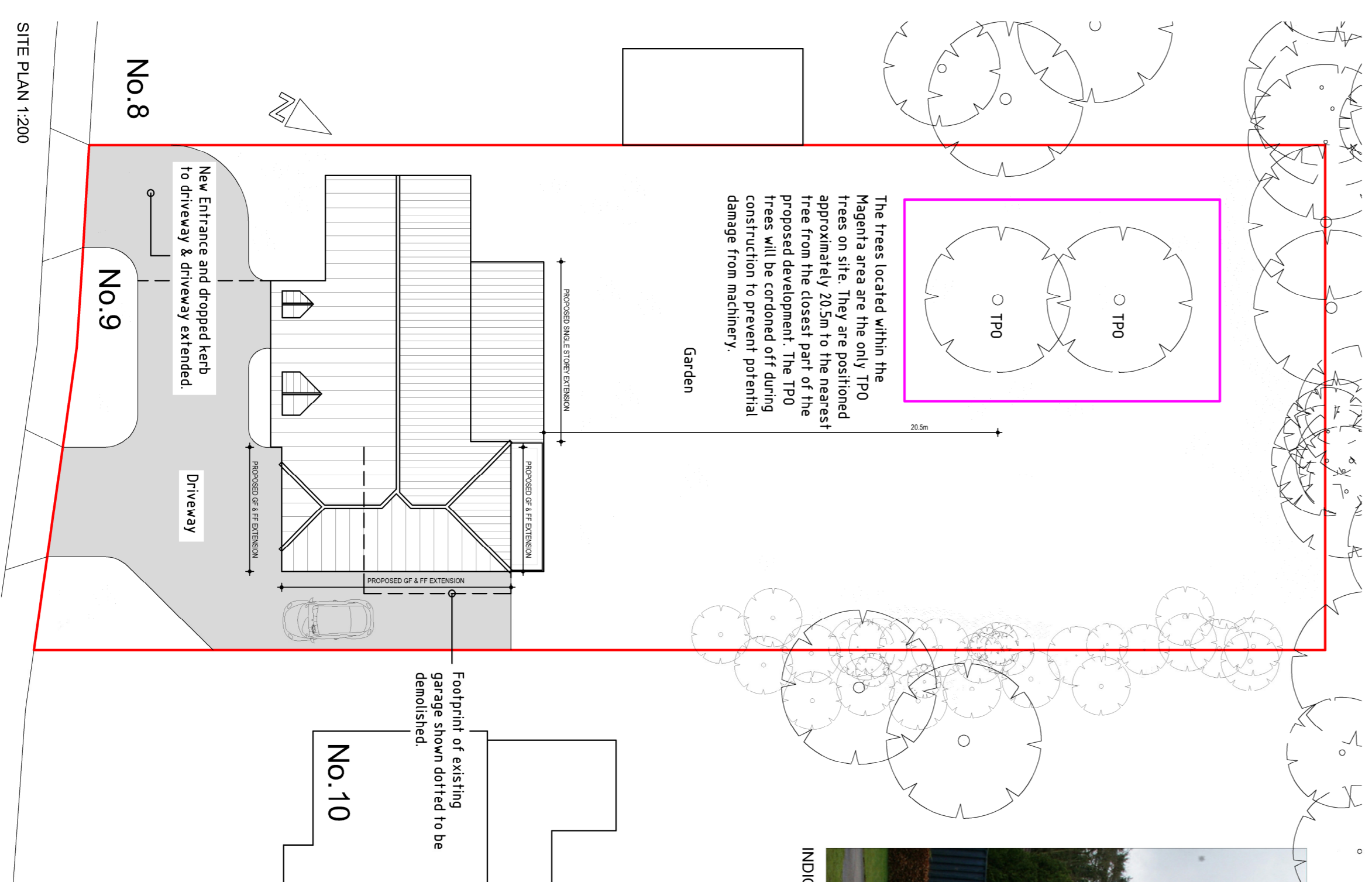
Existing First Floor Plan 1:100



Proposed Ground Floor Plan 1:100



Existing Ground Floor Plan 1:100



SITE PLAN 1:200



INDICATIVE ELEVATION (NOT TO SCALE)

B-1206.017 - Vertical Tiles replaced with boarding, windows altered to Grey, Balcony amended to prevent overlooking of neighbours. A-18.05.017 - Etdg floor plans added. Site Plan scale amended. TPO trees added.

PROPOSED EXTENSION
NO 9 MESTMASTER DRIVE
BURY ST EDMUNDS, IP33 2EZ

PLANNING DRAWING

Project Name	NO 9 MESTMASTER DRIVE
Date	APR 2017
Scale	1:100 1:200
Drawn By	09/WMD/01
Checked By	B

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