

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Title:	Agenda														
	<p>**Further to its initial publication on 25 May 2018, this Agenda has been amended to include 'Election of Chairman and Vice-Chairmen at Agenda Items 1 and 2. The other agenda items, including the reports relating to the applications listed, immediately follow in their original sequence and have not been affected by this change**</p>														
Date:	Thursday 7 June 2018														
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 To be elected</p> <p style="text-align: center;">Vice Chairmen To be elected</p> <table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top;"><i>Conservative Members (12)</i></td> <td style="vertical-align: top;"> Carol Bull Terry Clements Robert Everitt Paula Fox Susan Glossop Ian Houlder </td> <td style="vertical-align: top;"> Alaric Pugh David Roach Andrew Smith Peter Stevens Jim Thorndyke Vacancy </td> </tr> <tr> <td style="vertical-align: top;"><i>Charter Group Members (2)</i></td> <td style="vertical-align: top;">David Nettleton</td> <td style="vertical-align: top;">Julia Wakelam</td> </tr> <tr> <td style="vertical-align: top;"><i>Haverhill Indys Member (1)</i></td> <td style="vertical-align: top;">John Burns</td> <td></td> </tr> <tr> <td style="vertical-align: top;"><i>Independent (non-group) Member (1)</i></td> <td style="vertical-align: top;">Jason Crooks</td> <td></td> </tr> </table>			<i>Conservative Members (12)</i>	Carol Bull Terry Clements Robert Everitt Paula Fox Susan Glossop Ian Houlder	Alaric Pugh David Roach Andrew Smith Peter Stevens Jim Thorndyke Vacancy	<i>Charter Group Members (2)</i>	David Nettleton	Julia Wakelam	<i>Haverhill Indys Member (1)</i>	John Burns		<i>Independent (non-group) Member (1)</i>	Jason Crooks	
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SITE VISITS WILL BE HELD ON THURSDAY 31 MAY 2018 AT THE FOLLOWING TIMES (please note all timings are approximate):

The coach for Committee Members will depart West Suffolk House at 9.30am and will travel to the following sites:

1. Planning Application DC/18/0513/HH - Chapel Cottage, The Street, Lidgate, Newmarket, CB8 9PP

Householder Planning Application - (i) 1.5 storey rear extension (ii) single storey rear extension (iii) single storey side extension (following demolition of existing single storey side extension) and (iii) insertion of dormer to rear elevation

Site visit to be held at 9.55am

2. Planning Application DC/17/2648/FUL - Shadowbush Farm, Stansfield Road, Poslingford, CO10 8RE

Planning Application - 2 no. dwellings with associated access, car parking and landscaping (following demolition of existing agricultural barn) as amended and supported by additional information received 19th March 2018 and 30th April 2018

Site visit to be held at 10.25am

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

Agenda Notes - Version for Publication

**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 online here:

<https://planning.westsuffolk.gov.uk/online-applications/>

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 Council Core Strategy 2010
The Forest Heath Core Strategy 2010, as amended by the High Court Order (2011)	St Edmundsbury Local Plan Policies Map 2015
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' website:

<https://www.westsuffolk.gov.uk/planning/upload/Guide-To-Having-A-Say-On-Planning-Applications.pdf>

Decision Making Protocol - Version for Publication

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 set out in the National Planning Policy Framework (paragraph 206). 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/altered, 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 the Planning Practice Guidance.

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. Election of Chairman for 2018/19**
- 2. Election of Vice-Chairmen for 2018/19**
- 3. Apologies for Absence**
- 4. Substitutes**

Any Member who is substituting for another Member should so indicate together with the name of the relevant absent Member.
- 5. Minutes** **1 - 4**

To confirm the minutes of the meeting held on 3 May 2018 (copy attached).
- 6. Planning Application DC/17/2648/FUL - Shadowbush Farm, Stansfield Road, Poslingford** **5 - 28**

Report No: **DEV/SE/18/022**

Planning Application - 2 no. dwellings with associated access, car parking and landscaping (following demolition of existing agricultural barn) as amended and supported by additional information received 19th March 2018 and 30th April 2018
- 7. Planning Application DC/18/0513/HH - Chapel Cottage, The Street, Lidgate, Newmarket** **29 - 46**

Report No: **DEV/SE/18/023**

Householder Planning Application - (i) 1.5 storey rear extension (ii) single storey rear extension (iii) single storey side extension (following demolition of existing single storey side extension) and (iiii) insertion of dormer to rear elevation
- 8. Planning Application DC/18/0561/VAR - Land North West of Haverhill, Anne Sucklings Lane, Little Wratting** **47 - 70**

Report No: **DEV/SE/18/024**

Planning Application - Variation of condition 1 of DC/16/2836/RM to enable drawing PH-125-03C to be replaced with 040/P/102 and PH-125-04C to be replaced with 040/P/101 and add plan 040/T/152A for the additional 24no. garages for the 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

9. Planning Application DC/18/0655/FUL - Eastgate Bungalow, Eastgate Street, Bury St Edmunds

71 - 82

Report No: **DEV/SE/18/025**

Planning Application - Demolition of bungalow and shed

Development Control Committee



St Edmundsbury
BOROUGH COUNCIL

Minutes of a meeting of the **Development Control Committee** held on **Thursday 3 May 2018** at **10.00 am** at the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

Chairman Jim Thorndyke

Vice Chairman Carol Bull and David Roach

John Burns
Terry Clements
Jason Crooks
Robert Everitt
Paula Fox
Susan Glossop

Ian Houlder
David Nettleton
Alaric Pugh
Andrew Smith
Julia Wakelam

17. **Apologies for Absence**

Apologies for absence were received from Councillor Peter Stevens.

18. **Substitutes**

There were no substitutes present at the meeting.

19. **Minutes**

The minutes of the meeting held on 5 April 2018 were unanimously received by the Committee as a correct record and were signed by the Chairman.

20. **Planning Application DC/18/0275/FUL - Sainsbury's, Haycocks Road, Haverhill**

Planning Application – (i) Extension to online goods area and (ii) alterations to existing service yard and car park.

The application had been referred to the Development Control Committee following consideration by the Delegation Panel and because Haverhill Town Council had submitted an objection to the scheme which was contrary to the Officer's recommendation of approval.

The Senior Planning Officer, as part of her presentation, explained to Members that despite the applicant's proposal to remove 46 car parking spaces (36 spaces removed under this application plus an additional 10 from application no: DC/18/0388/FUL) Sainsbury's car park would still comply with Suffolk County Council's Parking Standards for an A1 class food retailer.

Speakers: Mr Adam Cundale (applicant) spoke in support of the application.

Members raised concerns related to the amount of parking spaces that would be lost as a result of the proposed extension and the impact this could have on highway safety as customers may start parking on the access road to Sainsbury's car park. It was queried if the Committee could add in conditions that would require the applicant to re-configure the layout of the car park and impose restrictions on the access road. The Service Manager (Planning – Development) explained that such conditions could not be added in but encouraged Members to discuss their concerns with the applicant outside of the Committee meeting.

The importance of maintaining the existing landscaping within the car park throughout the construction phase was highlighted to ensure it could continue to provide environmental benefits.

Reference was made to paragraph 12 of the report which related to the National Planning Policy Framework (2012) guidelines on delivering sustainable development and achieving economic growth. Some Members agreed that the application was a proactive approach in meeting the demands of the store and therefore would encourage economic growth in the area.

The Chairman invited the applicant to respond to the concerns Members had regarding safety on the access road that could be caused by the loss of parking spaces. The applicant explained that Sainsbury's would co-operate with the relevant Members and other interested parties to ensure that appropriate solutions could be found.

An additional condition had been requested to ensure that delivery times for the extension would be in accordance with those already agreed for the store. On looking at the history of the site it was established that the existing condition controlling delivery vehicle movements applied to the entire store as well as this GOL facility and as such, there was no need to reapply the condition. An informative would be used to remind the applicant.

Councillor David Nettleton 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 13 voting for the motion and 1 abstention, it was resolved that

Decision

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

1. Development to commence within 3 years
2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents
3. Submission and implementation of soft landscaping scheme
4. Implementation of tree protection as per submitted tree report.

21. **Planning Application DC/18/0388/FUL - Sainsburys, Haycocks Road, Haverhill**

Planning Application – (i) Change of use of 10no parking spaces to hand car wash and valeting operation to include cabin and canopy and (ii) 7no floodlights.

The application had been referred to the Development Control Committee because Haverhill Town Council had submitted an objection to the scheme which was contrary to the Officer recommendation of approval. The application had also been referred to allow it to be considered alongside DC/18/0275/FUL (previous agenda item) which also involved the loss of car parking spaces within the same site.

The Senior Planning Officer started her presentation by informing Members of the Committee that there had been some amendments to the conditions listed under paragraph 27 of the report:

- Condition four had been re-worded to read '*The car wash lighting shall be provided and retained as shown on plan no. s CB9 7YL-PL004 and CB9 7YL-PL-005 and as described within the lighting specification included within the Design and Access Statement*'.
- Condition five had been removed. The screens along with the landscape buffer would prevent any spray from the cleaning operation being blown towards the A1307 highway so it was not necessary to list it as a condition.

Members referred back to the concerns that were raised during discussion of the previous application related to the loss of car parking spaces and the impact this could have on highway safety.

It was also highlighted that the plans on page 31 of the agenda pack implied that the proposed canopy would impose into the road and therefore caused concerns for safety. The Service Manager (Planning - Development) confirmed that the proposed canopy would not impose out into the road and obstruct vehicles.

A query was raised in relation to a photograph that had been submitted by Councillor Burns and included in the Case Officer's presentation whereby temporary fencing had been erected in Sainsbury's car park nearby to the application site. The Service Manager explained to Members that the fenced off site was unlikely to be related to the application, however if it transpired that the proposed buildings had been constructed on a different site to what had been applied for then the necessary enforcement action would be taken.

The application had received support from Members in the interest of job creation. The applicant estimated that the proposed car wash would create four full time and four part time jobs that would benefit the local economy.

Councillor Jason Crooks moved that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Robert Everitt.

Upon being put to the vote and with 11 voting for the motion, 2 against and with 1 abstention, it was resolved that

Decision

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

1. Development to commence within 3 years.
2. The development shall be carried out in accordance with approved plans.
3. The operating hours of the Waves Car Wash facility and any associated lighting shall be limited to 08:00 to 19:00 hours on Monday-Saturday and from 10:00 to 16:00 hours on Sundays, Bank and Public Holidays.
4. The car wash lighting shall be provided and retained as shown on plan no. s CB9 7YL-PL004 and CB9 7YL-PL-005 and as described within the lighting specification included within the Design and Access Statement.

The Meeting concluded at 10.53 am

Signed by:

Chairman



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/022

Development Control Committee 7 June 2018

Planning Application DC/17/2648/FUL – Shadowbush Farm, Stansfield Road, Poslingford

Date Registered: 18.12.2017 **Expiry Date:** 12.02.2018 – EOT
08.06.2018

Case Officer: Kerri Cooper **Recommendation:** Refuse Application

Parish: Poslingford **Ward:** Cavendish

Proposal: Planning Application - 2 no. dwellings with associated access, car parking and landscaping (following demolition of existing agricultural barn) as amended and supported by additional information received 19th March 2018 and 30th April 2018

Site: Shadowbush Farm, Stansfield Road, Poslingford

Applicant: Mr Robert Dennis

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:

Kerri Cooper

Email: kerri.cooper@westsuffolk.gov.uk

Telephone: 01284 757341

Background:

This application is before the Development Control Committee following consideration by the Delegation Panel. The application was presented before the Delegation Panel at the request of the Local Ward Member, Councillor Peter Stevens (Cavendish).

A site visit is scheduled for Thursday 31 May 2018.

Proposal:

1. Planning Permission is sought for the construction of 2no. dwellings with associated access, parking and landscaping (following the demolition of an existing agricultural building).
2. The proposal has been amended during the course of the application to remove one of the accesses proposed, reduce the floor area of the proposed dwellings and to revise the layout in order to attempt to address the concerns raised by the Highway Authority and the Conservation Officer.

Site Details:

3. The application site comprises an existing agricultural building and yard, known as Shadowbush Yard, formerly part of Shadowbush Farm. The site is situated within the countryside, outside of any Housing Settlement Boundary for planning purposes, and lies between the villages of Stansfield and Poslingford. To the south of the site are residential properties and to the north of the site is agricultural land.

Planning History:

Reference	Proposal	Status	Received Date	Decision Date
DC/15/1252/PMB PA	Prior Approval Application under Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 - (i) Change of use of agricultural building to dwellinghouse (Class C3) to create 1 no dwelling (ii)	Application Granted	18.06.2015	16.07.2015

	associated operational development			
DC/17/0686/PMB PA	Prior Approval Application under Part 3 of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015- (i) Change of use of agricultural building to dwellinghouse (Class C3) to create 1no. dwelling	Application Granted	03.04.2017	06.06.2017

Consultations:

4. Natural England: No comments to make.
5. Rights of Way Support Officer SCC: No comments received.
6. Ramblers Association - Derek Fisher: No comments received.
7. Suffolk Wildlife Trust: No comments received.
8. Conservation Officer: Object to the proposed development and recommends that the application should be refused due to the adverse impact and harm to the setting of the Listed Buildings.
9. Tree Officer: There should be adequate arrangements in place to ensure the retention of trees shown as retained. Concerns that incorporating the trees into the garden curtilage of the proposed dwellings, may be at risk as removal would open up views across the Glem Valley.
10. Public Health and Housing: No objection, subject to conditions.
11. Environment Team: No objection, subject to conditions.

- 12.Environment & Transport – SCC Highways: Initially recommended permission be refused as safe and convenient access could not be achieved.
- 13.*Officer Note* - The application has subsequently been amended to remove one of the proposed accesses and the Highway Authority now has no objection, subject to conditions.

All consultation responses can be viewed online in full.

Representations:

- 14.Parish Council: No comments received.
- 15.Ward Member: Councillor Peter Stevens has called the application to Delegation Panel for the following reason:

'The Development Control Committee has made similar pragmatic decisions which don't offend the settlement pattern, on applications for Article Q barn conversions in the past.'

- 16.Neighbours: The following summarised letter of support has been received from the owners/occupiers of Shadowbush Barn:

- Sensible and logistic extension to the residential development of Shadowbush Farm.
- Inappropriate for existing barn to continue as agricultural use.
- Concern over position of first floor bedroom window in the proposed 4 bedroom house - result in overlooking.

All representations can be viewed online in full.

- 17.**Policy:** The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy 2010 & Vision 2031 Documents have been taken into account in the consideration of this application:

1. Joint Development Management Policies Document 2015:
 - 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 DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
 - Policy DM13 Landscape Features
 - Policy DM15 Listed Buildings
 - Policy DM22 Residential Design

- Policy DM25 Extensions to Domestic Gardens in the Countryside
 - Policy DM27 Housing in the Countryside
 - Policy DM29 St Edmundsbury Rural Exception Sites
 - Policy DM44 Rights of Way
 - Policy DM46 Parking Standards
2. St Edmundsbury Core Strategy December 2010:
- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
 - Core Strategy Policy CS3 - Design and Local Distinctiveness
 - Core Strategy Policy CS4 - Settlement Hierarchy and Identity
 - Core Strategy Policy CS13 - Rural Areas
3. Rural Vision 2031:
- Vision Policy RV1 - Presumption in favour of Sustainable Development
4. National Planning Policy Framework 2012

Officer Comment:

18. The issues to be considered in the determination of the application are:
- Principle of Development
 - Impact on Visual Amenity
 - Impact on Conservation Area and Listed Building
 - Impact on Neighbour Amenity
 - Impact on Highway Safety
 - Other Matters
 - The Planning Balance
 - Conclusion and recommendation

Principle of Development

19. Poslingford is designated as Countryside under Policy CS4 of the Core Strategy and it is a village which does not comprise a Housing Settlement Boundary. The policy states '*A number of small settlements across the borough do not benefit from having any services or facilities at all or have only limited services like a recreation ground, village hall or a pub. In these circumstances, the residents predominantly rely on the motor car to get to work, shops or use other facilities. We consider that in these settlements the construction of further new homes is unsustainable and it is unlikely that additional development would provide sufficient further customers to render the provision of a shop or other community facility viable.*'
20. As such, being outside any defined settlement boundary the site is within the countryside for the purposes of planning policy. Policy DM5 of the Joint Development Management Policies Document sets out the circumstances where new development will be permitted in the countryside. This policy

allows in principle new residential development associated with agriculture, forestry and equine related activities, affordable housing to meet local needs, small scale residential development in accordance with Policy DM27 or replacement dwellings. Policy DM5 also seeks to protect the countryside generally from unsustainable development.

21. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. Recent High Court cases have reaffirmed that proposals that do not accord with the development plan should not be seen favourably, unless there are material considerations that outweigh the conflict with the plan. This is a crucial policy test to bear in mind in considering this matter since it is not just an absence of harm that is necessary in order to outweigh any conflict with the development plan, rather tangible material considerations and benefit must be demonstrated.
22. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and is a material consideration in planning decisions. Paragraph 12 of the NPPF is clear however 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.
23. Policy CS1 states that *'...the protection of ... the distinctive character of settlements and the ability to deliver infrastructure will take priority when determining the location of future development.'*
24. Policy CS4 establishes a settlement hierarchy and all development proposals must have regard to this. The site is within the countryside for the purposes of this hierarchy, which sits below all the higher order settlements and is where new development should not detract, inter alia, from the setting of any settlement as a whole. The proposal conflicts with the provisions of Policies CS1 and CS4 as a matter of principle in that no regard has been had to the settlement hierarchy noting the isolated countryside location. This conflict with the Development Plan is a weighty material consideration that indicates refusal unless there are material considerations that indicate otherwise.
25. 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'.

26. Furthermore, an assessment against the provisions of DM5 and Para.'s 7 and 17 of the NPPF is necessary. The application site is patently not located within any reasonable walking and cycling distance of services and facilities available in any nearby settlements. The nearest services and facilities are located in Stansfield, which is defined as an infill village. It would be extremely difficult to argue that it would provide support for local services and businesses due to the isolated nature of the location. The lack of lighting and footpaths, with the notable distance to any form of higher order settlement, results in an unsustainable location, thus, making it an unsustainable development contrary to the provisions of Policies DM1, DM5 and the provisions of Para. 55 of the NPPF. Stansfield is approximately 1.5 km to the north and contains public house but limited further amenities. Poslingford is approximately 2 km to the south but contains only very limited services. Neither settlement contain any services sufficient to support day to day needs. Furthermore, the route to both is along narrow, winding, unlit, generally 60 MPH roads with no footpath and would not in any event be conducive to walking and cycling. Clare, which would meet the day to day needs of local residents is approximately 5 km to the south well beyond reasonable walking or cycling distance. None of these routes to nearby settlements are therefore considered likely to provide an attractive or realistic alternative for any occupants, not least for those with restricted mobility or those accompanied by children, and not least in winter months or inclement weather.
27. The local bus service is limited and it is therefore considered that it is more likely that future occupants would be reliant on the car for most of their journeys. The proposal would therefore undermine the aims of paragraphs 7 and 17 of the Framework of locating new dwellings in rural areas close to services and facilities as a means of reducing unnecessary travel by car, with its associated carbon emissions, as one measure to cumulatively limit the effects of climate change. As a consequence the proposal must also be considered isolated, contrary to the provisions of Para. 55 of the NPPF.
28. 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.

29. St Edmundsbury Borough Council has a 5 year housing supply and therefore, its policies for the supply of housing (including settlement boundaries) are considered up-to-date and are material considerations in the determination of this application, (para 49 NPPF). The Council has a 5.3 year supply of housing including a 20% buffer.
30. Taking the above into consideration the proposal is clearly contrary to the adopted policies within the Development Plan and cannot be supported as a matter of principle. However, before a recommendation can be made it is important to also assess the matters of detail, as well as to examine if there are any other material considerations that must also be weighed in the balance of considerations.

Impact on Visual Amenity and Impact on Heritage Assets

31. Policy DM2 (Creating Places – Development Principles and Local Distinctiveness) states that proposals should recognise and address key features, characteristics and landscape of the area.
32. Policy DM13 (Landscape Features) states that development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features wildlife or amenity value.
33. Policy DM25 allows small and unobtrusive garden extensions.
34. The original scheme comprised 2 no. detached dwellings, with garages and a new access serving one of the proposed dwellings and the existing access serving the other proposed dwelling. The proposed scheme has subsequently been amended to remove the proposed access and utilise the existing access for both dwellings, remove the garages, reduce the footprint and floor area of the proposed dwellings and revise the layout for the dwellings to be sited on the footprint of the existing agricultural building.
35. Whilst it is acknowledged that the agricultural building is not of an attractive appearance and is visible from the public realm, a building of this nature is typical within this rural location and context and is not of a scale, use or appearance as to otherwise cause harm to the character of the area. The dwellings now before us have a notable and expansive curtilage, in a visually prominent location, thereby materially exacerbating the associated visual intrusion and harm arising from the provision of such, including fencing and domestic paraphernalia contrary to the requirements of Policies DM2 and DM25.
36. Shadowbush Yard is situated to the north of a collection of six dwellings. Agricultural land is to the north, west and east of the application site. Arguments that the proposal might otherwise be acceptable since it adjoins existing built development could be applied to many cases and could result

in significant unplanned and incremental expansion of rural areas. The proposed development is located on the northern edge of a small cluster of dwellings, whereby a physical edge has been established through the provision of agricultural buildings and associated land.

37. Noting the above, the proposal would create an encroachment into to the countryside that would be materially harmful. The provision of 2no. larger detached dwellings and their generous curtilages would intrude into this open countryside setting in a way that the conversion of the existing building to residential would not, to the clear detriment of the character and appearance of the area, and at a notable and materially greater level than might otherwise be allowed through any permitted development fall back. It would therefore have an unwelcome and intrusive urbanising effect on views out of Poslingford and towards Stansfield at a materially more harmful level that might otherwise be achieved through any potential use of permitted development rights. The proposal would therefore create a visual intrusiveness in this attractive rural location and create a significant impact so as to cause material harm to the surrounding landscape character.

38. Furthermore, the effect upon the listed buildings at the site is also material. Policy DM15 states that development affecting the setting of a Listed Building will be permitted where they demonstrate a clear understanding of the significance of the building, contribute to the preservation of the building and respect the setting of a Listed Building, including inward and outward views.

39. The proposed development is adjacent to a complex of historic barns, which are curtilage listed. The proposed development therefore has the potential to affect the setting of the listed buildings.

40. In addition the proposed development involves the demolition/partial demolition of two boundary walls, one of which forms the boundary to/is under the ownership of the neighbouring property. On the basis that the walls in question pre date 1 July 1948 and sat within the curtilage of the listed building at the time of listing the proposed demolition will require listed building consent.

41. The planning statement advises the following:

- the application scheme will not lead to the loss alteration or destruction of any heritage assets but will involve development within the setting of Shadowbush farm.

It further goes onto advise:

- the removal of the large agricultural building will be seen as a positive

- the provision of the two dwellings will help to enhance the setting of the listed buildings
 - and the nature of the residential use will be more in keeping with the surrounding and will not detract from the character of the historic setting
- 42.No evidence to support the above statements has been submitted to accompany the proposed scheme before us.
- 43.The NPPF requires an applicant to describe the significance of any heritage assets affected by the proposed development and the impact the proposals will have on that significance.
- 44.An assessment of the significance of the walls does not appear to have been undertaken and the proposed demolition is not overly clear on the plans. The Conservation Officer considers an assessment of the significance together with clearer plans indicating the full extent of demolition both in terms of linear and height marked on both elevations and plans is required together with contextual elevation details of the proposed fence.
- 45.As such, the principle of demolishing a wall(s) which make a positive contribution towards the assets significance is unlikely to be viewed favourably resulting in harm and contrary to paragraph 132 of the NPPF.
- 46.Setting aside the acceptability of the proposed demolition of the walls it is considered unlikely that the replacement of the wall to Shadowbush Barn with a fence will be acceptable from a conservation point of view appearing out of character with both the setting of the heritage asset and the countryside. Further detail of the proposed fence in terms of location and height are required in the form of a contextual elevation to comment further, however the assessment of the walls should be carried out to inform the acceptability of the proposed demolition in the first instance.
- 47.Little change to the arrangement with regard to the historic barns appears to have taken place over the years, which remain centred around a courtyard benefitting from a rural setting. The more modern agricultural buildings to the north are generally seen as a temporary addition and not necessarily out of character with its rural setting being of a typical modern appearance. Whilst all of the historic barns have since been converted they largely maintain their character in terms of their arrangement confining the permanency of residential development to the courtyard. The prior approval of the adjacent agricultural barn is unfortunate from the Conservation Officers' perspective, however given the nature of the tests and criteria set out under Class Q of the GPDO control over this was limited. That said, its utilitarian character may still be viewed as a notably less domestic addition than the provision of two substantial dwellings together with their associated curtilages and any domestic paraphernalia

typically associated with such development, set also within notably larger garden areas than would otherwise be permitted through the provisions of the GPDO. Whilst the revised layout details the removal of the proposed garages, the proposed scheme does not address the principal objection to the impact on the setting of the listed buildings. It is not considered that residential use will be more in keeping with the surroundings which to date and historically have either been undeveloped or agricultural more in keeping with the historic character of the site.

Impact on Neighbour Amenity

48. The proposed dwellings are of a two storey scale. The properties to the south of the site are of a similar scale. The existing access serving the implemented Prior Notification and current application site is located in between the existing residential development and the proposed dwellings.
49. Concerns have been raised by the owners/occupiers of Shadowbush Barn in respect of the position of first floor bedroom window in the proposed 4 bedroom house as to result in overlooking. However, it is considered that there is sufficient distance between the proposed dwellings and surrounding properties to the south as not create an adverse impact to residential amenity by virtue of overlooking, loss of light and overbearing.

Impact on Highway Safety

50. Initially, the Highway Authority were objecting to the proposed scheme due to insufficient visibility. It was suggested by the Highway Authority that the applicant considers redesigning the layout of the site so that both dwellings would use the existing access which has better, although still sub-standard visibility in the northern direction, and provide a speed survey to identify the 85th %tile speed to see if a reduction of the visibility distance could be considered.
51. As a result the application has been amended to utilise the existing access and provide further information to the Highway Authority. The Highway Authority now considers that the access and associated development is acceptable in highways terms and the required visibility spays are achievable. In addition, sufficient on-site parking is provided.

Other Matters

52. The application site is not situated within a flood zone. Therefore, there will be no impact on flooding as result of the proposed development.
53. Policy 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.

54. The submitted Preliminary Ecological Appraisal by Bright Green recommends that if the further surveys, avoidance and precautionary clearance methods and mitigation are implemented, it is considered that the potential impact of the proposed development on local biodiversity would be minimal. This would be required to be conditioned accordingly.

Conclusion on Planning Matters

55. On this basis, and as set out above, the policies discussed, which indicate refusal, must be given significant weight and which point clearly towards a refusal of planning permission unless there are any material considerations that indicate otherwise. One of these which must be explored in more detail is the potential for there to be a material fall back as a result of changes which can be effected using the provisions of Class Q of the GPDO.

Fall Back Position

56. It is important therefore to understand the site specific history of this site, particularly in relation to any matter of 'fall back'. The wider site has been subject to two recent applications:

(i) DC/17/0686/PMBPA - Prior Approval Application under Part 3 of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015 - (i) Change of use of agricultural building to dwellinghouse (Class C3) to create 1 no. dwelling - Granted

(ii) DC/15/1252/PMBPA - Prior Approval Application under Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 - (i) Change of use of agricultural building to dwellinghouse (Class C3) to create 1 no dwelling (ii) associated operational development - Granted.

57. Fallback is a material consideration in the decision making process, of which the Permitted Development rights given by the General Permitted Development Order comprise an element. Thus when making a decision on a planning application it may be argued with some effect that a development carried out to slightly reduced dimensions or at a marginally lesser level, or perhaps in a revised location nearby, could be implemented using permitted development rights. The weight to be given to such a material consideration varies according to whether what could be built using the GPDO would have a broadly similar or worse impact to what is proposed; and the reasonable likelihood or possibility that, if permission were refused, permitted

development rights would in fact be resorted to.

58. On this final point, it is considered, assuming refusal of this permission, that the potential for conversion using the provisions of the GPDO would be explored in more detail by the site owner as an alternative and that, therefore, the 'fall back' situation has the potential to be highly material. The materiality of this of course depends on the degree of similarity between what is now proposed, and what could otherwise be achieved under permitted development, and, in relation to any differences, the different degree of harm, or not, arising as a result.
59. The most recent revisions to the GPDO make some notable changes. The most significant is the increase in potential dwellings from three to five. This provision is caveated however. For dwellings in excess of 100 square metres the overall allowance remains three dwellings and / or 465 square metres. For dwellings under 100 square metres (referred to in the regulations as 'smaller dwellinghouses') the allowance is increased to five. The regulations are not specific but it is assumed that the overall cumulative allowance for smaller dwellinghouses is 500 square metres rather than the 465 square metres otherwise allowed for 'larger dwellinghouses'.
60. Both dwellings for which permission is now sought are 170 square metres each. This is considered to be notably and materially in excess of the 100 square metres otherwise allowed for as smaller dwellings. Furthermore, the cumulative floor area of the two dwellings, plus the one already converted, is 556 square metres. Again this is materially greater than the tolerances permitted by the GPDO (465 square metres in the case of up to three larger dwellinghouses as would be the case in relation to what is now before us). This represents an approximately 20% increase over and above what could otherwise be achieved under the use of permitted development rights.
61. The existing building to be demolished has a floor area of 462 square metres. Noting the provisions of the GPDO, and noting that a 'larger dwellinghouse' has already been achieved elsewhere in the site, 400 square metres of this (so perhaps subject to some demolition) could be utilised to achieve up to four smaller dwellinghouses, but none of these could be any greater than 100 square metres each. It is understood that the rationale behind this provision is to achieve the Government's aspiration to provide smaller dwellings in rural areas, but such is not realised here in that the two replacement dwellings proposed are in any event materially in excess of the threshold for 'smaller dwellings'.
62. However, this fact, as a fall back, must be taken as materially limiting the locational unsustainability conclusions otherwise reached above. It must also, to a degree, limit otherwise the wider conflict with policy set out above, noting that, over and above the existing situation already converted, and noting that the existing building that already has prior approval to convert

to one dwelling would be demolished, the provisions of the GPDO would allow four additional smaller dwellings with a cumulative floor area of 400 square metres. This compares to the two dwellings now sought with a combined total of 340 square metres.

63. However, no prior approval has been submitted since the updated legislation and to a degree this limits the weight that should be attached to these changes. That said, it is respected that the existing building to be demolished has previously benefitted from a prior notification application so it is not unreasonable to assume that any such further application would have some reasonable prospect of success and this significantly increases the weight to be attached to this as a fall back.
64. It is also the case that if these dwellings were approved and implemented then there would be nothing to otherwise prevent the change of use of other agricultural buildings elsewhere within the holding, up to the relevant thresholds in the GPDO. This adds further weight against the proposal.
65. Also significant in relation to any fall back is the extent of domestic curtilage now proposed. Any dwellings allowed through the provisions of the GPDO would have only a very limited curtilage in accordance with the provisions of the GPDO.
66. These provisions allow a curtilage no greater than the floor area of the building. In this case 370 square metres of accommodation is proposed but with 2330 square metres of garden space. This is considered to be materially greater than would otherwise be allowed under permitted development and will, consequentially, and noting the visually exposed and sensitive location, and as concluded above, have a greater adverse visual effect. This is a fact that, taken alone, very, very significantly limits the weight that can be attached to this as a fall back.
67. Also of significance in judging the weight to be attached to any fall back is the likelihood that the developer will otherwise implement what might otherwise be done under PD. In this case it is considered that there is a strong likelihood that such will be the case, given the previous changes of use in a further building, and noting the extant change of use for the present building that is now proposed to be demolished. This conclusion also increases the weight to be attached to any fall back.
68. To conclude therefore, there are facts in this instance that allow notable weight to be attached to the fall back. These include the recent changes to the GPDO that allow for up to four additional smaller dwellings within the building up to a cumulative 400 square metres. This is a strong material consideration and must significantly reduce the weight to be attached to the locational unsustainability of the proposal and must also limit the weight to

otherwise be attached to the policy conflict. On the other hand, and notwithstanding the changes to remove the garage areas, the development still proposes a notably greater curtilage area than would otherwise be provided for under the provisions of the GPDO. Noting the harm in visual terms set out above, this must in itself limit the weight that must be attached to this as a fall back.

69. It should also be noted, importantly, that nothing in this fall back position overcomes the concerns set out above in relation to the heritage impacts arising.

Consideration and the Planning Balance

70. The submitted Planning Statement acknowledges that the site is outside of the Housing Settlement Boundary but states that there are combined benefits and material justifications that should outweigh this in the planning balance. These are summarised as follows:

- The provision of new high quality rural housing
- A boost to the local economy during the construction phase
- Significant landscape and visual improvements
- An enhancement of the setting of heritage assets
- Improvements to the amenity of local residents
- Improving the diversity of the local housing mix
- Support for local services and businesses
- Effective and efficient re-use of land
- The proposed development meets the objectives and aims of policy DM27 and paragraph 55 of the NPPF
- The fall-back position of a conversion of half of the existing agricultural barn into residential use and amendments to Class Q

71. The proposal comprises 2 no. 3 bedroom dwellings. Neither of the dwellings proposed are affordable housing units, where they could be considered otherwise under the appropriate policies for exception sites. Furthermore, as set out above, neither are 'smaller dwellinghouses' under 100 square metres.

72. The agent claims great weight on the fall-back position of the Prior Approval Application within the justification, however as set out above, reduced weight should be given to this as has been set out above given that this proposal materially exceeds the tolerances and thresholds set out in the GPDO, particularly in relation to garden size, noting the visual concerns arising from such set out above.

73. There is currently 1 no. large barn on the site, in close proximity to the dwellings along Stansfield Road. Whilst there are no restrictions on the hours of use of these buildings or the number of associated vehicle

movements, which is not uncommon for agricultural buildings, the Council is not aware of any adverse impacts arising from the existing situation on the site in terms of neighbour amenity. In addition, the buildings do not appear to be in use at the present time and the submitted Planning Statement explains that they are surplus to requirements and unsuitable for modern agricultural practices. Officers therefore consider that any claimed benefit from redeveloping the site and the removal of the existing use should be given limited weight in the planning balance.

74. It is acknowledged that the proposal would generate some economic activity if approved. This could however be said for all development proposals and is not, in itself, sufficient reason to set aside the conflict with policy in this case. Officers' consider that the material considerations cited by the agent do not outweigh the clear and significant conflict with the development plan in this case. These facts weigh very heavily, and fundamentally, against the scheme in the balance of considerations.

75. Having regard to the above, the principle of residential development in this location is contrary to adopted planning policy. Significant weight must be attached to this conflict with the development plan, noting the latest Court rulings on the interpretation of the NPPF. Other than the provision of dwellings in itself, which is of modest benefit, and the permitted development class Q fall back situation discussed above, there are limited material considerations that indicate that any decision should be taken not in accordance with the Development Plan. Accordingly, this policy conflict is considered to be a very notable weight against the proposal, and sufficient to justify refusal on its own.

76. The conclusions reached above in relation to heritage impacts are also notable, and material, and must be taken as weighing against the scheme. Noting that any 'fall back' in any event would be to effect the conversion of the existing building, with less visual impact therefore than with two detached dwellings, and with an associated reduced curtilage, this fact is significant, and must be taken as being sufficiently weighty so as to form a further reason for refusal.

77. For the reasons outlined above, officers consider that the material considerations cited by the agent do not outweigh the clear and significant conflict with the development plan in this case.

Conclusion

78. The application site lies outside of a defined settlement boundary and is therefore within the countryside where the provision of new housing is strictly controlled. The site is in an isolated and unsustainable location with very limited access to day to day services other than via the private car. The proposals are contrary to adopted planning policies which direct new

open-market housing to sites within the defined limits of existing settlements and the application does not therefore accord with the development plan. As discussed above, the provisions within the GPDO which allow up to four further dwellings within the barn must be taken as limiting any harm arising from the unsustainable location.

79. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 12 of the NPPF, the development plan is the starting point for decision making and proposals that conflict with the development plan should be refused unless other material considerations indicate otherwise. As set out earlier in this report, officers are of the opinion that there are no material considerations that indicate that policy should be set aside in this case noting the material differences between what is proposed and what could otherwise be achieved through the utilisation of permitted development rights.

80. In addition, the provision of 2 no. dwellings and their generous curtilages would intrude into this open countryside setting in a materially greater way than would arise from any conversion of the building with class Q complaint curtilages, to the detriment of the character and appearance of the area, whilst failing to contribute or preserve the setting of the listed buildings. There is no material fall back situation that would otherwise serve to overcome these objections.

Recommendation:

81. It is recommended that planning permission be **REFUSED** for the following reasons:

1. The site falls outside of any defined settlement boundary and is therefore within the countryside where the provision of new housing is strictly controlled. The exceptions are set out under policies DM5, DM27 and DM29 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (February 2015), these being affordable housing, dwellings for rural workers, small scale infill development of one or two dwellings, and the replacement of an existing dwelling. The proposal does not represent any of these exceptions and the matter of fall back through the provisions of the GDPO, whilst limiting the weight to be attached to the locational unsustainability of the proposal, is not of sufficient weight to otherwise overcome this conflict, noting the material differences between the development now proposed and what might otherwise be secured through utilisation of permitted development rights.

The proposal therefore is contrary to policies DM5, DM27 and DM29 of the Joint Development Management Policies Document 2015, CS1 and CS4 of the St Edmundsbury Core Strategy 2010 and the guiding principles of the National Planning Policy Framework (NPPF).

2. Policy DM2 (Creating Places – Development Principles and Local Distinctiveness) states that proposals should recognise and address key features, characteristics and landscape of the area, and Policy CS4 seeks to ensure that development proposals do not adversely affect the setting of a settlement. This is supported by the provisions of Policy DM22 that seeks to ensure a good standard of residential design.

The proposal would create an encroachment in to the countryside. The provision of 2no. dwellings and their generous curtilages, along with any associated domestic paraphernalia, would intrude into this open countryside setting, to the detriment of the character and appearance of the area. This harm is not mitigated for by any potential permitted development fall back since any development undertaken using permitted development rights would be contained within the existing building and would contain garden areas no greater than the footprint of the building being converted. Accordingly, this materially larger proposal would have an unwelcome urbanising effect on the site and on views to the north and towards Stansfield. The proposal would result in the beginning of a ribbon development and consequential countryside erosion. The proposal would therefore create a visual intrusiveness in this attractive rural location and create a significant impact so as to cause material harm to the surrounding landscape character contrary to the provisions of Policy DM2 and CS3, and to the requirements of the NPPF in relation to recognising the intrinsic character of the countryside.

3. Policy DM15 states that development affecting the setting of a Listed Building will be permitted where they demonstrate a clear understanding of the significance of the building, contribute to the preservation of the building and respect the setting of Listed Building, including inward and outward views.

The proposed development is adjacent to a complex of historic barns, which are curtilage listed. Little change to the arrangement with regard to the historic barns appears to have taken place over the years, which remain centred around a courtyard benefitting from a rural setting. The more modern agricultural buildings to the north are generally seen as a more temporary addition and not necessarily out of character with its rural setting being of a typical modern appearance. Whilst all of the historic barns have since been converted they largely maintain their character in terms of their arrangement confining the permanency of residential development to the courtyard. It is not considered that the proposal will be in keeping with the surroundings which to date and historically have either been undeveloped or agricultural more in keeping with the historic character of the site. It is also the case that no robust assessment of the significance of the loss of walling within the site has been carried out sufficient to inform a consideration of this matter.

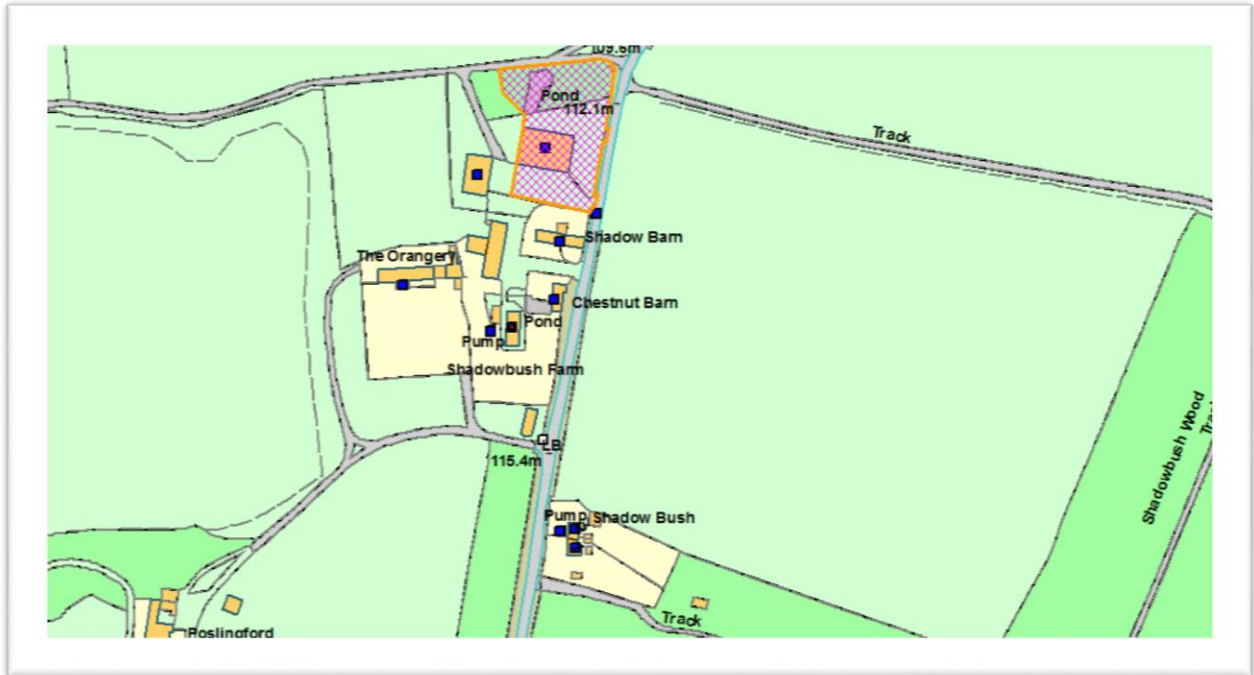
As such, it is considered that the proposed development fails respect the significance of the listed buildings as to adversely affect their setting. It is considered the public benefit does not outweigh the substantial harm arising from the proposed development, as to be contrary to Policy DM15 and paragraphs 131-173 of the National Planning Policy Framework (NPPF).

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/17/2648/FUL](#)

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DC/17/2648/FUL – Shadowbush Farm, Stansfield Road, Poslingford



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109.6m

ash removed

House 2

House 1

Proposal for 2 dwellings in place of large agricultural shed

flint wall retained

Pond

modece architects

Bury St Edmunds, Suffolk IP33 3PH tel 01284 830085

client R Dennis
 project Shadowbush Farm. Poslingford
 dwg title Site Layout - entrances and landscaping

scale	drawn	date	project no	dwg no	rev
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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/023

Development Control Committee 7 June 2018

Planning Application DC/18/0513/HH – Chapel Cottage, The Street, Lidgate, Newmarket

Date Registered:	29.03.2018	Expiry Date:	24.05.2018
Case Officer:	Savannah Cobbold	Recommendation:	Approve Application
Parish:	Lidgate	Ward:	Wickhambrook
Proposal:	Householder Planning Application - (i) 1.5 storey rear extension (ii) single storey rear extension (iii) single storey side extension (following demolition of existing single storey side extension) and (iiii) insertion of dormer to rear elevation		
Site:	Chapel Cottage, The Street, Lidgate		
Applicant:	Mr & Mrs B Diffey		

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:

Savannah Cobbold

Email: savannah.cobbold@westsuffolk.gov.uk

Telephone: 01284 757614

Background:

The application is referred to the Development Control Committee following considered by the Delegation Panel on 2 May 2018. The matter was referred to the Delegation Panel following an objection from Lidgate Parish Council.

A site visit will be conducted on 31 May 2018.

Proposal:

1. The application seeks planning permission for the construction of a 1.5 storey rear extension, single storey rear extension and a single storey side extension following the demolition of existing single storey side extension. It also includes the insertion of a dormer window to the rear elevation.
2. The proposed 1.5 storey will extend 6 metres from the rear wall of the original dwelling, measure 4 metres in width and 5.4 metres in overall height.
3. The proposed single storey rear extension will extend 5.7 metres from the rear wall of the original dwelling, measure 3.9 metres in width and 2.6 metres in height, incorporating a flat roof.
4. The proposed single storey side extension will extend 2.4 metres from the side elevation of the 1.5 storey rear extension, measure 9.1 metres in length and 4.2 metres in overall height.
5. The dormer window is to be located on the rear elevation of the host dwelling, facing into the rear garden of the application site.
6. This scheme is a resubmission of DC/17/2607/HH which was previously withdrawn. The current scheme has seen the dormer window facing into the garden of 1 Cherry Tree Cottage removed, along with a reduction in height and length.

Application Supporting Material:

- Application form
- Existing floor plans and elevations
- Proposed elevations
- Site location and block plan
- Proposed floor plans

Site Details:

7. The application site is located within the settlement boundary for Lidgate, fronting onto The Street. The site comprises a detached dwelling and its curtilage, with a garden to the rear of the property and a small area at the front providing off-street parking for one vehicle. The dwelling is located within an area of properties of mixed characteristics generally forming a uniform line along The Street. The dwelling is also located within the Conservation Area for Lidgate.

Planning History:

Reference	Proposal	Status	Decision Date
DC/17/2607/HH	Householder Planning Application - (i) Single storey rear and side extension (following of existing single storey side extension) and (ii) two storey rear extension to include 2no. dormer windows	Application Withdrawn	25.01.2018
DC/18/0513/HH	Householder Planning Application - (i) 1.5 storey rear extension (ii) single storey rear extension (iii) single storey side extension (following demolition of existing single storey side extension) and (iiii) insertion of dormer to rear elevation	Pending Decision	
E/80/3027/P	PROPOSED REAR EXTENSION PORCH AND MINOR ALTERATIONS TO COTTAGE	Application Granted	13.02.1981
E/80/2291/P	TWO STOREY AND PORCH EXTENSION	Application Withdrawn	08.07.1980

Consultations:

- Suffolk County Council as Highway Authority: *The property has a parking space, in the location shown on the plan but this space is accessed by bumping the kerb rather than using a dropped kerb. In my view, if the applicant was to apply for a dropped kerb it would not be approved because the access would be substandard. I note that the description of the proposed works on the application form doesn't mention the parking place so I am happy not to make any comment but clearly we do have reservations about continued use of the unapproved space.*
- Conservation Officer: No objections and no Conservation conditions required – this application is a resubmission of planning application DC/17/2607/HH, still comprising rear and side extensions but with the rear extension reduced in height. The application also proposes the reinstatement of the thatch to the main roof.
- The impact of proposals on the character or appearance of the Conservation Area is assessed from public vantage points rather than private gardens. When viewed from The Street, the side and rear extensions would be

partially visible but would appear subservient to the host property and the proposed materials – natural slate and painted render – are traditional materials appropriate to the Conservation Area. Furthermore, the single storey lean-to is an established form of extension, as is the addition of a rear wing to form an “L” shaped floor plan. The proposal is therefore in accordance with Policy DM17.

11. The reinstatement of the thatched roof is an enhancement to the property and the Conservation Area.

Representations:

12. Parish Council: Object to the scheme – although the extension is now described as a 1.5 rear extension, it is not significantly lower.

- The extension is too large and does not respect the character, scale, density and massing of the locality
- The extension will adversely affect the amenities of adjacent properties by reason of overlooking, overshadowing and loss of light
- The proposal will adversely affect the residential amenity of neighbouring properties because of its size. The extension will extend beyond the line of existing rear buildings in neighbouring properties by approximately 2 metres
- Lidgate is a quiet, rural village in a Conservation Area and the Parish Council believe that this application will detract from its setting
- The scale of the proposed extension will not respect the areas character and setting
- The proposal does not respect the character, scale and design of existing neighbouring dwellings. The footprint of the extension is too large and will completely dwarf the original cottage. The character and appearance of the proposed extension is not in keeping with the surrounding area. Chapel Cottage is higher than the neighbouring properties so a 1.5 storey extension will still appear larger and height and will dominate the locality
- The proposed extension will result in over-development of the dwelling and curtilage
- It will adversely affect the residential amenity of the occupants of St Alice as it will completely overshadow this property and lead to a loss of sunlight in both the property and garden

13. Third Party Representations: Three letters of representation have been received in respect to this application.

14. The following representation has been received from the owner/occupier of 1 Cherry Tree Cottages:

- The resubmission of this proposed development appears to contravene policies within the Joint Development Management Policies Document February 2015.
- As an immediate neighbour to the site, we are of the view that due to the minimal reduction in length and height of the proposed development it will still have a serious impact on the enjoyment of our residential amenities.
- The proposed development is too large and does not respect the character, scale, density and massing of surrounding buildings and locality.
- The scale does not respect the character and historic nature of the original cottage.

- It will adversely impact upon the enjoyment of our garden and residential amenities within the quiet, private and peaceful setting of a Conservation Area.
- Although the plan now proposes a 1.5 storey extension, the plans show a reduction in height of less than 1 metre. As the ground of Chapel Cottage is higher than neighbouring properties it will still cause extensive overshadowing and loss of light to our home and garden.
- The proposed extensions will result in over-development of the dwelling and curtilage.
- It will adversely affect our residential amenity by means of overlooking, overshadowing and loss of light due to its size and height.
- It will extension approximately 2 metres beyond the building line of neighbouring properties, adversely affecting our residential amenities.
- Due to the cottage not sitting square within its plot and the line of our boundary with it, it appears that the flat roof extension will encroach onto our property.

15. The following representation has been received from the owner/occupier of 2 Cherry Tree Cottages:

- I appreciate that I am not an immediate neighbour of Chapel Cottage but as a secondary neighbour I object to this planning application.
- The proposed extension is too large and not sympathetic to the character and scale of the existing cottage and surrounding locality.
- The proposed extension would adversely affect the local amenity due to the scale of it as it would extend beyond neighbouring properties.
- The proposed extension is too large in scale and height to the original cottage and is not sympathetic to the cottage's character and history.
- The proposed extension is not sympathetic to the original cottage as the scale of it would overshadow the original cottage. It would also not be sympathetic to neighbouring properties as it would impact them by overshadowing and overlooking their homes.

16. The following representation has been received from the owner/occupier of St Alice:

- As immediate neighbours of the site we have objections based on its impact on our property, its residential amenities and the surrounding area. We understand that Chapel Cottage would benefit from some form of extension and have no objection to that principle.
- The proposed extension is too large and does not respect the character, scale, density and massing of the locality.
- The extension will adversely affect the amenities of our property by reason of overlooking, overshadowing and loss of light. The windows to the rear of the building will overlooking the neighbouring properties leading to a loss of privacy.
- The proposal will adversely affect the residential amenity of our property because of its size.
- Lidgate is a quiet, rural village in a Conservation Area. We believe that this application will detract from this setting.
- The proposed extension will be too large in scale, form, height, massing and alignment to respect the areas character and setting.
- The proposal does not respect the character, scale and design of the existing neighbouring dwellings.

- The footprint of the extension is too large and will be disproportionate to the original cottage.
- The character and appearance of the proposed extension is not in keeping with the surrounding area.
- Chapel Cottage is higher than our property so this extension will appear much larger and higher and will dominate our property and the locality. The new ridge line, extending rearwards appears to be above the roofline of our property making the extension overbearing.
- The proposed extension will result in over-development of the dwelling and curtilage and will adversely affect the residential amenity of our property as it will completely overshadow it and lead to a loss of sunlight in the building as well as a loss of view of sky from the ground floor windows facing.
- Sunlight will also be lost in the rear garden.

17. **Policy:** The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy 2010 & Vision 2031 Documents have been taken into account in the consideration of this application:

1. Joint Development Management Policies Document:
 - Policy DM1 – Presumption in Favour of Sustainable Development
 - Policy DM2 – Creating Places Development Principles and Local Distinctiveness
 - Policy DM17 – Conservation Areas
 - Policy DM24 – Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
2. St Edmundsbury Core Strategy December 2010
 - Policy SCS3 – Design Quality and Local Distinctiveness

Other Planning Policy:

18. National Planning Policy Framework (2012)

Officer Comment:

19. The issues to be considered in the determination of the application are:
 - Principle of Development
 - Impact on residential amenity
 - Impact on street scene/character of the area
 - Impact on Conservation Area
 - Design and Form
 - Impact on Highway Safety
20. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.
21. In the case of this application, the dwelling is located within a generously sized curtilage and one which is able to accommodate the scale of extension without over-development occurring.

22. The proposed extensions are considered to have no material adverse impact upon the residential amenity of occupants of nearby properties at any such level that would justify a refusal of planning permission. No material overbearing impact is considered to arise upon 1 Cherry Tree Cottages, located towards the east of the site, as a result of the 1.5 storey rear extension given that this extension is positioned more towards the west of the application site. From the previous scheme submitted we have seen a reduction in the height of this extension so that it sits below the ridge height of the host dwelling and a change in roof form. It has also been reduced in length by 1 metre. Although the proposed single storey rear element is located closer towards the boundary of 1 Cherry Tree Cottages, no overbearing impact is considered to arise on this property. This is because the extension is of single storey nature, incorporating a flat roof. There is also fencing between this neighbouring property and the application which will contribute to the screening of this element of the proposal. As the proposed single storey side extension is to be positioned on the western elevation of the dwelling, views of this from 1 Cherry Tree Cottages will be limited. There is also a garage towards the boundary within this neighbouring property which will ensure a sufficient separation distance between the proposed development and this property. In addition, this neighbouring property gained planning permission which allowed for the construction of a two storey rear extension and other alterations located towards the boundary of 2 Cherry Tree Cottages. This also included a rear facing dormer, similar to the one proposed within this application.
23. The proposed extensions are anticipated to have no significant impact upon St Alice, located towards the west of the site. Although the proposed 1.5 storey extension is to be positioned nearer this neighbouring property, no overbearing issues are considered to arise as there is more than satisfactory separation distance between this neighbouring property and the proposed extension. In particular, there is a driveway which runs east of St Alice within its curtilage which creates sufficient distance between the proposal and neighbouring property to ensure that any adverse effects will not be at a level that would justify refusal. There is also high hedging that runs between these two properties. Views of the proposed single storey rear extension will be limited or even non-existent from this neighbouring property given that views of this will be obscured by the 1.5 storey rear extension. Views of the proposed single storey side extension may be incurred from St Alice, however this is of single storey nature and will partially replace an existing single storey side element and will in any event be seen against the flank of the existing dwelling.
24. Taking this into consideration and the provision of high hedging along the boundary between this neighbouring property and the application site, no overbearing issues are considered to arise. St Alice features some later additions to the property such as a two storey rear extension with a single storey rear extension extending of that. The two storey rear extension extend approximately 3.2 metres from the rear elevation of the dwelling and is taller than the ridge height of the original dwelling. St Alice gained planning permission in 2017 for a further first floor addition, extending over an existing element towards Chapel Cottage.
25. The proposed dormer window to the rear elevation of Chapel Cottage is not considered to introduce any overlooking issues that would otherwise justify

a refusal. As mentioned previously 1 Cherry Tree Cottages features a dormer to the rear elevation closest towards Chapel Cottage. Under Schedule 2 Part 1 Class B of the GPDO rear facing dormer windows can generally be implemented under Permitted Development and do not require planning permission albeit it should be noted that this provision does not apply within a Conservation Area as is the case here. However, the reasons for this provision not applying relate to heritage impacts, not impacts upon amenity. Noting that the heritage impact is considered acceptable it is considered that the fact that this rear dormer could not otherwise be provided under permitted development rights should not preclude an assessment that it is otherwise acceptable. The provision of rearwards facing first floor windows in a residential context such as this is not unusual and it is not therefore considered that a refusal of planning permission on the basis of any adverse effects upon amenity arising from this rearwards facing dormer would withstand the scrutiny of an appeal.

26. Number 2 Cherry Tree Cottages has also had planning permission granted for a two storey rear extension in the late 90's.
27. The majority of the works proposed within this application are located at the rear of the host dwelling and will therefore not be visible from the public realm. Although the proposed single storey side extension will be visible from The Street, no adverse impact is considered to arise upon the street scene given that it is of single storey nature, replacing an existing element and respects the character and scale of the host dwelling.
28. Larger scale, later additions to the rear of properties appear to be a common feature within the properties along The Street and therefore the proposed additions within this application are considered to be in keeping with the immediate and surrounding area.
29. The proposed extensions are considered to be of an appropriate scale, form and design as to respect the host dwelling. The 1.5 storey rear extension has been reduced in length and set down at the ridge height to incorporate a level of subservience. Matching render is being incorporated into the design to ensure that the proposal blends in with the materials used on the host dwelling with the roof being thatched in place of the present corrugated metal roof.
30. Policy DM17 states that proposals for development within, adjacent to or visible from a Conservation Area should preserve or enhance the character and appearance of the Conservation Area. The site is located within the Conservation Area for Lidgate. The majority of the works are located at the rear of the dwelling and therefore will not be visible from the Conservation Area. Furthermore, the Conservation Officer has raised no objections to the scheme.
31. The Parish Council objected to the scheme on grounds of over-development, Conservation Area issues and the scale of the development. They believe that the proposed development does not respect the scale, density and massing of the locality and will adversely affect the amenities of adjacent properties by reason of overlooking, overshadowing and loss of light. The proposed 1.5 storey rear extension has been set down at the ridge and is considered to be a subservient addition to the host dwelling. It has also been reduced in length following the resubmission. It is considered that there is

a satisfactory separation distance between the proposed development and surrounding neighbouring properties. The dormer window facing sideways into the rear garden of 1 Cherry Tree Cottages has been removed from the initial design therefore reducing any potential overlooking issues towards this property to those arising from the rearwards facing dormer window, which has itself been assessed as acceptable.

32. The Parish Council also believe that the extension will extend beyond the line of existing rear buildings in neighbouring properties by approximately 2 metres. The proposed extensions extend approximately 6 metres from the rear wall of the original dwelling. Looking at plans recently submitted for an application at St Alice, the two storey rear extension and single storey rear extension extending from this measure approximately 7.4 metres in length. Therefore, the proposed works at Chapel Cottage do not extend beyond a line of other extensions on other neighbouring properties.
33. The Parish Council objection also states that Lidgate is a quiet, rural village in a Conservation Area. They believe that the proposal will detract from the setting. The site is located within the Conservation Area for Lidgate and given that the works are to the rear of the dwelling they will not be visible from the Conservation Area, therefore not having a negative impact upon the Conservation Area. The impact is the proposals on the character or appearance of the Conservation Area is assessed from the public vantage point. When viewed from The Street, the side and rear elevations would be partially visible but would appear subservient to the host property and the proposal materials are traditional and appropriate to the Conservation Area. The Conservation Officer has also raised no objections to the scheme.
34. They also state that it will not respect the character of the area. The objection from the Parish Council states that the proposal does not respect the character, scale and design of existing neighbouring dwellings. The footprint of the extension is too large and will completely dwarf the original cottage. The character and appearance of the proposed extension is not in keeping with the surrounding area. Chapel Cottage is higher than neighbouring properties so a 1.5 storey extension will still appear larger in height and will dominate the locality. The properties along The Street all vary in appearance. There is no real defined character to the area. The application seeks planning permission for the construction of a 1.5 storey rear extension whereas nearby neighbouring properties consist of two storey rear extensions. Given that the majority of the works are to the rear of the property, the front elevation will remain unaltered therefore will not dominate the area.
35. The Parish Council believe that the proposed extensions will result in over-development of the dwelling and curtilage. Looking at the proposed block plan, from the rear wall of the proposed 1.5 storey rear extension there is a distance of approximately 37 metres to the rear boundary of the property and sufficient space is otherwise maintained around the building. Taking this into consideration, the dwelling is located within a curtilage which is quite clearly able to accommodate the scale of extension without over-development occurring.
36. The Parish Council also believe that the proposal will adversely affect the residential amenity of occupants of St Alice as it will overshadow this property and lead to a loss of sunlight in both the property and garden. The

extensions within St Alice extend beyond the extensions proposed within this application by approximately 1.4 metres. There is also adequate separation distance between both properties to not have an overbearing impact upon St Alice, which also retains a generous garden area.

37. The following representation was received from the owner/occupier of 1 Cherry Tree Cottages:

They believe the resubmission still appears to contravene the policies within the Joint Development Management Policies Document February 2015. They also believe that the minimal reduction in length and height will still have a serious impact on the enjoyment of their residential amenities. They also state that it is too large and does not respect the character, scale, density and massing of surrounding buildings and the locality. They believe that the scale does not respect the character and historic nature of the original cottage. The original scheme submitted included a two storey rear extension which was set minimally down from ridge height. It also included the provision of a dormer window onto the side elevation, facing into 1 Cherry Tree Cottages. The placement of a dormer window to the side elevation of the two storey rear extensions raised concerns with Officer's that this would overlook into the neighbouring garden resulting in a negative impact upon the residential amenity. The proposed two storey rear extension within the original scheme also raised concerns as it appeared overbearing. The resubmission saw the dormer window on the side elevation removed, the extension set down from two storey to 1.5 storey and reduced in length by 1 metre. Following these changes, Officers are of the opinion that the concerns in relation to impact on residential amenity have been overcome. Chapel Cottage is not a Listed Building and therefore holds no particular historic value.

38. Although the plan now proposes a 1.5 storey extension, the plan shows a reduction in height of less than 1 metre. As the ground of Chapel Cottage is higher than neighbouring properties the neighbour considers that it will still cause extensive overshadowing and loss of light to their home and garden and that it will adversely impact upon the enjoyment of their garden and residential amenities within the quiet, private, peaceful setting of a Conservation Area. The original scheme saw the proposed two storey rear extension sit 0.07 metres below the ridge height of the original dwelling whereas the resubmission sees the extension sit 0.5 metres below the ridge height of the dwelling. It has also been reduced by 1 metre in length. It is considered that there is satisfactory separation distance between this element of the proposal and this neighbouring property. There are no windows on the side elevation of 1 Cherry Tree Cottages facing into Chapel Cottage and a garage is located on the boundary, closest to Chapel Cottage. This creates separation between the proposal and neighbouring property. The views from the Conservation Area are assessed from the public realm rather than private gardens.

39. The letter of representation also states that the proposed development will result in over-development of the dwelling and curtilage. This has already been considered above.

40. The owner/occupier of 1 Cherry Tree Cottages states that it will adversely affect their residential amenities by means of overlooking, overshadowing and loss of light due to its size and height. There are no windows on the

side elevation facing into 1 Cherry Tree Cottages, therefore this has eliminated any potential overlooking issues to those arising from the proposed rearwards facing dormer, which again has already been assessed above as being acceptable.

41. They also state that the extension will extend approximately 2 metres beyond the building line of neighbouring properties and due to the cottage not sitting square in the plot and the line of their boundary with it, it appears that the flat roof extension will encroach onto their property. Under guidance of the GPDO, extensions can be built within 2 metres of the boundary of the curtilage providing that the eaves height does not exceed 3 metres. In this case, the proposed extension measures 2.6 metres in overall height – there are other guidelines that the extension is expected to meet in order for it to comply as Permitted Development.
42. The following representation has been received from the owner/occupier of 2 Cherry Tree Cottages.
43. The proposed extension is too large and is not sympathetic to the character and scale of the existing cottage and surrounding locality. It would have a serious impact on immediate neighbours and affect the local amenity due to it extending beyond neighbouring properties. The proposed extensions are considered to be subservient to the host dwelling and are of an appropriate scale and design. Comments in relation to extending beyond neighbouring properties has been addressed above.
44. The letter of representation states that the proposed extension is too large in scale and height to the original cottage and is not sympathetic to the cottage's character and history. Chapel Cottage is not a Listed Building and therefore does not hold a significant historical value. The reinstatement of the thatched roof is an enhancement to the property and to the Conservation Area. The proposed extensions will clearly read as a later additions to the property and considered to respect the scale of Chapel Cottage following a reduction in height and length.
45. They also state that the proposed extension is not sympathetic to the original cottage as the scale of it would overshadow the original cottage. It would also not be sympathetic to neighbouring properties as it would impact them by overshadowing and overlooking their homes. There are no windows located in the side elevations of the proposed 1.5 storey extension which therefore eliminates any potential overlooking issues and it is considered that is enough separation distance between properties for no overbearing impact to arise. In addition, both immediate neighbouring properties feature large two storey rear extensions, with one extending above the ridge height of the original dwelling.
46. The following representation has been received from the owner/occupier of St Alice.
47. The proposed extension is too large and does not respect the character scale, density and massing of the locality and would adversely affect the amenities of our property by reason of overlooking, overshadowing and loss of light. The windows to the rear of the building will overlooking the neighbouring properties leading to a loss of privacy. The proposal has been reduced in size in order to reduce the impact upon neighbouring properties.

No overlooking issues are considered to arise as there are no windows contained at first floor within the side elevation of the proposed extension and any overlooking from the rearwards facing first floor window will be at an acceptable level given the general relationship between dwellings and the size of their garden areas.

48. The letter of representation also states that Lidgate is a quiet, rural village in a Conservation Area. They believe that this application would detract from that setting. The proposed extension will be too large in scale, form, height, massing and alignment to respect the area's character and setting. When the proposal be viewed from The Street, the side and rear extensions would be partially visible but would appear subservient to the host property and the proposed materials are traditional in appearance. The Conservation Officer has raised no objections to the scheme and states that the proposal is in accordance with Policy DM17.
49. They also state that the proposal does not respect the character, scale and design of existing neighbouring dwellings and the footprint of the extension is too large and will be disproportionate to the original cottage. There is no real defined character to the properties along The Street and following reductions, Officers are of the opinion that the resubmission has addressed concerns previously raised.
50. The letter of representation also states that the character and appearance of the proposed extension is not in keeping with the surrounding area. Chapel Cottage is higher than our property so this extension will appear much larger and higher and will dominate our property and the locality. Views of the proposed extension from The Street will be limited given that the majority of the works are to the rear of the dwelling. Even so, the materials used are an appropriate choice to match with the host dwelling.
51. The owner/occupier states that the new ridge line, extending rearwards, appears to be above the roofline of our property making the extension overbearing. St Alice features a two storey rear extension which actually extends above the ridge line of the host dwelling. There is also satisfactory separation distance between this property and the proposed development given that a driveway to the side of St Alice creates additional separation distance. Both properties are also detached.
52. They believe that the extension will result in over-development of the dwelling and curtilage. This issue is addressed above.

Impact on Highway Safety

53. The previous application received an objection from Suffolk County Council as Highway Authority in that it proposed a three bedroom dwelling with only a single existing car parking space. This present scheme has been reduced to a two bedroom dwelling through internal rearrangements. This means that the dwelling as extended meets the standards in the Suffolk Guidance for Parking.
54. The Highway Authority have commented further but have not raised an objection. Suffolk County Council indicate that the existing access is substandard and that in fact vehicular access to the property is obtained by cars 'bumping the kerb'. However, the proposal does not seek to increase

the number of bedrooms at the property and the frontage arrangement, including parking space / driveway and raised lawn area all appear to be historic so any refusal on the basis of insufficient car parking would be unlikely to withstand the scrutiny of an appeal. However, in order to ensure that the property does stay as a two bedroom property, and to limit any potential adverse harm if the internal floor plan was reorganised without requiring planning permission to include a greater number of bedrooms, a condition is proposed that limits the property to the floor plan as submitted, and to only two bedrooms.

55. With such imposed it is considered that the impact of the proposal upon highway safety would be at a level that would not otherwise justify a recommendation of refusal on these grounds.

Conclusion:

56. 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:

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

1. Time limit
2. Compliance with plans
3. The layout of the extended property shall be as shown on drawing 9119/17/3. At no time shall the property benefit from more than two bedrooms. Reason: To define the scope of this consent, in the interests of highway safety.

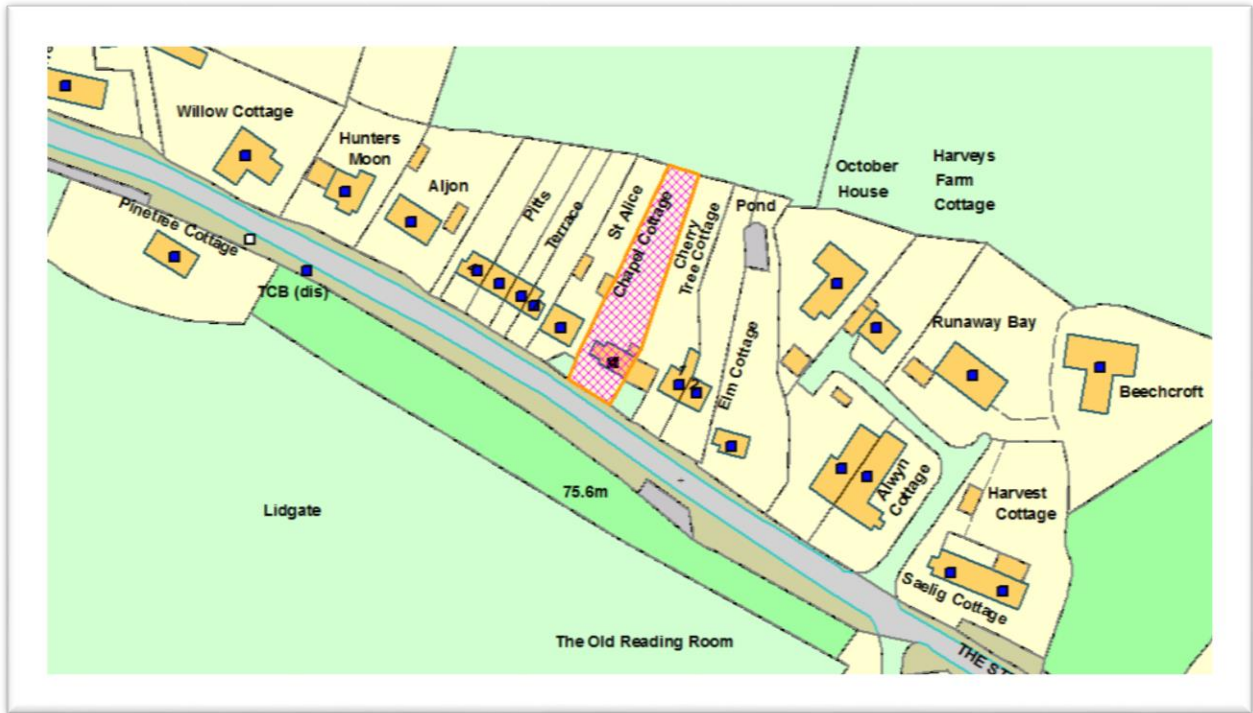
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online.

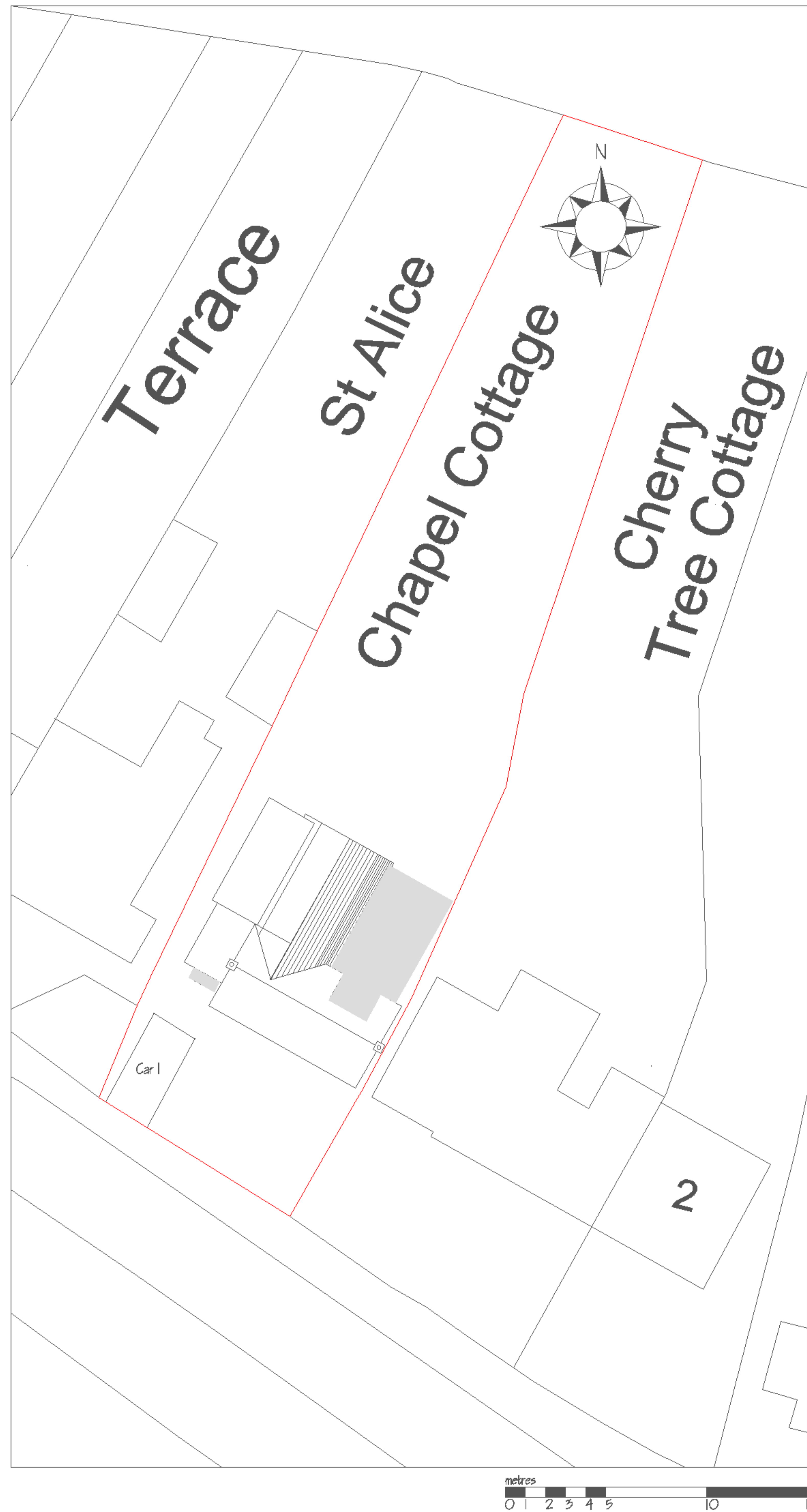
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DC/18/0513/HH – Chapel Cottage, The Street, Lidgate

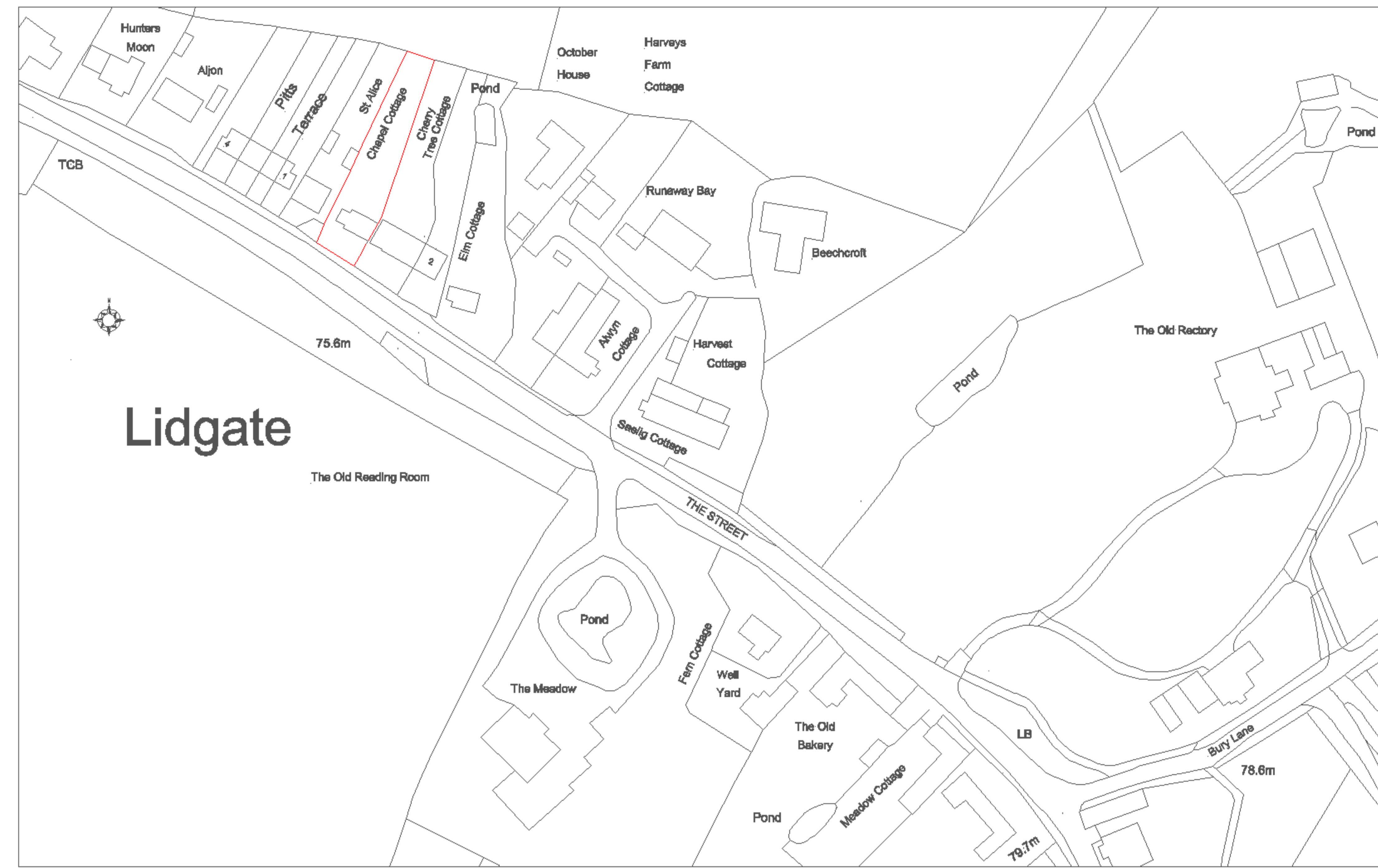


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Site Plan Scale 1:200



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Site Location Plan Scale 1:1250

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Proposed one and a half storey rear extension to Chapel Cottage The Street, Lidgate, CB8 9PP

For Mr & Mrs B. Diffey

Drawing No: 9119/17/5
 Scale: 1:200 & 1:1250
 Drawn By: Nicola Sale
 Checked By: Michael Sale
 Date: September 2017

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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/024

Development Control Committee 7 June 2018

Planning Application DC/18/0561/VAR – Land North West of Haverhill, Anne Sucklings Lane, Little Wratting

Date Registered:	10.04.2018	Expiry Date:	10.07.2018
Case Officer:	Penny Mills	Recommendation:	Seeking further information
Parish:	Haverhill	Ward:	Haverhill North
Proposal:	<p>Planning Application - Variation of condition 1 of DC/16/2836/RM to enable drawing PH-125-03C to be replaced with 040/P/102 and PH-125-04C to be replaced with 040/P/101 and add plan 040/T/152A for the additional 24no. garages for the 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>		
Site:	Land North West Of Haverhill, Anne Sucklings Lane, Little Wratting		
Applicant:	Mr Stuart McAdam - Persimmon Homes (Suffolk) 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:

This application is referred to the Development Control Committee due to an objection from the Parish Council in the context of an Officer recommendation for APPROVAL.

Proposal:

1. The application seeks a minor material amendment to the development approved under application DC/16/2386/RM, through a variation of Condition 1, which listed the approved plans.
2. During the course of the application, amended plans have been received which removed the proposed garages from the plots along Ann Suckling Road. The application now proposes 24 garages providing parking for 28 cars. 4 double garages are proposed and 20 single garages. The single garages are 6 x 3 metres in size and are of a simple pitched roof construction.
3. The majority of the garages are provided in addition to the approved parking. However, 5 of the garages (on Plots 3, 4, 40, 80 and 101) would be constructed on approved parking spaces. For these plots a hard standing area will be provided upon which a 6 x 4 ft shed will be erected to provide additional outdoor storage. A breakdown of the proposed garages is set out below:

Plot no.	Additional parking space (over and above approved provision)	Garage built on existing parking space (shed will be provided on hard standing)
1	X	
2	X	
3		X
4		X
40		X
44	X	
47	X	
48	X	
53	X	
54	X	
57	X	
75	X	
80		X
86	X	
87	X	
88	X	
97	X	
101		X
119	X	
139	X	
163	X	
168	X	
195	X	
183	X	
184	X	
185	X	
186	X	
187	X	

Application Supporting Material:

4. The application is supported by the planning application forms and the following drawings:-
- PH-125-01 - Site location plan
 - 040/P/102 Layout (Sheet 1 of 2)
 - 040/P/101 Layout (Sheet 2 of 2)
 - 040/T/152A - Garage elevations

Site Details:

5. The application site comprises phase 1 of the wider North West Haverhill Strategic site, which has reserved matters consent. This phase of the development comprises 200 dwellings, split into three distinct parcels: a northern parcel of 120 dwellings with access from an internal spine road served from the approved relief road roundabout; a southern parcel of 75 dwellings with access from a new junction with Haverhill Road; and, a single row of five dwellings south of Boyton Wood fronting onto Ann Suckling Road.
6. The archaeological investigation has taken place for this phase and some site clearance has also taken place. During clearance works there was an unauthorised removal of the central hedgerows which ran along the local wildlife site in the middle of the site, and which was to form the backbone of the linear park in phase 1. Persimmon are working with the Local Planning Authority to carry out the necessary planting to reinstate this important feature and an enforcement investigation into the unauthorised removal is ongoing.

Relevant Planning History:

Reference	Proposal	Status	Decision Date
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	Not EIA	28.06.16
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	Approved	29.09.17

NMA(A)/09/1283	Non-material amendment to SE/09/1283 - In respect of the full planning permission for the relief road, associated works and landscape buffer under SE/09/1283, amendment to condition A2 to solely allow details of the alignment of the relief road to be submitted to and approved by the Local Planning Authority in a series of defined phases.	Approved	04.01.18
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Discharge of Condition Applications

DCON(A)/09/1283	Application to Discharge Condition A2 (Relief Road alignment) of SE/09/1283	Part Discharged	16.03.18
DCON(B)/09/1283	Application to Discharge Conditions B11 (Highway Surface Water), B12 (Details of Road), B18 (Ground Levels), B22 (Foul Water) and B23 (Sustainable Urban Drainage) of SE/09/1283	Pending	
DCON(A)/16/2836	Application to Discharge Conditions 3 (Surface Water Drainage) and 14 (Estate Road Layout) of DC/16/2836/RM	Pending	
DCON(C)/09/1283	Discharge of conditions application for SE/09/1283 - Archaeology - Partial discharge part 1 - Conditions A8 and B20	Part Discharged	01.03.18
DCON(B)/16/2836	Application to Discharge Conditions 2 (Phasing - Pre-commencement), 4 (Surface Water Drainage management), 5 (Materials), and 19 (Tree Protection) of DC/16/2836/RM	Pending	
DCON(D)/09/1283	Application to Discharge Conditions A4 (Arboricultural Method Statement), A5 (Soft landscaping), A6 (Landscape and ecological management plan), A7 (Construction method statement), A9 (Ground levels, services and hard surfaces), B2 (Phasing plan), B4 (Landscape and ecological management plan), B21 (Construction Method Statement) and B25 (Contamination) of SE/09/1283	Part Discharged	20.03.18
DC/18/0781/FUL	Planning Application - 1no. Substation in association with applications SE/09/1283 and DC/16/2836/RM	Pending	
SE/09/1283	1. Planning Application - (i) construction of relief road and associated works (ii) landscape buffer 2. Outline Planning	Approved	27.03.15

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.

Consultations:

7. Highways England – No objection
8. SCC Highways - Made the following comments:
 - The supporting information states that the garage size of 6.0m X 3.0m falls short of the Suffolk Guidance for Parking (SGP), however if the internal dimension of the garage is 6.0m X 3.0m and additional storage is provided for cycles, then this is in accordance with the SGP as detailed on page 22.
 - The additional garages either replace or are in addition to the approved parking allocation and therefore are acceptable to us.
9. Design Out Crime Officer – comments summarised below (full comments available on the public planning file)
 - recommend that the applicant applies for ADQ and Secure by Design accreditation for Homes 2016
 - raised concerns with the layout, specifically in terms of: garages and curtilage parking areas that are significantly set back to the rear or side of the dwellings; the use of rear parking courtyards; long access paths; the position of cycle storage for the flats.
 - Recommend the use of access control for the flatted accommodation
 - Recommendation for some form of planting/ gating/bollards in order to prevent the opportunity for easy access to motorcycles/scramblers along the area or parking of unwanted or excess vehicles in grassed areas.
10. Ramblers – comments summarised below:

Previously expressed concerns (applications DC/16/2836/RM and DC/17/0048/FUL) that these applications show the only pedestrian link with the town centre, apart from via Little Wratting fp 3 on the opposite side of the A143, to be the roadside pavement, creating a feeling of isolation for the new occupiers of Phase 1. As the variations do not include a resolution to this situation, perhaps in the form of a temporary footpath link with the Railway Walk, I have nothing to add.
11. Environment Agency – comments summarised below:
 - It will be necessary for you to consult your Lead Local Flood Authority (LLFA), in respect of its statutory consultee role on planning, specifically sustainable surface water drainage.
 - infiltration drainage, including soakaways, will only be acceptable where it has been demonstrated by the applicant that the land is uncontaminated.

- Whilst the Agency has no objection in principle to the proposed development we wish to offer the following recommendations and informatives.
- The prior approval of the LLFA should be sought.

12.Lead Local Flood Authority – Comments summarised below:

- No objections, however please make sure that any additional impervious surfaces are equated into the SuDS design for Phase 1.
- SCC will expect to see an updated impermeable areas plan as part of drainage/SuDS submission

13.Environment Team – No comments

14.Sport England - No comments but general advice provided.

15.Public Health and Housing – No comments

16.Environment Team – No comments

17.Strategic Housing – No comments

18.Minerals and Waste - No comments

19.Natural England - No comments

20.NATS - No safeguarding objection

Representations:

21.Haverhill Town Council – Object. Comments below:

“The Council is concerned that this late inclusion of garages will detract from the openness of the development by infilling. In addition, particularly as the garages do not meet SCC parking standards, the garages are likely to be used for storage rather than car parking. We don’t see quite what is trying to be achieved by this proposal. If additional car parking spaces are required, which is likely, then open spaces are more likely to be used for parking. Otherwise, this is amenity space which is of equal value and should not be sacrificed.

We don’t accept the argument that failure to do this now will result in piecemeal development of garages later. It would never achieve the scale of building proposed now and each application would be subject to planning scrutiny.

The plans provided are incorrect as they show hedgerows which have been grubbed out. The Council is extremely disappointed and upset that Persimmon caused/allowed this to happen.”

22.Uttlesford District Council - No comments

23.Braintree District Council – No comments

24.Public representations: 106 nearby addresses notified and site notice posted. Comments received from 1 addresses objecting to the application. The points raised are summarised below (full comments are available on the public planning file using the link at the end of this report):

- Boyton Wood is supposed to be retained, but the wood has already been cut back between 1 and 2 meters on the south side. The proposed garage and shed on plot 200 will intrude into the wood again resulting in further removal of trees and damage to surrounding trees.
- The replacement plan submitted introduces additional parking spaces for plot 137 and 138. While the plan is not sufficiently detailed to determine the exact location of those parking spaces, it indicates that the second space for 137 extends outside of the land under control of the developers, into the property of the Boyton Woods houses.
- The red outline of the development is not drawn correctly on the submitted plans, giving the impression that the available space is larger than what is really available.

Policy:

25. The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy 2010 & Vision 2031 Documents have been taken into account in the consideration of this application:

Joint Development Management Policies Document 2015

- DM1 Presumption in Favour of Sustainable Development
- DM2 Creating Places Development Principles and Local Distinctiveness
- DM46 Parking Standards

Haverhill Vision 2031

- Vision Policy HV2 - Housing Development within Haverhill
- Vision Policy HV3 - Strategic Site - North-West Haverhill

St Edmundsbury Core Strategy 2010

- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS7 - Sustainable Transport

Other Planning Policy:

26. National Planning Policy Framework (2012)

Officer Comment:

27. Section 73 of the Town and Country Planning Act 1990 allows for applications to be made to vary or remove conditions associated with a planning permission. One of the uses of a section 73 application is to seek a minor material amendment to an approved development, where there is a relevant condition that lists the approved plans.

28. There is no statutory definition of a 'minor material amendment' but Planning Practice Guidance advises that it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.

29. In this case, the key considerations in determining whether the proposed amendment is acceptable are:

- Design and visual amenity
- Highways and parking

- Trees, landscape and ecology

Design and visual amenity

30. The application falls within the character area described as Wrattling Gardens in the approved North West Haverhill Design Code. The Code states that the area will take a traditional approach to layout design, architecture and boundary treatments. 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.
31. In the reserved matters application, a number of revisions were made to the design and layout and the final layout sought to provide a range of design solutions for parking. The current amendment does not seek to alter the layout as approved, but proposes a number of garages. In all cases these would be set back from the building line reducing their visual prominence.
32. The most prominent of the proposed garages are those serving the properties on the northern side of the east/west spine road. A key feature of this streetscene was the creation of deeper front gardens with on-plot parking between the dwellings to enable the provision of additional street trees to compliment the central open space to the south. The introduction of garages behind the parking spaces would not alter the fundamental character here. Indeed, provided that they are used in combination with a suitable high quality boundary treatment in those locations where a single garage is proposed between the pairs of dwellings, they will help to create a strong built frontage on the main approach into the development.
33. The garages are of a modest scale and traditional design, with the ridge running along the longest span of the building for the single garages and parallel with the highway they are associated with, for the double garages.
34. On balance it is considered that the amendment would not adversely affect the character and quality of the approved scheme such that it would no longer be in accordance with Development Plan Policies and is therefore considered to be acceptable in this regard.

Highways and parking

35. The number and location of parking spaces has already been found to be acceptable by the local highway authority and has been approved in the reserved matters application for phase 1.
36. The Suffolk Guidance for Parking allows for the use of garages in providing the required parking within a development. However, it also recognises that garages are often used for other purposes, such as general storage. It acknowledges that storage space is important, particularly as many properties do not have much storage space within the dwelling itself. Therefore, it states that garages, and the door aperture, need to be large enough to accommodate a modern, family sized car and some storage.
37. For the majority of the plots, the proposed garages are in addition to the spaces required by the Suffolk Guidance for Parking and as such their

provision would have no impact on the parking previously secured. Indeed, for those dwellings there would be the opportunity for an additional on plot parking space.

38. For five of the dwellings, the proposed garage would be located on one of the existing approved parking spaces.
39. The Parking Guidance states that garages measuring 7.0m x 3.0m are considered large enough for the average sized family car and cycles, as well as some storage space, and will be considered a parking space. However, it also goes on to state that reduced minimum internal garage dimensions of 6.0m x 3.0m (internal dimension) will be deemed to count as a parking space provided that additional fixed enclosed storage of minimum size 3m² is provided.
40. The proposed garages measure 6m x 3m and therefore the application seeks to provide additional external storage for those plots where the garages would be located on existing parking spaces, ensuring compliance with the Parking Guidance.
41. Provided that this is secured the local highway authority have no objection to the amendment and the development would continue to be in accordance with the relevant development plan policy.

Trees, landscape and ecology

42. The application initially sought to include the provision of garages serving the plots fronting Ann Sucking Road. These garages would be set back from the dwellings and the parking spaces between them and would therefore be closer to the edge of Boyton Wood.
43. The reserved matters application showed all of the woodland area to the north of these dwellings as being retained, including those areas outside the Area Tree Preservation Order which covers much of Boyton Wood. There has been some unauthorised removal of trees and as such the Local Planning Authority is in the process of agreeing replanting details for this part of the site. The Local Planning Authority would not want to prejudice this reinstatement through the construction additional buildings, before the planting detail has been finalised. These garages have therefore been removed from the current application.
44. The amended application proposes no additional buildings close to the protected woodland or the central green space. The application is therefore considered to be acceptable in terms of the impacts on trees landscape and ecology as the impacts are no greater than the scheme already permitted.

Other matters

45. Comments have been made by the Design Out Crime Officer regarding the more general layout and parking arrangements for the development. It is not within the remit of this application to reappraise the approved layout. However, the points raised regarding secure by design principles will be forwarded to the applicant for their information and as the scheme progresses as there may be elements that can be incorporated in the construction phase.

Conclusion:

46. In conclusion, the addition of proposed garages to the approved scheme is considered capable of being a minor material amendment. Given the number of garages proposed, their location with the development, their modest scale and simple design, it is considered that they would result in no adverse effects in terms of visual amenity and the character of the development, highway safety and the provision of the required quantum of parking spaces and landscape trees and ecology. The application is therefore recommended for approval.

47. A successful application for planning permission under section 73 results in a fresh grant of planning permission. It is therefore necessary to ensure that this application is subject to the conditions listed on the original reserved matters application, so far as these are still relevant to the application.

Recommendation:

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

1. Approved Plans and documents

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
PH-125-01	Location Plan	28.12.2016
PH-125-02 REV B	Masterplan	13.06.2017
040/P/102	Layout	23.05.2018
040/P/101	Layout	23.05.2018
040/T/152A	Garage design	26.03.2018
PH-125-05 REV B	Materials Layout	13.06.2017
PH-125-06 REV B	Materials Layout	13.06.2017
PH-125-07 REV A	Storey Height Plan	03.05.2017
PH-125-08 REV B	Tenure plan	13.06.2017
PH-125-11 REV A	Floor Plans and Elevations	03.05.2017
PH-125-10 REV B	Floor Plans and Elevations	03.05.2017
PH-125-12 REV B	Floor Plans and Elevations House type A terrace	03.05.2017
PH-125-13 REV A	Floor Plans and Elevations Bungalow type B1-B2	03.05.2017
PH-125-14 REV A	Floor Plans and Elevations Bungalow type B2	03.05.2017
PH-125-15 REV A	Floor Plans and Elevations House type B	03.05.2017
PH-125-16 REV B	Floor Plans and Elevations House type C	03.05.2017

PH-125-17 REV A	Floor Plans and Elevations House type D semi detached	03.05.2017
PH-125-18 REV A	Floor Plans and Elevations House type D semi-detached 2 nd type	03.05.2017
PH-125-19 REV B	Floor Plans and Elevations House type F	03.05.2017
PH-125-20 REV B	Floor Plans and Elevations House type G corner	03.05.2017
PH-125-21 REV B	Floor Plans and Elevations House type G corner	03.05.2017
PH-125-22 REVA	Floor Plans and Elevations House type H	03.05.2017
PH-125-23 REV B	Floor Plans and Elevations House type J	03.05.2017
PH-125-24 REVB	Floor Plans and Elevations House type F	03.05.2017
PH-125-25 REV A	Floor Plans and Elevations House type L	03.05.2017
PH-125-26 REV A	Floor Plans and Elevations House type M	03.05.2017
PH-125-27 REV A	Floor Plans and Elevations House type G	03.05.2017
PH-125-28 REV A	Floor Plans and Elevations House type L	03.05.2017
PH-125-29 REV A	Floor Plans and Elevations House type P	03.05.2017
PH-125-30 REV A	Apartment floor plans	03.05.2017
PH-125-31 REV A	Apartment elevations	03.05.2017
PH-125-32 REV A	Floor Plans and Elevations House type P	03.05.2017
PH-125-36	Floor Plans and Elevations House Type A	03.05.2017
PH-125-37	Floor Plans and Elevations House type A end terrace	03.05.2017
PH-125-38	Floor plans and Elevation House type K	03.05.2017
PH-125-39	Floor Plan and Elevation House type K	03.05.2017
PH-125-40	Floor Plan and Elevation House type K	03.05.2017
PH-125-41	Floor Plans and Elevations House type G	03.05.2017
PH-125-42 REVC	Proposed levels North	21.06.2017
PH-125-43 REV C	Proposed levels South	21.06.2017
PH-125-46	Highways Layout North	21.06.2017
PH-125-47	Highways Layout South	21.06.2017
1 REV E	Tree Protection	13.06.2017
2 REV D	Tree Protection	13.06.2017
3 REV E	Tree Protection	13.06.2017
4 REV E	Tree Protection	13.06.2017
JBA/16/152/01 REVC	Open Space Landscape details	19.06.2017
JBA/16/152/02 REVC	Open Space Landscape details	19.06.2017
JBA/16/152/03 REVC	Open Space Landscape details	19.06.2017

JBA/16.152.04 REVC	Open Space Landscape details	19.06.2017
JBA/16/152/05 REV C	Open Space Landscape details	19.06.2017
JBA/16/152/06 REV C	Open Space Landscape details	19.06.2017
JPA/16/152/07 Rev C	Open Space 7	19.06.2017

- External Lighting Assessment submitted 5th June 2017
- Noise Survey and Acoustic Advice Report, 15th May 2017
- Landscape and Ecology Management Plan, SES, Dec 2016
- 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

2. Phasing – Pre-commencement

Prior to the commencement of development (excluding clearance, ground investigation, remediation, archaeological and ecology works) within Phase 1, details of phasing of development of Phase 1 shall be submitted to and agreed in writing with the Local Planning Authority. Such details shall include, but not limited to, the phased delivery of roads and footways, including the re-alignment of Haverhill Road and associated roundabout, and their connections to the surrounding highway network in relation to the phasing for the delivery of homes within Phase 1. Development shall be undertaken in accordance with the Phasing details agreed, unless a variation to the approved details is first agreed in writing with the Local Planning Authority.

Reason: To ensure the timely delivery of infrastructure necessary to serve this phase of development and the wider infrastructure connections, in the interests of highway safety and amenity.

3. Surface Water Drainage – Pre-commencement

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 100 year +CC storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved FRA and will include the following:-

- i) Dimensioned plans illustrating all aspects of the surface water drainage scheme (including an impermeable areas plan).
- ii) Modelling shall be submitted to demonstrate that the surface water discharge to the receiving watercourse, up to the 1 in 100yr +CC rainfall event, will be

restricted to Qbar or 2l/s/ha for the critical storm duration.

- iii) Modelling of the surface water drainage scheme to show that the attenuation features will contain the 1 in 100yr+CC rainfall event. Proposed open basins within POS will not exceed a max water depth of 0.5m during same event.
- iv) Modelling of conveyance networks showing no above ground flooding in 1 in 30 year event, plus any potential volumes of above ground flooding during the 1 in 100 year rainfall + CC.
- v) Topographic plans shall be submitted depicting all safe exceedance flow paths in case of a blockage within the main SW system and/or flows in excess of a 1 in 100 year rainfall event. These flow paths will demonstrate that the risks to people and property are kept to a minimum.
- vi) Proposals for water quality control – A SuDS management train with adequate treatment stages should be demonstrated which allows compliance with water quality objectives, especially if discharging to a watercourse. Interception Storage will be required within the open SuDS.
- vii) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.
- viii) Arrangements to enable any Surface water drainage within any private properties to be accessible and maintained including information and advice on responsibilities to be supplied to future owners.

Reasons:

This condition is required pre-commencement to: prevent the development from causing increased flood risk off site over the lifetime of the development (by ensuring the inclusion of volume control); to ensure the development is adequately protected from flooding (and to maximise allowable aperture size on control devices); to ensure the development does not cause increased pollution of the downstream watercourse; and, to ensure clear arrangements are in place for ongoing operation and maintenance.

4. Surface Water Drainage management – Pre-above ground construction

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.

Reason: To ensure the proper management of the approved scheme to ensure it continues to function as it is intended for the lifetime of the development.

5. Materials – Pre-above ground construction

Notwithstanding the details previously submitted, no above ground construction of the dwellings hereby approved shall take place until details of the facing and roofing materials to be used in respect of each plot have been submitted to and approved in writing by the Local Planning Authority. All work 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 and DM22 of the Joint Development Management Policies Document.

6. Design Detailing – Pre-above ground construction

Prior to any above ground construction taking place, details of the windows, door reveals, sills and headers and bargeboards for each plot shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed with the Local Planning Authority the details shall be in the form of elevations drawn to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2. The works shall be carried out in complete 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.

7. Boundary Treatments – Pre-above ground construction

No above ground construction shall take place until details of the siting, design, height and materials of boundary walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved walling and/or fencing shall be constructed or erected before the first occupation of the dwelling to which it relates is first occupied and thereafter retained in the form and manner installed.

Reason: To ensure the satisfactory development of the site.

8. Parking – Prior to occupation

The space/spaces shown for the purpose of garaging and/or car parking shall be provided and available for the intended purpose prior to the first occupation of the dwelling to which it relates is first occupied.

For plots 3, 4, 40, 80 and 101 the additional hard standing area shown on the approved plans and associated 6 x 4 ft shed shall be provided prior to the first occupation of those dwellings.

Reason: To ensure compliance with adopted parking standards in the interests of road safety.

9. Retention of Parking Spaces and Garages

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order) the space shown within the curtilage of any dwelling for the purpose of garaging and/or car parking shall be retained solely for the garaging and/or parking of private motor vehicles and for ancillary domestic storage incidental to the enjoyment of the associated dwelling and shall be used for no other purpose. No development shall be carried out in such a position as to preclude vehicular access to those car parking spaces

Reason: To ensure continued compliance with adopted parking standards in the interests of road safety.

10. Cycle storage – Prior to first occupation

Secure, covered and accessible cycle storage shall be provided and available for use prior to the first occupation of the dwelling to which it relates is first occupied. The storage shall be provided in accordance with details previously submitted to and agreed in writing by the local planning authority.

Reason: To ensure the provision of adequate on-site cycle storage to encourage and promote sustainable modes of transport.

11. Visibility Splays - internal access roads

Before any access is first used, clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

12. Visibility Splays - junctions with main roads

Before any access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 4.5 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension).

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

13. Bin Storage

Appropriate areas shall be provided for storage of Refuse/Recycling bins shall be provided, in accordance with details submitted to and agreed in writing with the local planning authority, before the first occupation of any of the dwellings to which it relates is first occupied and thereafter retained in the form and manner installed.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

14. Estate Road Layout – details

Prior to any above-ground construction, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

15. Estate Road layout implementation

No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

16. Crossing Points

Prior to the commencement of development, details of two formal crossing points (to be either signals or zebra crossing) on main road running between the north and south parcels of development shall be submitted to and agreed in writing with the local planning authority. The crossing points shall be fully implemented in accordance with the agreed details in accordance with a timetable agreed in writing with the local planning authority.

Reason: To afford safe access from North to South of the application site and vice versa, and to link residents to town facilities and employment by means of sustainable routes.

17. Noise Internal – prior to occupation

Prior to occupation of the proposed dwellings, the noise mitigation measures, as stated within the Noise Survey and Acoustic Design Advice Report, Issue No. 2, prepared by the FES Group and dated the 15 May 2017, shall be implemented to ensure that the internal ambient noise levels within each dwelling, with windows closed, do not exceed an LAeq (16hrs) of 35 dB(A) within bedrooms and living rooms between the hours of 07:00 to 23:00 and an LAeq (8hrs) of 30dB(A) within bedrooms and living rooms between the hours of 23:00 to 07:00, in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.

18. Noise External – Prior to occupation

Prior to occupation of the proposed dwellings, the noise mitigation measures, as stated within the Noise Survey and Acoustic Design Advice Report, Issue No. 2, prepared by the FES Group and dated the 15 May 2017, shall be implemented to ensure that the noise level within the external amenity areas of each dwelling do not exceed an LAeq of 50 dB (A), in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.

19. Tree Protection - pre- commencement

Notwithstanding the details previously submitted, no development shall commence until an updated 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,
3. 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: To ensure that the most important and vulnerable trees are adequately protected during the period of construction. Noting the need for these details to be agreed before works of construction start it is considered that this condition needs to be a pre-commencement condition.

Soft Landscaping – Pre-above ground construction

Notwithstanding the details previously submitted, no above ground construction shall take place until there has been submitted to and approved in writing by the Local Planning Authority a final scheme of soft landscaping for the site drawn to a scale of not less than 1:200, to include details of on plot planting and planting within the SUDS Basins. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following 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.

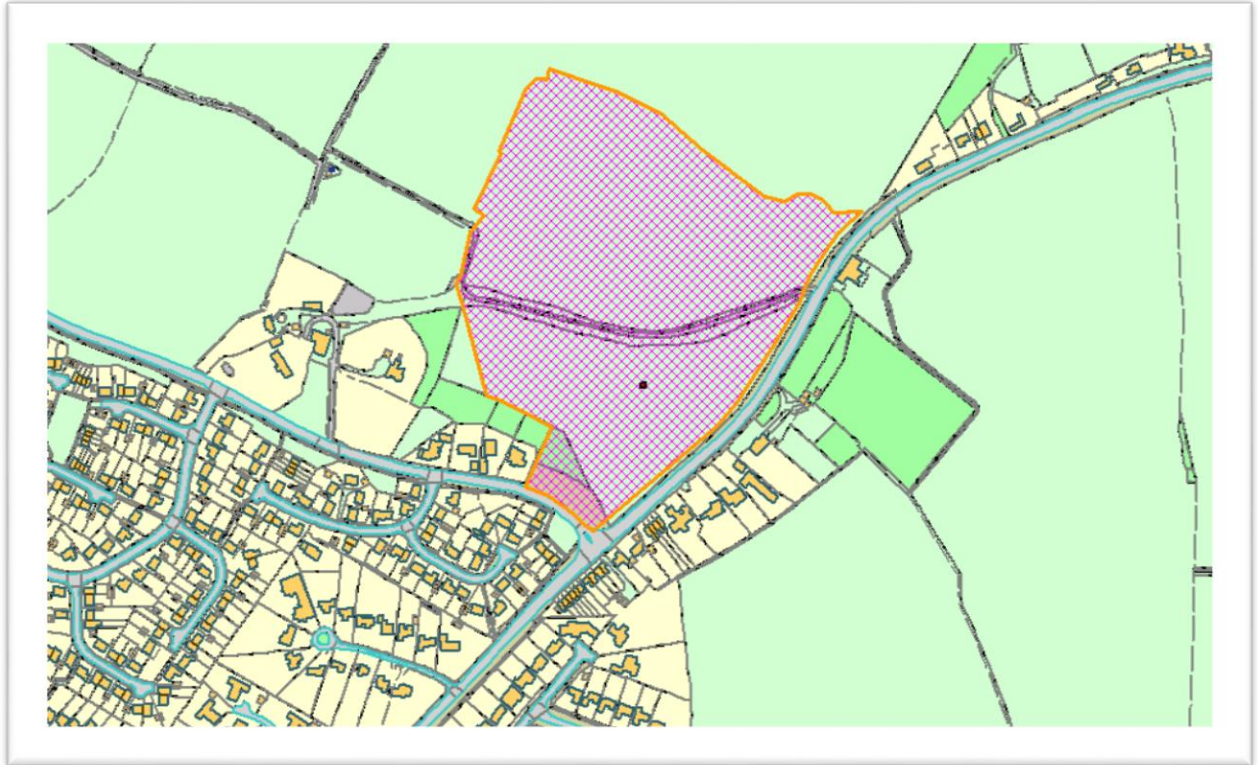
Reason: To enhance the appearance of the development.

Documents:

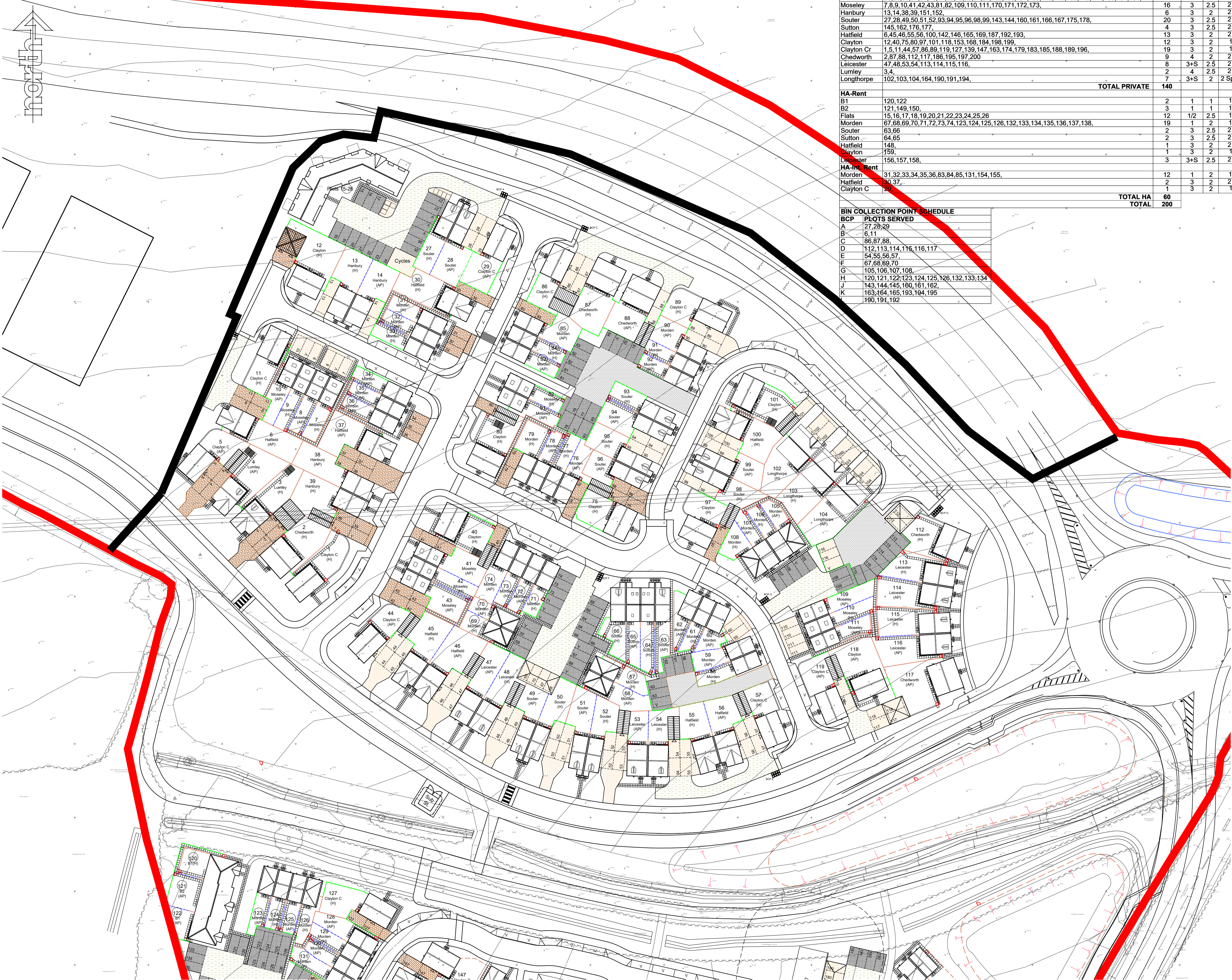
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/0561/VAR](https://www.dorsetcouncil.gov.uk/DC/18/0561/VAR)

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DC/18/0561/VAR– Land North West of Haverhill, Anne Suckling Lane, Little Wratting



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ACCOMMODATION SCHEDULE			
TYPE	PLOTS	TOTAL	BEDS HT
Morden	58,59,60,61,62,76,77,78,79,90,91,92,105,106,107,108,128,129,130,140,141,180,181,182,	24	2 2
Moseley	7,8,9,10,41,42,43,81,82,109,110,111,170,171,172,173,	16	3 2.5
Hanbury	13,14,38,39,151,152,	6	3 2
Souter	27,28,49,50,51,52,93,94,95,96,98,99,143,144,160,161,166,167,175,178,	20	3 2.5
Sutton	145,162,176,177,	4	3 2.5
Hatfield	6,45,46,55,56,100,142,146,165,169,187,192,193,	13	3 2
Clayton	12,40,75,80,97,101,118,153,168,184,198,199,	12	3 2
Clayton Cr	1,5,11,44,57,86,89,119,127,139,147,163,174,179,183,185,188,189,196,	19	3 2
Chedworth	2,87,88,112,117,186,195,197,200	9	4 2
Leicester	47,48,53,54,113,114,115,116,	8	3+S 2.5
Lumley	3,4,	2	4 2.5
Longthorpe	102,103,104,164,190,191,194,	7	3+S 2
TOTAL PRIVATE		140	2 Space + int.
HA-Rent			
B1	120,122	2	1 1
B2	121,149,150,	3	1 1
Flats	15,16,17,18,19,20,21,22,23,24,25,26	12	1/2 2.5
Morden	67,68,69,70,71,72,73,74,123,124,125,126,132,133,134,135,136,137,138,	19	1 2
Souter	63,66	2	3 2.5
Sutton	64,65	2	3 2.5
Hatfield	148	1	3 2
Clayton	159	1	3 2
Leicester	156,157,158,	3	3+S 2.5
HA-Int. Rent			
Morden	31,32,33,34,35,36,83,84,85,131,154,155,	12	1 2
Hatfield	30,37,	2	3 2
Clayton C	25,	1	3 2
TOTAL HA		60	
TOTAL		200	

BIN COLLECTION POINT SCHEDULE	
BCP	PLOTS SERVED
A	27,28,29
B	6,11
C	86,87,88,
D	112,113,114,115,116,117
E	54,55,56,57,
F	67,68,69,70
G	105,106,107,108,
H	120,121,122,123,124,125,126,132,133,134
J	143,144,145,160,161,162,
K	163,164,165,193,194,195
	190,191,192

Note & Key

Boundary Treatment Key

- Site Boundary
- 1.8m High Close Board Fence
- 1.5m High Close Board Fence with 0.3m trellis over
- 1.8m High Brick Screen Wall
- 1.8m High Rustic Panel Fence
- 1.5m High Rustic Panel Fence with 0.3m trellis over
- 0.9m High Post and 2 Rail Fence
- 0.45m High Hitching Rail
- 1.05m High Estate Railings
- 1.05m Bow Top Railings
- 1.2m High Post and 2 Rail

Hard Landscaping Key

- Blocks 200x100 Buff. Concrete block paving laid 45° herringbone pattern
- Blocks 200x100 Brindle. Concrete block paving laid 45° herringbone pattern
- Permeable Paving to engineers spec.
- Black tarmac to engineers spec.
- Black tarmac with chippings rolled in to engineers spec.
- Front Path 900mm wide, comprising Two 450x450mm Grey PC Concrete paving
- Rear/Side Path 600mm wide, Grey PC Concrete Paving 300mm gravel strip to side of path
- 3-4 stone, 20mm Natural Stone gravel over landscape geotextile
- Timber gate, 1800mm high
- Timber square bollard, 600mm high
- Bin collection points, surface treatment as detailed on plan
- Line of pavours, charcoal
- 1800x3000mm Shed base, consisting of 15 600x600mm Grey PC Concrete paving on Sand Cement Screed over type 1 base - 6x8ft Shed to be provided

Rev	Description	By	Date
C	Sheds shown, lagoons updated and sub-station shown.	MW	20.03.18
B	Shed bases added to plots 3,4,40, 80,101,197 & 200. All single garages now front gable.	MEW	20.02.18
A	Handing adjusted to match materials schedule	MEW	31.01.18

PERSIMMON

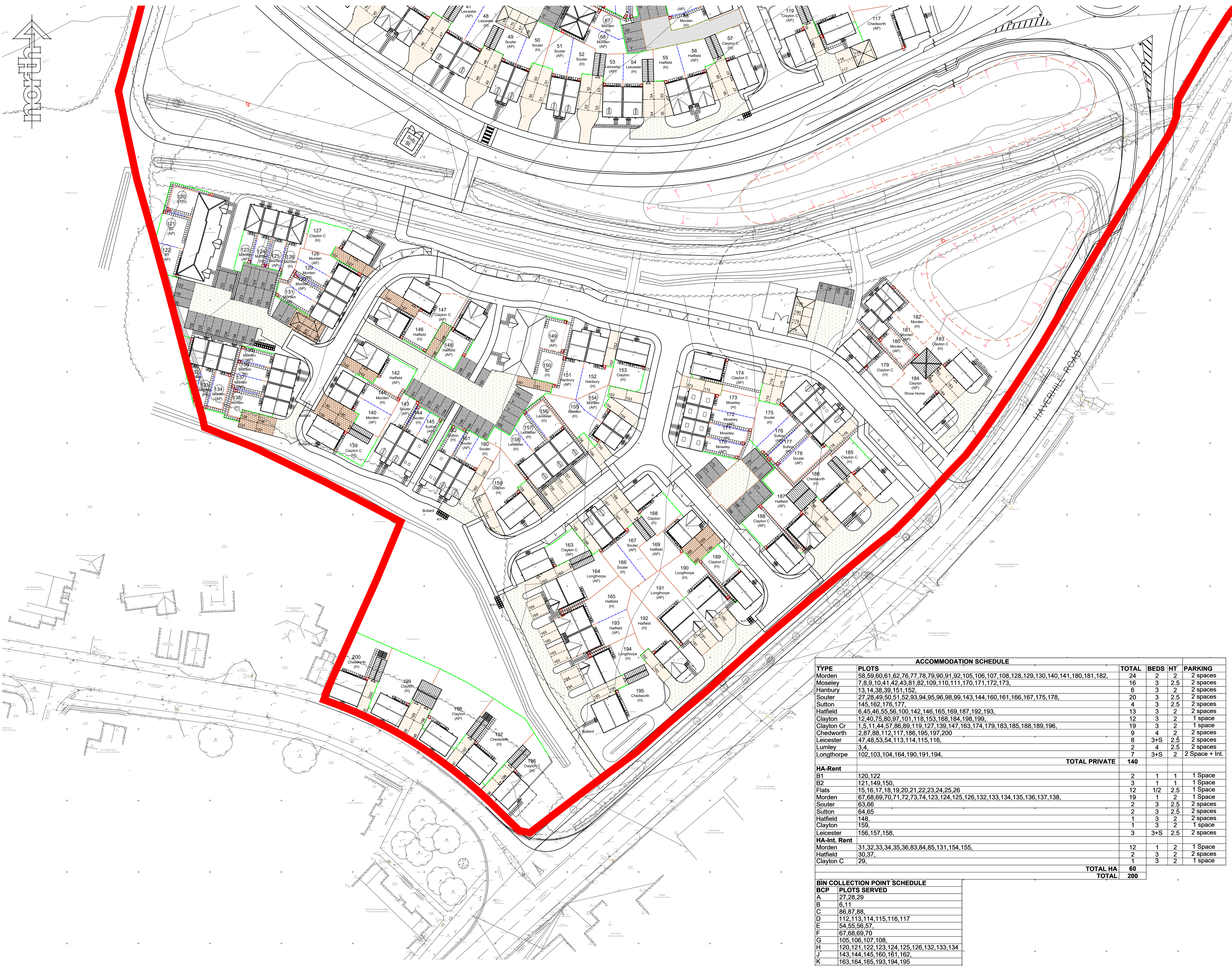
Persimmon Homes Ltd.
Persimmon House
Orion Court, Orion Avenue
Great Blakenham
Suffolk IP6 0LW
Tel 01473 927400

Site Name:
Haverhill, Phase 1

Drawing:
Site Layout Sheet 1 of 2

Scale@A1: 1:500	Date: Jan '18
Drawn By: MW	Checked By: GL
Drawing No: 040/P/200	Rev: C

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Note & Key

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PERSIMMON

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Site Layout Sheet 2 of 2

Scale@A1: 1:500	Date: Jan '18
Drawn By: MW	Checked By: GL
Drawing No: 040/P/201	Rev: C

ACCOMMODATION SCHEDULE

TYPE	PLOTS	TOTAL	BEDS	HT	PARKING
Morden	58,59,60,61,62,76,77,78,79,90,91,92,105,106,107,108,128,129,130,140,141,180,181,182,	24	2	2	2 spaces
Moseley	7,8,9,10,41,42,43,81,82,109,110,111,170,171,172,173,	16	3	2.5	2 spaces
Hanbury	13,14,38,39,151,152,	6	3	2	2 spaces
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Sutton	145,162,176,177,	4	3	2.5	2 spaces
Hatfield	6,45,46,55,56,100,142,146,165,169,187,192,193,	13	3	2	2 spaces
Clayton	12,40,75,90,97,101,118,153,168,184,198,199,	12	3	2	1 space
Clayton Cr	1,5,11,44,57,86,89,119,127,139,147,163,174,179,183,185,188,189,196,	19	3	2	1 space
Chedworth	2,87,88,112,117,186,195,197,200	9	4	2	2 spaces
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Clayton	159,	1	3	2	1 space
Leicester	156,157,158,	3	3+S	2.5	2 spaces
HA-Int. Rent					
Morden	31,32,33,34,35,36,83,84,85,131,154,155,	12	1	2	1 Space
Hatfield	30,37,	2	3	2	2 spaces
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TOTAL HA		60			
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L	190,191,192

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St Edmundsbury
BOROUGH COUNCIL

DEV/SE/18/025

Development Control Committee 7 June 2018

Planning Application DC/18/0655/FUL – Eastgate Bungalow, Eastgate Street, Bury St Edmunds

Date Registered:	23.03.2018	Expiry Date:	18.05.2018 (EOT agreed)
Case Officer:	Britta Heidecke	Recommendation:	Approve Application
Parish:	Bury St Edmunds	Ward:	Eastgate
Proposal:	Planning Application - Demolition of bungalow and shed		
Site:	Eastgate Bungalow, Eastgate Street, Bury St Edmunds		
Applicant:	St Edmundsbury Borough Council		

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: 01638 719456

Background:

This proposal is presented before the Development Control Committee as the applicant is St. Edmundsbury Borough Council.

The Town Council do not object and the application is recommended for APPROVAL.

Proposal:

1. The application proposes the demolition of a single storey brick building with a pitched tiled roof from the late 1970s, which was originally built as gardeners mess and office with toilets and drying room, serving the council nursery gardens. It further proposes the demolition of a timber shed, open sided shelter and the remains (i.e. dwarf brick walls) of a number of frames and greenhouses within the site of the former plant nursery.
2. The application proposes no below ground level work and any future development will not take place without prior liaison with and the approval of the County Archaeologies and Historic England.

Application Supporting Material:

- APPLICATION FORM
- LOCATION PLAN
- COVERING EMAIL
- PHOTOGRAPHS OF EXISTING BUILDINGS

Site Details:

3. The application site is within the town centre and conservation area of Bury St Edmunds, south of Eastgate Street, across and just east of the river Lark. Abbey Gardens lie immediately to the West.
4. The application site forms part of the Scheduled Ancient Monument (SAM) 'Bury St Edmund's Abbey: including the monks' cemetery and outer precinct and vineyard walls'.
5. The grade II listed cottage 141 Eastgate Street and the St Edmundsbury Bowls Club abuts the site to the east.
6. Vehicular access is from Minden Close, a timber bridge allows pedestrian access from Eastgate Street and a gate on the most southern corner of the site allows pedestrian access to Abbey Gardens.

Planning History:

7.

Reference	Proposal	Status	Decision Date
SE/09/0421	Conservation Area Consent - Demolition of bungalow and associated wooden sheds	Application Withdrawn	11.08.2009

E/76/2159/P	BOILER HOUSE TO HEAT GREENHOUSES AND MESS AT NURSERY GARDENS	Application Granted	10.08.1976
E/76/2158/P	SINGLE STOREY BUILDING INC GARDENERS MESS AND OFFICE WITH TOILET AND DRYING ROOM	Application Granted	10.08.1976

Consultations:

8. Members of the public and statutory consultees were consulted in respect of the scheme as submitted. The following is a summary of statutory comments received in response.
9. Environment Team: Have no comments on, or objections to, the proposals.
10. Public Health And Housing: Have no objections but suggest conditions to restrict demolition times and security lighting.
11. Town Council: No objection based on information received subject to Conservation Area issues and Article 4 issues.
12. Ward Councillor: No comments received.
13. Conservation Officer: The bungalow and shed are modern buildings which do not make a positive contribution to the character or appearance of the conservation area or the setting of the listed walls of the Abbey Gardens. I therefore have no objection to their removal.
14. Historic England: Historic England has been involved in extensive pre-application discussions with regards to the Eastgate Nursery site, and supports this application.
15. Ecology and Landscape Officer: No objection (verbally)
16. SCC Archaeology: no objection subject to condition.

Representations:

17. No third party comments have been received.

Policy:

18. The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy 2010 & Vision 2031 Documents have been taken into account in the consideration of this application:
 - Vision Policy BV1 - Presumption in Favour of Sustainable Development
 - Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
 - Core Strategy Policy CS2 - Sustainable Development

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- 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 DM17 Conservation Areas
- Policy DM20 Archaeology

Other Planning Policy:

- National Planning Policy Framework (2012)

Officer Comment:

19. The issues to be considered in the determination of the application are:
- Principle of Development
 - Impact on Conservation Area and Scheduled Ancient Monument (SAM)
 - Archaeology
 - Biodiversity
 - Residential amenity
 - Other matters

Principle and Impact on the Heritage Assets

20. The application seeks permission for the demolition of the redundant bungalow building and structures within the application site to enable the opening up of the site to the general public as a public open space, as an extension to the existing Abbey Gardens public open space.
21. The application site is within the town's conservation area and forms part of the Scheduled Ancient Monument (SAM) 'Bury St Edmund's Abbey'.
22. At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. The NPPF places great importance on the protection and enhancement of the historic environment, as an important element of sustainable development.
23. The Framework recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. When considering the impact of proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The term 'heritage asset' used in the Framework includes designated assets such as Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas, and

also various undesignated assets including archaeological sites and unlisted buildings which are of local interest.

24. Paragraph 137 states that local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance, treating favourably those proposals that preserve those elements of setting that make a positive contribution to, or better reveal, the significance of the asset. Likewise paragraph 141 makes provision for developers 'to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact'.
25. Policy CS2 and CS3 seek (inter alia) to create a high quality, safe and sustainable environment which enhances the quality of the public realm and to conserve or enhancing the historic environment including archaeological resources.
26. Historic England confirmed in their consultation response that '*The elements earmarked for demolition do not make a positive contribution to the monument or its setting and therefore would be an enhancement in policy terms as set out in paragraph 137. The demolition is also necessary for the re-development of this area, and we also support the ambitions of the council to re-establish beneficial public use and re-establishing public access. It is within the area of the scheduled monument and therefore Scheduled Monument Consent will be needed for the work, in particular any ground works associated with the demolition of the structures and their foundations. We also recommend a condition is applied to the application that requires a programme of archaeological work under paragraph 141, to accompany the demolition works.*'
27. Moreover, the Councils conservation officer confirmed that the building and structures propose to be demolished are modern buildings which do not make a positive contribution to the character or appearance of the conservation area or the setting of the listed walls of the Abbey Gardens. As such the conservation officer had no objection to their removal.
28. On the basis of the above the proposal is considered to comply with relevant local and national policy and as such is acceptable in principle.

Archaeology

29. The site is located within an area of high archaeological potential. SCC Archaeology note that the proposal is not to undertake groundworks without discussion with Historic England/SCC. However, SCC Archaeology would be particularly concerned with the grubbing of any foundations, as archaeological remains may survive in and around them. SCC Archaeology therefore recommend a pre-commencement condition for the details of the works to be submitted for approval by the LPA and if appropriate to secure a Written Scheme of Investigation, in accordance with the requirements of the NPPF (Paragraph 141) and policy DM20.

Biodiversity

30. The NPPF confirms the planning system should contribute to and enhance the natural environment by (inter alia) minimising impacts on biodiversity and providing net gains where possible.
31. The proposal has been assessed with regards to Policy DM11 Protected Species. The building and structures subject to this application postdate 1970 and have no obvious cracks and crevices. They are not considered likely to provide potentially suitable roosting habitat and no trees are proposed to be removed as part of this proposal. The Council's Ecology Officer has raised no objection to the application.
32. In accordance with policy DM12, which seeks to ensure biodiversity enhancements from all developments, bat enhancement measures will be secured by condition.

Impact upon Residential Amenity

33. National and local policy seek to safeguard residential amenity. The proposed demolition has the potential to impact on the residential amenities of Eastgate Cottage, some 30m to the east and properties in Minden Close. Public Health and Housing have no objection to the proposal but recommend conditions to restrict the works to sociable hours and restrict security lighting. Subject to these conditions the proposal is not considered to have a significant adverse impact on the amenities of nearby neighbours, in accordance with policy DM2 and policies within the NPPF.

Other Matters

34. No changes to the vehicular or pedestrian access are proposed as part of this application. The proposals, due to their scale, are not considered to have a significant impact on the local highways network and comply with DM2 and the NPPF in this respect.

Conclusion:

35. 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:

36. 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 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
n/a	Location Plan	23 Mar 2018

- 3 Within three month of commencement bat enhancement measures shall be installed and thereafter retained as so installed, in accordance with details which shall first have been submitted to and approved 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.

- 4 The site demolition works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on Sundays, Public or Bank Holidays without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of the area.

- 5 No security lights or floodlights shall be erected on site without the submission of details to, and written approval from, the Local Planning Authority to ensure a lighting environment of low district brightness at residential properties.

Reason: To protect the amenity of the area.

- 6 No development shall take place within the area indicated [the whole site] until the applicant has submitted details of the works to be approved in writing by the Local Planning Authority, and if appropriate based on those details, secured 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.

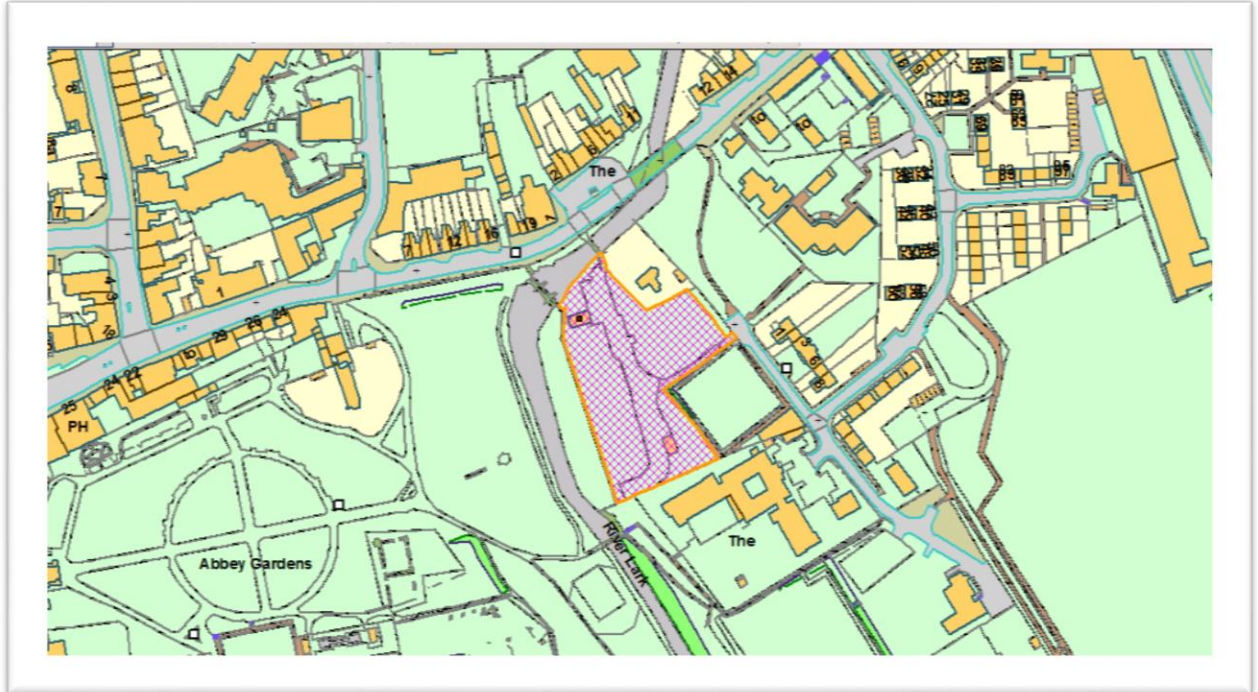
Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks

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 CS2 of St Edmundsbury Core Strategy 2010, policy DM20 of the Joint Development Management Policies Document and the National Planning Policy Framework (2012).

Documents:

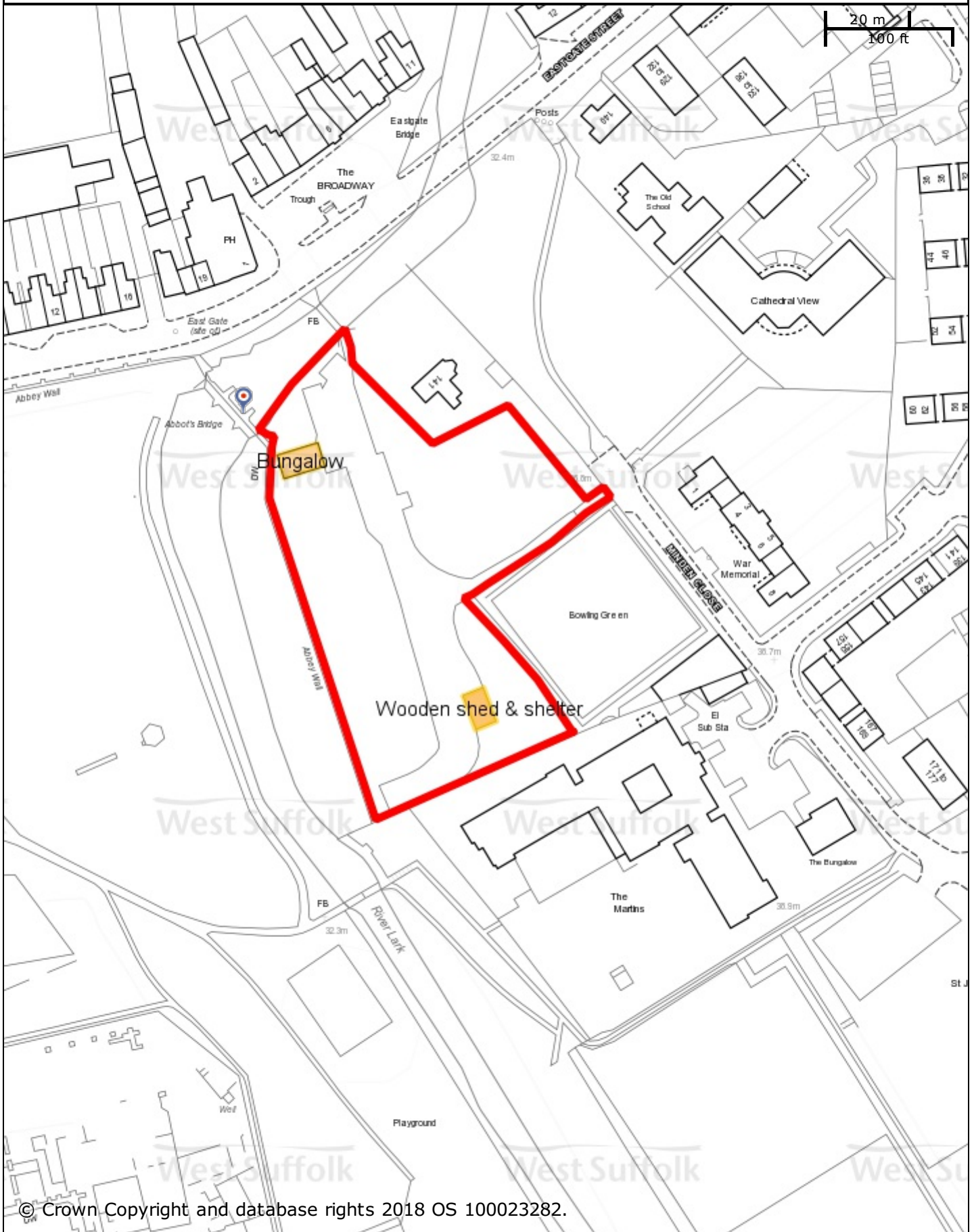
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DC/18/0655/FUL- Eastgate Bungalow, Eastgate Street, Bury St dmunds



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Eastgate Nursery (boundary in red)



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St Edmundsbury BC
Western Way
Bury St Edmunds
IP33 3YU
01284 763233

Forest Heath & St Edmundsbury councils
West Suffolk
working together
www.westsuffolk.gov.uk

Forest Heath DC
College Heath Road
Mildenhall
IP28 7EY
01638 719000

Scale: 1:1250

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