

# Development Control Committee



*St Edmundsbury*  
BOROUGH COUNCIL

<b>Title:</b>	<b>Agenda</b>												
<b>Date:</b>	<b>Thursday 7 February 2019</b>												
<b>Time:</b>	<b>10.00 am</b>												
<b>Venue:</b>	<b>Conference Chamber West Suffolk House</b> Western Way Bury St Edmunds IP33 3YU												
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Jim Thorndyke</p> <p style="text-align: center;"><b>Vice Chairmen</b> David Roach and Andrew Smith</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 Mike Chester Terry Clements Robert Everitt Paula Fox</td> <td style="vertical-align: top;">Susan Glossop Ian Houlder Peter Stevens 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 Mike Chester Terry Clements Robert Everitt Paula Fox	Susan Glossop Ian Houlder Peter Stevens 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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<b>Interests – Declaration and Restriction on Participation:</b>	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.												
<b>Quorum:</b>	Six Members												

**SITE VISITS WILL BE HELD ON THURSDAY 31 JANUARY 2019 AT THE FOLLOWING TIMES (please note all timings are approximate):**

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

- 1. Planning Application DC/18/2299/FUL - Proposed New Development, Manor Road, Haverhill, CB9 0EP**  
Planning Application - Planning Application - 37 no. dwellings and associated works including parking, vehicular accesses and landscaping  
**Site visit to be held at 10.10am**
- 2. Planning Application DC/18/2013/FUL - Water Pumping Station Corner of A143, Haverhill Road, Little Wratting, CB9 7UD**  
Water Pumping Station Corner of A143, Haverhill Road, Little Wratting  
**Site visit to be held at 10.45am**

**Committee administrator:**

**Helen Hardinge**

Democratic Services Officer

**Tel:** 01638 719363

**Email:** [helen.hardinge@westsuffolk.gov.uk](mailto:helen.hardinge@westsuffolk.gov.uk)

**DEVELOPMENT CONTROL COMMITTEE:  
 AGENDA NOTES**

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

<b>Forest Heath District Council</b>	<b>St Edmundsbury Borough Council</b>
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)
<b>Emerging Policy documents</b>	
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>



## **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/alterred, together with the material planning basis for that change.
    - Members can choose to;
      - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory)
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- 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

*Page No*

- 1. Apologies for Absence**
- 2. Substitutes**  
Any Member who is substituting for another Member should so indicate together with the name of the relevant absent Member.
- 3. Minutes** **1 - 30**  
To confirm the minutes of the meeting held on 3 January 2019 (copy attached).
- 4. Planning Application DC/18/1187/FUL - Land South of Chapelwent Road, Haverhill** **31 - 86**  
Report No: **DEV/SE/19/011**  
  
Planning Application - 87no. dwellings with associated infrastructure
- 5. Planning Application DC/18/2299/FUL - Proposed New Development, Manor Road, Haverhill** **87 - 112**  
Report No: **DEV/SE/19/012**  
  
Planning Application - Planning Application - 37 no. dwellings and associated works including parking, vehicular accesses and landscaping
- 6. Planning Application DC/18/1017/FUL - Hill View Works, Simms Lane, Hundon** **113 - 138**  
Report No: **DEV/SE/19/013**  
  
Planning Application - 5no. dwellings with 5no. garages and new vehicular access (following demolition of existing industrial buildings)
- 7. Planning Application DC/18/2013/FUL - Water Pumping Station Corner of A143, Haverhill Road, Little Wrattling** **139 - 164**  
Report No: **DEV/SE/19/014**  
  
Water Pumping Station Corner of A143, Haverhill Road, Little Wrattling

	<b>Page No</b>
<p><b>8. Planning Application DC/18/0068/FUL - 26 Angel Hill, Bury St Edmunds</b></p> <p>Report No: <b>DEV/SE/19/015</b></p> <p>Planning Application - (i) Ground floor retail unit; (ii) 4 no. flats on first and second floor (following demolition of existing building). As amended by plans and documents received on 14 August 2018 removing garden areas</p>	<b>165 - 198</b>
<p><b>9. Planning Application DC/18/2110/TPO - Little Owl, The Pound, Hawstead</b></p> <p>Report No: <b>DEV/SE/19/016</b></p> <p>TPO333(2002) - Tree Preservation Order - Fell - 15no Sycamores in 5no clusters (T1 on plan and within Area A1 of Order)</p>	<b>199 - 206</b>
<p><b>10. Planning Application DC/18/2136/FUL - Willow Cottage, Tan Office Lane, Chevington</b></p> <p>Report No: <b>DEV/SE/19/017</b></p> <p>Planning Application - (i) Construction of 7 pen cattery and (ii) conversion of existing cart lodge/garage to provide a reception area with additional 2 cat pens</p>	<b>207 - 218</b>
<p><b>11. Planning Application DC/18/2460/FUL - Menta Business Centre, 21 - 27 Hollands Road, Haverhill</b></p> <p>Report No: <b>DEV/SE/19/018</b></p> <p>Planning Application - Single storey side extension to provide new reception area and 2 no. additional lettable rooms. (ii) convert 2 no. existing units into 2 no. conference rooms (iii) rearrange the internal circulation to provide level access and (iv) rearrange existing car parking and provide new footpaths</p>	<b>219 - 230</b>

***(On conclusion of the agenda Members of the Development Control Committee will receive a training seminar where Officers will deliver an update on planning appeals.)***

# Development Control Committee



*St Edmundsbury*  
BOROUGH COUNCIL

**Minutes** of a meeting of the **Development Control Committee** held on **Thursday 3 January 2019** at **10.00 am** at the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present: **Councillors**

**Chairman** Jim Thorndyke

**Vice Chairmen** David Roach and Andrew Smith

John Burns

Carol Bull

Mike Chester

Terry Clements

Jason Crooks

Robert Everitt

Paula Fox

Susan Glossop

David Nettleton

Peter Stevens

Julia Wakelam

71. **Apologies for Absence**

Apologies for absence were received from Councillor Ian Houlder.

72. **Substitutes**

There were no substitutes present at the meeting.

73. **Minutes**

Councillor David Nettleton made reference to Minute No 63. Planning Application DC/18/0464/FUL – King Edward VI Upper School, Grove Road, Bury St Edmunds (Report No: DEV/SE/18/042) and the reference therein to him having spoken *against* the application under the public speaking part of the meeting.

Councillor Nettleton explained that he did not speak against the application at this stage, he simply spoke *on* the scheme and requested that the minutes were amended to reflect this.

The minutes of the meeting held on 6 December 2018 were, therefore, unanimously received by the Committee as an accurate record and were signed by the Chairman, subject to the inclusion of the following **amendment** to Minute No 63:

*"Speakers: Councillor David Nettleton (Ward Member: Risbygate) spoke **on** the application"*

74. **Planning Application DC/18/1187/FUL - Land South of Chapelwent Road, Haverhill (Report No: DEV/SE/19/001)**

**Planning Application - 87no. dwellings with associated infrastructure**

This application had been referred to the Development Control Committee as Haverhill Town Council objected to the scheme.

The Committee was advised that the application site had been previously identified and reserved for the construction of a Middle School. However, following Suffolk's Schools Reorganisation Review the site was no longer required for this purpose and it was not identified for any alternative suitable community uses.

The greenfield site was therefore put forward as a small scale allocation in Policy HV5 of the Haverhill Vision 2031.

Members were advised that over the course of the application amendments had been made to the overall design and layout of the scheme and additional information was submitted regarding ecology, archaeology and drainage.

A Member site visit was held prior to the meeting. Officers were recommending that the application be approved subject to the completion of a S106 Agreement and conditions, as set out in Paragraph 13.1 onwards of Report No DEV/SE/19/001.

As part of the Senior Planning Officer's presentation she advised Members of the following updates:

- A late representation had been received the evening prior to the Committee from a resident at 28 Powell Road who objected to the application on grounds of traffic, safety, privacy, ecology and air/noise pollution. A copy of the email was tabled to all Members for their reference; and
- At the site visit Members had asked a question with regard to the timing of the delivery of the area of open space. The Officer confirmed that the open space would be required prior to the occupation of the 78<sup>th</sup> dwelling.

Speakers: Mrs Eileen Bocock (neighbouring resident) spoke against the application  
Ms Audrey Cain (neighbouring resident) spoke against the application  
Mr Jordan Last (applicant) spoke in support of the application

Councillor John Burns spoke at length on the application and made reference to the number of changes that had been made since initial submission. Whilst he welcomed a number of elements of the scheme, such as the disabled-access bungalow, he strongly opposed the proposed pedestrian/cycle link which would connect the site to the existing footpath along Howe Road, and which had been objected to by a number of residents.

Councillor Burns made reference to a number of photographs that he had emailed his fellow Members of the Committee and which he argued showed that the Howe Road was not suitable for the proposed pedestrian/cycle link.

The Senior Ecology and Landscape Officer was invited to speak by the Chairman in order to outline to the Committee the reasoning for the proposed linkage.

The Officer highlighted the ecological importance of the area of Public Open Space and explained that this was part of the reason why a pedestrian/cycle link had been eliminated on the South/East side of the site. If a foot/cycle way was to be accommodated in that region it would require trees to be removed and lighting to be provided, which would have an impact on the natural area.

A number of other Members expressed a similar view to that of Councillor Burns. Councillor Julia Wakelam stated that she understood that the developer had been willing to explore an alternative pedestrian/cycle link but had not undertaken this in light of concerns raised by statutory consultees.

Councillor Terry Clements made reference to some of the proposed properties being slightly smaller than the National Prescribed Space Standards. The Service Manager (Planning – Development) explained that a defined Planning Authority Policy for Space Standards would be picked up as part of the development of the West Suffolk Local Plan.

Following further discussion, Councillor John Burns proposed that approval of the application be delegated to Officers, subject to the removal of the Howe Road pedestrian/cycle link and the inclusion of alternative provision, in consultation with the Chairman, Vice Chairmen and Ward Members for Haverhill North and Haverhill East. This was duly seconded by Councillor Julia Wakelam.

Upon being put to the vote and with 13 voting for the motion and 1 against, it was resolved that

#### Decision

Planning permission be **DELEGATED** to the Assistant Director (Planning & Regulatory Services), subject to the removal of the Howe Road pedestrian/cycle link and the inclusion of alternative provision, in consultation with the Chairman, Vice Chairmen and Ward Members for Haverhill North and Haverhill East.

75. **Planning Application DC/17/0339/FUL - Land to the South of A1088 and Crown Lane, Crown Lane, Ixworth (Report No: DEV/SE/19/002)**

#### **Planning Application - Access road to serve residential development**

This application was referred to the Development Control Committee as it related to a major planning application.

A Member site visit was held prior to the meeting. The Parish Council objected to the proposal which was contrary to the Officer recommendation of approval, subject to conditions as set out in Paragraph 11.0 of Report No DEV/SE/19/002.

As part of her presentation the Principal Planning Officer explained that the applicant had cited operational reasons for requiring this application to be determined at this time.

Officers had intended to bring both the access road and residential development applications to the Development Control Committee at the same time, however, the applicant was still working with Officers on the final number of dwellings proposed on the residential land and the design and layout of those dwellings.

Attention was also drawn to the 'late papers' which had been circulated after the agenda had been published and which contained a corrected plan and additional/reworded conditions.

Speaker: Councillor Ben Lord (Chairman, Ixworth & Ixworth Thorpe Parish Council) spoke against the application

Considerable discussion took place on the application, primarily in relation to; prematurity, highway safety, drainage and the impact on the established tree belt.

In response to which the Principal Planning Officer:

- Explained that Officers considered the principle of development to have been established as the site in question had been allocated for the development of housing;
- Made reference to the right turn ghost island junction that had been granted on appeal and was not part of the application before the Committee;
- Advised that it was not unusual for the Highways Authority to choose not to adopt the drainage attached to a road scheme such as that proposed and for the management to be carried out by a separate commercial company, and clarified that this was not a material planning consideration; and
- Informed the Committee that approximately 5% of the tree belt was likely to be lost to accommodate the road and there was limited scope for replacement planting, however, this could potentially be addressed via future residential development applications.

Councillor Julia Wakelam proposed that the application be refused, contrary to the Officer recommendation of approval, due to the insufficient detail provided on the potential impact on the established tree belt. This was duly seconded by Councillor David Nettleton.

The Service Manager (Planning Development) confirmed that the Decision Making Protocol would not need to be invoked in this case and that a risk assessment was not considered necessary by Officers.



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

### Decision

Planning permission be **REFUSED, CONTRARY TO THE OFFICER RECOMMENDATION OF APPROVAL** for the following reason:

1. The proposed access road will encroach upon the established tree belt along the western boundary of the wider area and will result in the loss of trees and vegetation at this point. The applicant has failed to supply a detailed arboricultural survey for the area and the number of trees to be removed is unknown. Consequently the Local Planning Authority is unable to fully assess the impact of the proposal on this significant landscape and biodiversity feature and the effect of the access road on the landscape character of the area. As submitted the proposal fails to demonstrate that it will conserve and protect the local landscape and that it will not have an unacceptable adverse impact on the character and appearance of the area. The proposal therefore fails to comply with Core Strategy Policies CS2 and CS3, Joint Development Management Policy DM13 and paragraph 170 of the National Planning Policy Framework in this regard.

76. **Planning Application DC/18/0068/FUL - 26 Angel Hill, Bury St Edmunds (Report No: DEV/SE/19/003)**

**Planning Application - (i) Ground floor retail unit; (ii) 4 no. flats on first and second floor (following demolition of existing building). As amended by plans and documents received on 14 August 2018 removing garden areas**

This application had been referred to the Development Control Committee following call-in by Councillor Jo Rayner (Ward Member: Abbeygate).

The Chairman of the Development Control Committee subsequently expressed a view that the application should be presented directly to the Development Control Committee rather than the Delegation Panel and this was agreed by the Assistant Director (Planning and Regulatory Services).

A Member site visit was held prior to the Committee. Bury St Edmunds Town Council had raised objection to aspects of the scheme.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 57 of Report No DEV/SE/19/003.

Speakers: Mr David Marjoram (Owner of the neighbouring One Bull Public House) spoke against the application  
Mr David Barker (Agent for the One Bull Public House) spoke against the application  
Councillor Tom Murray (Bury St Edmunds Town Council) spoke against the application

During the debate the Committee's discussion largely concerned the relationship between the proposed scheme and that of the neighbouring One Bull Public House which was both a business and private residence of the owners.

Members largely commended the design of the proposal which they considered would enhance that area of Bury St Edmunds.

Whilst recognising the amendments which had already been made to the scheme during the course of the application; the Committee did not consider the requests raised by the One Bull owner/agent to be unreasonable.

It was therefore proposed by Councillor David Nettleton that consideration of the application be deferred, in order allow additional time in which for the applicant to consider the requests put forward by the One Bull, these being:

1. The construction of a permanent structure to form the bin store;
2. The inclusion of a screen to prevent overlooking into the One Bull's private residence's garden and access to the proposed flat roof adjacent; and
3. Amendments to the internal layout of Flat 3 including obscured glazed windows closest to the One Bull.

This was duly seconded by Councillor John Burns.

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

#### Decision

Consideration of the application be **DEFERRED** in order allow additional time in which for the applicant to consider the requests put forward by the One Bull, these being:

1. The construction of a permanent structure to form the bin store;
2. The inclusion of a screen to prevent overlooking into the One Bull's private residence's garden and access to the proposed flat roof adjacent; and
3. Amendments to the internal layout of Flat 3 including obscured glazed windows closest to the One Bull.

*(On conclusion of this item, and Part A of the agenda, the Chairman permitted an interval before proceeding with Part B of the agenda at 1pm.)*

#### 77. **Planning Application DC/18/0034/FUL - Suffolk Business Park, Rougham Tower Avenue (Report No: DEV/SE/19/004)**

**DC/18/0034/FUL | Planning Application – i) Construction of Agricultural dealership building with associated offices, servicing and repairs of agricultural machinery, parking, access, cleaning facility and outside storage and display areas of agricultural machinery for sale (sui generis use) ii) Construction of new access road with cycle ways and footpaths, pumping station, substation and associated landscaping**

This application was referred to the Development Control Committee as the Officer recommendation was not wholly consistent with the Development Plan, noting the designation of part of the site as being within an airfield.

The Principal Planning Officer – Major Projects explained that the application site sat between Rougham Tower Avenue (formerly known as the Eastern Relief Road (ERR)) to the North and the Rougham Industrial Estate, to the South.

The site was previously part of a much larger arable field/airfield which was allocated principally in the Local Plan as the Rougham Airfield. However, the realignment of the ERR in a more northerly route had resulted in the application plot becoming available as it was now cut off from the wider airfield site.

The Parish Council supported the application. Officers were recommending that planning permission be approved, subject to conditions as set out in Paragraph 28 of Report No DEV/SE/19/004.

Members largely considered the application to offer both a sensible and acceptable solution.

Some questions were raised with regard to the proposed colour palate and if there was an aspiration to form some kind of cohesive design palate across the Borough.

In response, the Service Manager (Planning – Development) explained that the Planning Authority was currently working alongside other authorities on the development of a Suffolk-wide design guide.

Councillor Julia Wakelam posed a question as to why Officers accepted a BREEAM standard of V Good when Policy DM7 required the application to achieve Excellent standard or equivalent.

The Case Officer explained that, whilst not ideal, Officers were satisfied that the lesser level should be accepted because the scheme included:

- i. On site renewable energy generation;
- ii. Enhancements for biodiversity and landscape; and
- iii. Enhanced facilities to allow people to walk and cycle to work.

As the above matters were covered in the BREEAM Assessment Officers considered that the harm of the scheme not being at Excellent standard could only be afforded limited weight and so the application was, on balance, acceptable.

Councillor David Nettleton proposed that the application be granted, as per the Officer recommendation. This was duly seconded by Councillor Peter Stevens.

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

## Decision

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

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.
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. The existing access off Fred Castle Way shall be used for the construction of the development hereby approved and no other access shall be used.
4. The area to be provided for storage of Refuse/Recycling bins within the service area, as shown on 18 1573 01 REV C shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.
5. The building hereby approved shall not be first brought into use until the new road and vehicular accesses serving the plot have been laid out and completed in all respects in accordance with drawing Drawing no. MMD-372751-C-DR-09-XX-9021 Rev P2, Drawing no. 18 1573 01 Rev C and Technical Highway Note 1; and been made available for use. Thereafter the road and access shall be retained in the specified form.
6. Prior to the building hereby approved being first brought into use the area(s) within the site shown on 18 1573 01 Rev C, for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
7. Before the access is first used that would serve the proposed plot visibility splays shall be provided as shown on Drawing No. C281\_SK\_FES\_001A-with an X dimension of 2.5m and a Y dimension of 43m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.
8. The building hereby approved shall not be brought into operation until the area(s) within the site shown on drawing No. 3635-23-P2 for the purpose of storage of cycles has been provided and thereafter those area(s) and facilities shall be retained and used for no other purposes.
9. The area for unloading, loading, turning and manoeuvring of delivery vehicles outside of the warehouse building hereby approved shall be retained and used solely for that purpose and no other. The area shown for unloading, loading, turning and manoeuvring of delivery vehicles shall be used for that purpose and at no time shall delivery of vehicles or machinery take place outside the business plot hereby approved.
10. The building hereby approved shall not be first brought into operation until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.
11. 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 details before the development is completed.

Details of which will include:

1) Details of further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole).

Borehole records should also be submitted in support of soakage testing.

2) Infiltration devices should be no more than 2m deep and will have at least 1.2m of unsaturated ground between base of the device and the groundwater table, unless otherwise agreed with the Environment Agency.

3) Dimensioned plans illustrating all aspects of the surface water drainage scheme including location and size of infiltration devices and the conveyance network. A statement on the amount of impermeable area served by each infiltration device should also be illustrated on the plans and should be cross referenceable with associated design calculations.

4) Full modelling results (or similar method) to demonstrate that the infiltration device has been adequately sized to contain the critical 100yr+CC event for the catchment area they serve. Each device should be designed using the nearest tested infiltration rate to which they are located. A suitable factor of safety should be applied to the infiltration rate during design.

5) Infiltration devices will have a half drain time of less than 24hours.

6) 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.

7) Infiltration devices shall only be used where they do not pose a threat to groundwater. Only clean water will be disposed of by infiltration devices due to the site being inside an Source Protection Zone. Demonstration of adequate treatment stages for water quality control shall be submitted - SuDS features should demonstrate betterment to water quality, especially if discharging towards a watercourse or aquifer.

8) Topographic plans shall be submitted depicting 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.

9) 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.

- 10) 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.
12. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
- i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:-
  - ii. Temporary drainage systems
  - iii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iv. Measures for managing any on or offsite flood risk associated with construction
13. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
- i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
  - ii. Temporary drainage systems
  - iii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iv. Measures for managing any on or offsite flood risk associated with construction.
14. If, during development, contamination not previously identified is found to be present at the site then no further development of the associated area of the site (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.
15. Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details. No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

16. Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.
17. Prior to the commencement of development details of temporary fencing to secure the site during construction shall be submitted to the Local Planning Authority and approved in writing. The fencing as approved shall be erected prior to construction works commencing and shall be retained in situ during construction works. The details provided shall include the location and type of fencing and how it will be secured in place. No materials shall be stored or machines operated outside of the secure fenced area.
18. Before any development hereby permitted is commenced, a comprehensive construction and site management programme shall be submitted to and approved in writing by the Local Planning Authority. The programme shall include the following details:-
  - a. site set-up and general arrangements for storing plant (including cranes), materials, machinery and equipment, offices and other facilities and contractors vehicle parking, loading, unloading and vehicle turning areas;
  - b. noise method statements and noise levels for each construction activity including any piling and excavation operations;
  - c. dust, dirt and vibration method statements and arrangements;
  - d. site lighting.
  - e. wheel washing
  - f. complaints response procedure
  - g. community liaison proceduresThe measures and procedures within the statement shall be agreed in writing with the Local Planning Authority and only those construction measures and procedures agreed shall be implemented by the developer.
19. All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence.

No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan.

The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.
20. Prior to the building hereby approved being first brought into operation details shall be submitted to the Local Planning Authority which demonstrate that the installed heating/cooling systems have achieved at least the COP/EER figures stated in the Energy Statement. Furthermore the submitted details shall demonstrate that the installed lighting efficiency meets or exceeds the details set out in the approved Energy Statement.
21. The site preparation and construction works, including road works, shall be carried out only between the hours set out below without the prior

- written consent of the Local Planning Authority:  
07:00 to 18:00 Mondays to Fridays; (8am start for the road)  
08:00 - 13.30 Saturdays;  
No times during Sundays or Bank Holidays;
22. No generators shall be used in external areas on the site outside the hours set out below:  
07:00 to 18:00 Mondays to Fridays (8am start for the road)  
08:00 - 13.30 Saturdays  
No times during Sundays or Bank Holidays
  23. The Local Planning Authority shall be provided with three working days notice prior to any extended concrete pour taking place outside the agreed hours of construction for agreement that the works can proceed.
  24. Any waste material arising from site, preparation and construction works shall not be burnt on site but shall be kept securely in containers for removal to prevent escape into the environment.
  25. Within three months of development commencing details of a fire hydrant to serve the site shall be submitted to and agreed in writing with the Local Planning Authority. The approved details shall be installed and made available prior to any of the building hereby approved first being brought into use.
  26. Details of the facing and roofing materials for the hereby approved building shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the approved details.
  27. Within three months of the development commencing details of 2 charging points for non accessible car parking spaces and 1 accessible car parking space shall be submitted to and approved in writing with the Local Planning Authority. The approved details shall be implemented prior to any building hereby approved first being brought into use and shall be retained thereafter.
  28. All planting shown on drawing number 17.3038.01 Rev L shall be carried out in the first planting season following the building hereby approved being first brought into use (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.
  29. The skylark mitigation shall be implemented in accordance with the details of the Rougham Estate Farms letter dated 16th February 2018 and thereafter shall be maintained for a period of 5 years from the commencement of development.
  30. Within three months of the development commencing details of external lighting for the plot site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the location, lux levels and other features necessary to control light spillage. The approved details shall be implemented before the building is first brought into use and retained thereafter.
  31. Within three months of development commencing full details of the lockers and drying rooms for each changing room shall be submitted to and approved in writing with the Local Planning Authority. The



- approved details shall be fully installed and available to staff before the building hereby approved is first brought into operation and thereafter retained.
32. Notwithstanding the submitted details, prior to their installation details of the siting, design, height and materials of screen walls, fences and gates shall be submitted to and approved in writing by the Local Planning Authority. The approved screen walling and/or fencing and/ or gates shall be constructed or erected before any of the buildings hereby approved are first brought into use and thereafter retained in the form and manner installed.
  33. The development hereby permitted shall be constructed to BREEAM Very Good standard or equivalent unless otherwise agreed in writing with the local planning authority.
  34. Within three months of the development of the buildings hereby approved commencing an ecological mitigation and enhancement plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a timeline for implementation and take account of the recommendations as set out in the Ecological Appraisal Rev CO4. The approved details shall thereafter be implemented in the approved timeframe and retained thereafter.
  35. Within three months of the development commencing a noise management plan shall be submitted to and agreed in writing by the Local Planning Authority. The submission shall amongst other things include noise details of all mechanical plant to be installed on the site and the working practices that will be implemented to minimise noise generated from the use of the site. The approved mechanical plant shall be installed prior to the building hereby approved first being brought into operation and retained thereafter unless otherwise agreed in writing. The approved working practices shall also be followed unless otherwise agreed in writing with the Local Planning Authority.
  36. In the event that primary cooking is to be undertaken on site, suitable extraction and filtration equipment shall be installed to disperse smells created from the premises in which cooking activities take place. Before the installation of such a system, details of the proposed filtration plant, its ducted route through the building and its final discharge point shall be submitted to the Local Planning Authority. Only the approved scheme shall be installed at the premises, be fully functional prior to the first operation of any primary cooking, and be retained in the approved form thereafter.
  37. The grass area north of the grey area and immediately south of the northern landscape boundary shown on drawing no. 18 1573 01 Rev C shall be kept free at all times and shall not be used to store machinery, vehicles or other items.
  38. The development shall deliver at least 20% on-site renewable/low carbon energy provision in line with the approved Energy Statement.
78. **Planning Application DC/18/1443/FUL - No's 2-4 St. Andrews Street North and Land to Rear of No's 106-108 Risbygate Street, Bury St. Edmunds (Report No: DEV/SE/19/005)**

**Planning Application - (i) Change of use from shops and offices A1/B1 to 3no. dwellings - 2-4 St Andrews Street North (ii) 2no.**

**dwelling (demolition of existing accommodation/garage building and partial boundary wall) - Land to rear of 106-108 Risbygate Street**

This application was referred to the Development Control Committee following consideration by the Delegation Panel.

A Member site visit was held prior to the meeting. Bury St Edmunds Town Council and Ward Members (Risbygate) had expressed concerns on the application.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 71 of Report No DEV/SE/19/005.

Speakers: Ms Sally Burrows (neighbouring resident) spoke against the application  
Councillor Tom Murray (Bury St Edmunds Town Council) spoke against the application  
Mr Patrick Stephenson (agent) spoke in support of the application

Comments made by Members during the debate largely indicated support for the St Andrews Street North element of the scheme but with concerns in respect of the Risbygate Street element.

The Service Manager (Planning – Development) reminded the Committee that they were required to determine the application before them and the Planning Authority could not insist that the scheme was split into two separate proposals.

Councillor David Nettleton moved that the application be refused, contrary to the Officer recommendation of approval, for the following reasons:

1. The cramped, small, overdeveloped element of the Risbygate Street proposal; and
2. The unneighbourly impact the Risbygate Street proposal would have on the amenity of neighbouring residents.

This was duly seconded by Councillor Julia Wakelam.

The Service Manager (Planning Development) confirmed that the Decision Making Protocol would not need to be invoked in this case and that a risk assessment was not considered necessary by Officers.

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

Decision

Planning permission be **REFUSED, CONTRARY TO THE OFFICER RECOMMENDATION OF APPROVAL**, for the following reasons:

1. The cramped, small, overdeveloped element of the Risbygate Street proposal; and
2. The unneighbourly impact the Risbygate Street proposal would have on the amenity of neighbouring residents.

79. **Planning Application DC/18/1018/FUL - Land at Queens Hill, Chevington (Report No: DEV/SE/19/006)**

*(Councillor Mike Chester declared a non-pecuniary interest in this item due to being both the Ward Member and the Chairman of the Parish Council in question. He would remain in the meeting and would take part in the discussion but would abstain from the voting thereon.)*

**Planning Application - (i) change of use of site from agriculture use (Sui Generis) to equine educational establishment (Class D1); (ii) conversion of existing agricultural storage barn to stables, tack room and storage; (iii) 1no. Manège; (iv) 1no. rural worker's dwelling and (v) 1no. classroom building**

This application was referred to the Development Control Committee at the request of Councillor Mike Chester (Ward Member: Chedburgh) given the level of public interest in the proposal.

A Member site visit was held prior to the meeting. Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 136 of Report No DEV/SE/19/006.

As part of his presentation the Senior Planning Officer:

- Made reference to the 'late papers' which had been circulated after the agenda had been published and which provided additional clarification/information;
- Advised of a correction to his report in that the location of the windows on the agricultural barn were on the **West** elevation (and not the East, as incorrectly stated in the report); and
- Informed the Committee that Suffolk County Council Highways Authority had confirmed that the accident information made reference to in their response was fully up to date and clarified that the statistics related to instances where the emergency services attended the scene.

Speakers: Mr James O'Donnell (neighbouring resident) spoke against the application  
Miss Diane Harvey (Equine Industry Representative) spoke in support of the application  
Ms Julie Brega (applicant) spoke in support of the application

Councillor Mike Chester spoke on the proposal and outlined some of the changes that had been made to the scheme over the life of the application. He continued to have some concerns which included; road signage/safety, street lighting and bus services.

Other Members supported the application and spoke on the appropriateness of the countryside location for this type of venture. The need for villages to diversify to provide local employment was also remarked upon.

In response to a question with regard to the lack of solid wall between the domestic and business element of the building, the Service Manager (Planning – Development) confirmed that even if a solid wall was built as part of the

construction a door/opening could be added at a later date without planning permission being required.

The Senior Planning Officer also responded to a question with regard to flood risk and provided further explanation.

Councillor Peter Stevens moved that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor Carol Bull.

Upon being put to the vote and with 12 voting for the motion and 2 abstentions, it was resolved that

### Decision

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

1. The development hereby permitted shall be commenced no later than 3 years from the date of this permission.
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. The occupation of the dwelling hereby permitted shall be limited to a person solely or mainly employed, or last employed by the business operating on the land edged red or a dependent of such person residing with him or her, or a widow or widower of such a person.
4. No development above slab level shall take place until details of the materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
5. No development above existing ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement 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. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.
6. No development above ground level shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being

severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first use/occupation in accordance with the approved details.

7. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.
8. The office hours, study times and pupil numbers shall all be strictly as set out within the Planning Statement And Definitive Statement of Operations document dated 25<sup>th</sup> May 2018.
9. There shall be no lighting installed on site other than in accordance with details and specifications shown on the submitted external lighting strategy received on 25<sup>th</sup> May 2018. No other external lighting shall be installed without the prior written approval of the Local Planning Authority.
10. The mitigation measures set out in the Flood Risk Assessment prepared by AGB Environmental (dated 19.06.2017) and Manège plan (drawing no. 1718-102 rev D) shall be implemented in full prior to first use of the site and thereafter retained as so installed.
11. The procedure for management of manure detailed in the Planning Statement and Definitive Statement of Operations received on 25<sup>th</sup> May 2018 shall be complied with at all times. The approved scheme shall be implemented in accordance with the approved details prior to the development first being brought into use. Thereafter all waste materials shall continue to be stored and disposed of in accordance with the approved details.
12. Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.
13. Prior to commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - I. The parking of vehicles of site operatives and visitors
  - II. Loading and unloading of plant and materials
  - III. Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
  - IV. The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate

- V. Wheel washing facilities
  - VI. Measures to control the emission of dust and dirt during construction
  - VII. A scheme for recycling/disposing of waste resulting from demolition and construction works
  - VIII. Hours of construction operations including times for deliveries and the removal of excavated materials and waste
  - IX. Noise method statements and noise levels for each construction activity including piling and excavation operations
  - X. Access and protection measures around the construction site for pedestrians, cyclists and other road users including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto.
  - XI. A plan showing the alignment of the habitat protection fencing required during construction.
14. All ecological measures and/or works shall be carried out in accordance with the recommendations and timescales contained within:  
 AGB Environmental Preliminary Ecological Appraisal dated 14.11.2017  
 AGB Environmental Reptile Report dated 14.11.2017  
 AGB Environmental Badger Survey Report dated 09.10.2018  
 AGB Environmental Great Crested Newt: Method Statement dated 08.11.2018  
 as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.
15. 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 applicant shall submit a detailed design based on the FRA and Drainage Strategy by Atkins Ltd and will demonstrate that surface water run-off generated up to and including the critical 100 year +CC storm will not exceed the run-off from the existing site following the corresponding rainfall event. The scheme shall also include:-
1. Details of further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole). The use of infiltration as the means of drainage will be taken forward only if the infiltration rates and groundwater levels show it to be possible. Borehole records should also be submitted in support of soakage testing.
  2. Provided infiltration rates are satisfactory:-
    - I. Applicant shall submit dimensioned plans illustrating all aspects of the surface water drainage scheme including location and size of soakaways and the conveyance network. A statement on the amount of impermeable area served by each soakaway should also be illustrated on the plans and should be cross referenceable with associated soakaway calculations.
    - II. SCC require modelling results (or similar method) to demonstrate that the soakaways have been adequately sized to

contain the 30yr event for the catchment area they serve. Each soakaway should be designed using the nearest tested infiltration rate to which they are located. A suitable factor of safety should be applied to the infiltration rate during design.

III. Infiltration devices will only dispose of clean water due to the site area overlying a Source Protection Zone. Demonstration of adequate treatment stages for water quality control shall be submitted.

IV. Infiltration devices should be no more than 2m deep and will have at least 1 - 1.2m of unsaturated ground between base of the device and the groundwater table. If individual soakaways are being used they will be at least 5m away from any foundation (depending on whether chalk is present).

V. Soakaways will have a half drain time of less than 24hours.

VI. Any conveyance networks in the 1 in 30 event show no flooding above ground.

VII. Details of any exceedance volumes during the 1 in 100 year rainfall + CC and their routes should be submitted on the drainage plans. These flow paths will demonstrate that the risks to people and property are kept to a minimum. There shall be no offsite flows.

3. If the use of infiltration is not possible then modelling OR a similar method shall be submitted to demonstrate that:-

i. Surface water runoff will be discharged to local watercourses and restricted to the existing greenfield runoff rates for the site.

ii. Any attenuation features will contain the 1 in 100 year rainfall event including climate change

iii. Any pipe networks in the 1 in 30 event show no flooding above ground

iv. Modelling of the volumes of any above ground flooding during the 1 in 100 year rainfall + climate change to ensure no flooding to properties on or off-site. This should also include topographic maps showing where water will flow and/or be stored on site.

v. Existing watercourses (ditches) along Queens Hill roadside to be cleared to hard bed level and existing pipe underneath existing main entrance to be upsized to match existing dimensions of the watercourse.

4. 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.

16. There shall be no use of the development hereby permitted unless and until advance access warning signs have been provided in the vicinity of the highway access in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

17. There shall be no use of the development hereby permitted unless and until a bus stop has been provided in the vicinity of the highway access in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

18. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. 1718-105 Rev A and with an entrance width of 6.0m and pedestrian access with bus stop provision and made

available for use prior to first use. Thereafter the access shall be retained in the specified form.

19. Prior to the development hereby permitted being first operated, the agreed access onto the C661 shall be properly surfaced with a bound material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
20. Before the development is first used details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
21. Prior to the access being constructed the ditch beneath the proposed access shall be piped or bridged in accordance with details which previously shall have been submitted to and approved in writing by the Local Planning Authority and shall be retained thereafter in its approved form. (See Note 6).
22. Gates shall be set back a minimum distance of 10m from the edge of the carriageway, as shown on drawing number 1718-105 Rev A, and shall open only into the site and not over any area of the highway.
23. All HGV and construction traffic movements to and from the site over the duration of the demolition and construction period shall be subject to a Construction and Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.
24. Before the development is first used details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.
25. Before the access is first used visibility splays shall be provided as shown on Drawing No. 210210-01 with an X dimension of 2.4m and a Y dimension of 162m to the left and 150m to the right and thereafter retained in the specified form. 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.
26. Prior to first occupation and use of the site, there shall be two operational electric vehicle charging points at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.
27. The dwelling hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day)



in Part G of the Building Regulations has been complied with and evidence of compliance has been obtained.

*(On the conclusion of this item, the meeting was adjourned for a short comfort break, during which Councillor Carol Bull left the meeting. The meeting reconvened at 3.05pm.)*

**80. Planning Application DC/18/0544/HYB - Land North of Green Acre, Thetford Road, Ixworth Thorpe (Report No: DEV/SE/19/007)**

**Hybrid Planning Application - (i) Full Planning Application - Demolition of 3no. existing dwellings and (ii) Outline Planning Application (Means of Access to be considered) - for up to 5no. Dwellings**

This application had been referred to the Development Control Committee at the request of the Assistant Director (Planning and Regulatory Services) on behalf of Councillor John Griffiths (Ward Member: Ixworth).

A Member site visit was held prior to the meeting. The Parish Council did not object to the proposal.

Officers were recommending that the application be refused for the reasons set out in Paragraph 33 of Report No: DEV/SE/19/007.

Members acknowledged that the proposed development would be situated outside the settlement boundary and Officers had considered that the proposal did not fall within the remit of planning policies DM5 and DM27. These policies set out specific criteria that proposals would need to meet to feasibly allow development in the countryside, as summarised in Paragraph 13 of the report.

A detailed discussion was held and a motion to approve the application was proposed and seconded, contrary to the Officer recommendation, as it was considered that the proposal would not contravene Policy DM27, reasoning that no adverse impact would be created on the character of the countryside, particularly as three dwellings already existed on this site which were proposed to be demolished and the proposed replacement with five new dwellings was not considered to be significantly harmful to the landscape.

In addition, and whilst it was acknowledged that the Council's existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised National Planning Policy Framework (NPPF), Members recognised that the policies set out in the new NPPF aimed to promote sustainable development in rural areas by locating housing where it would enhance or maintain the vitality of rural communities, by supporting its three dimensions – economic, social and environmental. The proposal was considered by the majority of Members to accord with this.

A discussion was then held on the fact that a biodiversity survey had not been undertaken and some Members were mindful that the application should not be approved without one. It was also felt that should the application be approved, the proposed design for the dwellings could be improved to be

more attractive and in keeping with the character of the countryside landscape.

The Service Manager (Planning - Development) suggested that the application be deferred to enable a risk assessment report to be produced. If Members were minded to approve the application, contrary to the Officer recommendation, a more detailed analysis of Policy DM27 would need to be undertaken to provide Members with further information regarding the interpretation of this policy and the potential implications of approving the application. A deferral would also provide the opportunity to request the applicant to undertake a biodiversity study.

The proposer and seconder of the motion to approve the application agreed to withdraw that original motion and proposed and seconded that, as the majority of Members were minded to approve the application, the application should be deferred to enable a risk assessment report to be produced to address the issues outlined above, and to request the applicant to undertake a biodiversity study.

Upon being put to the vote and with 10 voting for the motion, 3 against and no abstentions, it was resolved that

#### Decision

As Members were minded to approve the application, contrary to the Officer recommendation, Planning Application DC/18/0544/HYB (Report No: DEV/SE/19/007) be **DEFERRED** to:

- (1) Enable a risk assessment report to be produced containing a more detailed analysis of Policy DM27 to provide the Committee with further information regarding the interpretation of this policy and the potential implications of approving the application; and
- (2) The applicant be requested to undertake a biodiversity study.

81. **Planning Application DC/18/2154/FUL - 23 Rookwood Way, Haverhill (Report No: DEV/SE/19/008)**

**Planning Application - 1no. storage building (following removal of part of existing industrial building)**

This application had been referred to the Development Control Committee following consideration by the Delegation Panel. The item had been presented to the Delegation Panel at the request of Councillor Jason Crooks (Ward Member: Haverhill South).

Haverhill Town Council objected to the scheme on the grounds of overdevelopment of the site and the impact on residential amenity.

A Member site visit was held prior to the meeting. Officers were recommending that the application be approved, subject to conditions, as set out in Paragraph 32 of Report No: DEV/SE/19/008.

Speakers: Councillor Maureen Byrne (Haverhill Town Council) spoke against the application  
Mr Lee Frere (agent) spoke in support of the application

Concern was expressed by Councillor Jason Crooks, one of the Ward Members, that the amended plans were not sufficiently significant to warrant approval of the application. Specific concerns raised included that:

- The buffer zone between the industrial estate and residents' rear gardens was not insufficiently substantial to mitigate potential adverse impact on these residents' amenity;
- Despite the plans being amended, the proposal was considered to remain an overdevelopment of the site that adversely impacted residential amenity;
- More clarity was needed on the industrial Use Classes intended for the building;
- A noise assessment report had not been undertaken to accompany the application;
- No additional employment would be created as a result of the new building; and
- Should permission be granted, a sprinkler system should be installed.

Councillor Crooks moved that the application be refused, contrary to the Officer recommendation, on the grounds that Officers had previously considered the original proposal to be unacceptable in terms of its impact on residential amenity, and although the application had been amended, the changes were not sufficiently significant to mitigate this impact. The motion was duly seconded.

Other Members shared Councillor Crooks' concerns, particularly in respect of the potential noise impact on neighbouring residents due to the perceived lack of depth to the buffer zone and whether a change of use to residential could take place under Permitted Development rights.

In response to questions and the concerns raised, the Committee was informed that:

- Proposed Condition 8 specified that the unit should be used for storage (Use Class B8) associated with that use. Should the application be approved, an additional condition could be imposed that sought to restrict the potential for any further change of use of this building using Permitted Development rights. The applicant could therefore not use the building for residential use without prior permission being sought (*\*see note at the foot of this minute*);
- A noise assessment report had not been submitted by the Council's Environmental Health and Housing service as it was not considered necessary or proportionate;
- Issues regarding the installation of a sprinkler system would form part of discussions between the Fire Service and the Building Regulations team;
- The operating hours for deliveries/despatch to and from the building would be restricted to 8am to 6pm on Mondays to Saturdays with no operation permitted on Sundays or Bank Holidays. The Council's Public Health and Housing service was satisfied with these operating hours

and it would be unreasonable and disproportionate to make further restrictions; and

- The site was located on an industrial estate therefore there was no ability to restrict articulated lorries from accessing the building via Duddery Hill.

Upon being put to the vote and with 5 voting for the motion, 8 against and no abstentions, the motion for refusal was defeated.

The debate continued with a discussion held on the acceptability of the proposal following the amendments to the original plans. Members reasoned that the proposed building would be located on an existing industrial estate which provided the existing use requested; the applicant had amended their plans in response to comments received from those objecting to the original scheme and it was not now considered to be overbearing, intrusive or have a detrimental impact on the residential amenity of the neighbouring properties.

A motion for approval was then moved and duly seconded with the additional imposition of a condition that sought to restrict the potential for any further change of use of this building using Permitted Development rights. (*\*see note at the foot of this minute*)

Upon being put to the vote and with 9 voting for the motion, 4 against and no abstentions, it was resolved that

#### Decision

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

1. Time limit - The development hereby permitted shall be begun not later than 3 years from the date of this permission.
2. Compliance with plans - The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:
3. Parking/manoeuvring to be provided - Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. 18012-02 C for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the area(s) shall be retained and used for no other purpose.
4. Deliveries to and from the unit - No deliveries shall be taken or despatched outside the hours of 08:00 - 18:00 Mondays to Saturdays and no deliveries shall be take or despatched on Sundays and Bank Holidays unless agreed in writing with the Local Planning Authority.
5. Construction hours - The site demolition, preparation and construction 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 or Bank Holidays without the prior written consent of the Local Planning Authority.
6. Security/floodlights - 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.
7. Soft landscaping - No development above ground level shall take place

until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 has been submitted to and approved in writing by the Local Planning Authority. 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.

8. Unit to be used in conjunction with Bradnams Joinery only for storage associated with that use - The building hereby permitted shall be used only for ancillary storage associated with the existing joinery business taking place within the red line shown on drawing number 1 8 0 1 2 - 0 2, and not for any manufacturing or other process otherwise within class B2 of the use classes order.
9. Additional condition: to restrict the potential for any further change of use of this building using Permitted Development rights (*\*see note at the foot of this minute*)

#### **NOTE OF IMPORTANCE:**

(Subsequent to the meeting following consideration of the above application, the Committee resolved to grant planning permission. Part of this resolution included the imposition of a condition that sought to restrict the potential for any further change of use of this building using Permitted Development rights.

Having given some further thought to this matter since the meeting, in discussion with the Chairman, and for the reasons set out below, on reflection it is not considered that the imposition of such a condition is necessary and that such should not be imposed.

It was mistakenly understood by the Committee and by Officers that this proposed building will fall within a B8 storage use. Had this been the case then yes, it would in theory have been capable of a change of use, in due course, to residential under the Permitted Development rights. However, this misunderstands the situation of the planning unit. The red line extends around the entire joinery site, and the building proposed is for storage associated with and ancillary to that joinery use. In planning law therefore it actually falls within a B2 use class, general industrial, as a constituent part of the wider planning unit. It was for this reason that Paragraph 26 of Report No DEV/SE/19/008 was written as follows:–

*26. It is also the case that the wider planning unit, noting the manufacturing processes undertaken, would appear to fall within B2 use. Noting the proximity of this building to offsite dwellings, the undertaking of any B2 type activities within the building might otherwise be prejudicial to amenities. On this basis, and noting that the proposal is submitted as a storage building*

*associated with the manufacturing use on site, it is proposed to limit the use of the building to storage purposes only, in association with this use, in the interest of limiting the scope of the consent, in the further interests of residential amenity.*

This was to ensure that any B2 manufacturing use did not take place in the building, noting the proximity to dwellings. However, in this light, and noting that the only permitted change away from B2 is to either B8 or B1, Officers advise that a condition in the terms resolved by Committee is not actually necessary, since there is no need to restrict something that otherwise needs permission anyway, and any change to residential for example could never take place. What could of course take place would be a change of use to B1 or B8, but it is suggested that restricting such would not be necessary, and clearly was not the intention of the Committee last week.

Officers have drafted the following as a simple condition, but clearly this does not now, noting there is not in fact a need, seek to restrict Permitted Development. This approach has been agreed with the Chairman and all Members of the Committee have been appraised of this position:

*The building hereby permitted shall be used only for ancillary storage associated with the existing joinery business taking place within the red line shown on drawing number 1 8 0 1 2 - 0 2, and not for any manufacturing or other process otherwise within class B2 of the use classes order.*

*Reason: In the interest of limiting the scope of the consent, in the further interests of residential amenity.)*

**82. Planning Application DC/18/1925/HH - Briar Cottage, Bury Lane, Stanton (Report No: DEV/SE/19/009)**

*(Councillor Andrew Smith declared a non-pecuniary interest in this item, being familiar with the applicant having contracted him to carry out work to his own property over a year ago. He would remain within the meeting and would take part in the discussion and voting thereon.*

*Councillor Jim Thorndyke declared a personal interest in this item, having been acquainted with the applicant and his family for a number of years. He would remain in the meeting but would abstain from the voting thereon.)*

**Householder Planning Application - Oak cart lodge and office**

This application had been referred to the Development Control Committee following consideration by the Delegation Panel.

A Member site visit was held prior to the meeting. The Parish Council supported the proposal, which was contrary to the Officer recommendation of refusal, for the reason set out in Paragraph 11.1 of Report No DEV/SE/19/009.

Speaker: Mr Anthony Bray (applicant) spoke in support of the application

Despite noting that the original scheme proposed had been amended to mitigate concerns of the occupiers of the neighbouring property and that the

Parish Council was now supportive of the application, the majority of Members considered the proposal remained overbearing and would have a harmful impact on the residential amenity of the occupiers of the neighbouring property.

A motion for refusal, as per the Officer recommendation, was then moved and seconded.

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

#### Decision

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

- 1 Policy DM24 requires proposals to respect the character of the local area, not overdevelop the curtilage of a dwelling, and to not adversely affect the residential amenity of occupants of nearby properties, and this supports the requirements of DM2. In this regard the neighbouring property, Meadowside, will experience a material and significant reduction in the quality of its residential amenity as a direct result of the proposed development, with the proximity and height of the proposed outbuilding resulting in loss of light, obstructed outlook and a notable overbearing impact arising from the proximity between this structure and the property and amenity space of Meadowside. Consequently it fundamentally fails to meet the requirements of Policies DM24 and DM2 with respect to development protecting the residential amenity of occupants of nearby properties, conflicting in turn therefore with the provisions of the NPPF which seek to protect amenity.

83. **Planning Application DC/18/2243/HH & DC/18/2244/LB - Manor House, Church Road, Great Barton, Bury St Edmunds (Report No: DEV/SE/19/010)**

#### **Householder Planning Application - single storey rear extension with associated alterations**

This application had been referred to the Development Control Committee as a St Edmundsbury Borough Councillor Sarah Broughton was the applicant.

Great Barton Parish Council were in support of the application. Officers were recommending that both planning permission and the associated Listed Building Consent be approved, subject to conditions, as set out in Paragraphs 11 and 12 of Report No DEV/SE/19/010.

A motion for approval, as per the Officer recommendation, was moved and seconded.

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

## Decision

- (A) Planning permission be **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.
  2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- (B) Listed building consent be **GRANTED** subject to the following conditions:
1. Time limit: The development hereby permitted shall be begun not later than 3 years from the date of this permission.
  2. Compliance with plans: The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
  3. Window details 0900: No works involving new/replacement windows shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/ replacement windows to be used (including details of glazing bars, sills, heads and methods of opening and glazing) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.
  4. Door details 09PP:  
No works involving new/replacement doors shall take place until elevation(s) to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new/ replacement internal/external doors and surrounds to be used (including details of panels and glazing where relevant) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.
  5. Sample of external materials 09D ii:  
No development above ground level shall take place until details in respect of the following have been submitted to and approved in writing by the Local Planning Authority.
    - a. Samples of external materials and surface finishes
  6. Sample panel of flintwork 09CC :  
No development above ground level shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
    - (i) Sample panel(s) of all new facing brickwork/ flintwork shall be constructed on site showing the proposed brick types, colours, textures, finishes/dressings of the flint; face bond; and pointing mortar mix and finish profile and shall be made available for inspection by the Local Planning Authority;



i) The materials and methods demonstrated in the sample panel(s) shall be approved in writing by the Local Planning Authority.

The approved sample panel(s) shall be retained on site until the work is completed and all brickwork shall be constructed in all respects in accordance with the approved details.

7. Foundation design - A detailed design scheme of the proposed foundations to the relevant location shall be submitted to and approved in writing by the LPA to demonstrate the existing underground structure will not be affected by the proposal.

The meeting concluded at 4.30pm

**Signed by:**

**Chairman**

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St Edmundsbury  
BOROUGH COUNCIL

# DEV/SE/19/011

## Development Control Committee 7 February 2019

### Planning Application DC/18/1187/FUL – Land South of Chapelwent Road, Haverhill

<b>Date Registered:</b>	22.06.2018	<b>Expiry Date:</b>	21.09.2018 - EOT
<b>Case Officer:</b>	Kerri Cooper	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Haverhill Town Council	<b>Ward:</b>	Haverhill North
<b>Proposal:</b>	Planning Application - 87no. dwellings with associated infrastructure		
<b>Site:</b>	Land South of Chapelwent Road, Haverhill, Suffolk		
<b>Applicant:</b>	Taylor Wimpey UK Ltd		

**Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

**Recommendation:**

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Kerri Cooper  
Email: kerri.cooper@westsuffolk.gov.uk  
Telephone: 01284 757341

## 1.0 Background:

1.1 This application was considered by the Development Control Committee in January 2019, having been before the Development Control Committee, as the Officers' recommendation was contrary to the view of Haverhill Town Council.

1.2 The application was deferred at the January Committee meeting due to Members requesting that the Howe Road footpath link on the eastern boundary is removed and the inclusion of an additional footpath in the southern eastern corner of the site.

1.3 This report should be read in conjunction with the January Committee Report, which is attached as Working Paper 1.

## 2.0 Proposal:

2.1 Full Planning Permission is sought for a residential development comprising 87no. dwellings (26no. being affordable), together with associated infrastructure including vehicular and pedestrian accesses, parking and garaging. An area of public open space is proposed to the west of the proposed housing.

2.2 The development comprises a mix of dwelling types and sizes, set out below:

<b>SCHEDULE OF ACCOMMODATION</b>		
<b>PRIVATE HOUSING</b>		
<b>HOUSE TYPE:</b>	<b>DESCRIPTION:</b>	<b>No:</b>
PA22	2 BED HOUSE	6
PA34	3 BED HOUSE	12
PT36	3 BED HOUSE	5
PT37	3 BED HOUSE	4
PB33-G	3 BED HOUSE	4
PC32	3 BED TOWN HOUSE	3
PA44	4 BED HOUSE	7
PA48	4 BED HOUSE	5
PA49	4 BED HOUSE	6
PT43	4 BED HOUSE	4
NB51	5 BED TOWN HOUSE	5
	<b>TOTAL</b>	<b>61</b>
<b>AFFORDABLE HOUSING - RENTED</b>		
<b>HOUSE TYPE:</b>	<b>DESCRIPTION:</b>	<b>No:</b>
C542	1 BED HOUSE	2
C558	1 BED HOUSE	2
AA11	1 BED HOUSE	3
AA25	2 BED HOUSE	10
AA33	3 BED HOUSE	2
AA43	4 BED HOUSE	1
B1110	3 BED W/C BUNGALOW	1
	<b>TOTAL</b>	<b>21</b>
<b>AFFORDABLE HOUSING - SHARED OWNERSHIP</b>		
<b>HOUSE TYPE:</b>	<b>DESCRIPTION:</b>	<b>No:</b>
AA25	2 BED HOUSE	3
AA33	3 BED HOUSE	2
	<b>TOTAL</b>	<b>5</b>
<b>TOTAL NO. OF DWELLINGS:</b>		<b>87</b>

2.3 Following January Development Control Committee meeting, amended plans have been submitted which omit the footpath link to Howe Road.

### **3.0 Application Supporting Material:**

3.1 The following amended plans have been received since January Committee (other associated plans and documents are set out in section 3.1 of Working Paper 1):

20842/AHP/01 E	Affordable Housing Plan	10.01.2019
20842/AMP/01 F	Adoption plans	10.01.2019
20842/BCAP/01 E	Parking and Cycle Plan	10.01.2019
20842/BTP/01 F	Boundary Treatment	10.01.2019
20842/MAT/01 F	Materials	10.01.2019
20842/OFP E	Footpaths	10.01.2019
20842/PL1 L	Layout	10.01.2019
20842/RSL/01 E	Refuse Strategy	10.01.2019
20842/SHL/01 E	Storey Heights Layout	10.01.2019
P17-1217_06 J	Landscape Masterplan	10.01.2019

3.2 The full revised list of plans and documents, which are relevant to the proposed development are detailed in full within Condition 2 in the recommendations section of the report.

### **4.0 Site Details:**

4.1 The site details are set out in paragraphs 4.1 to 4.4 in Working Paper 1.

### **5.0 Planning History:**

5.1 No relevant planning history.

### **6.0 Consultations:**

6.1 The initial consultation responses are set out in section 6 in Working Paper 1.

6.2 A summary of comments from the two relevant statutory consultees relevant to the amendment are summarised as follows:

#### Highways

- Regrettable that the proposed pedestrian link to Howe Road has been removed;
- This link was proposed to join an existing adopted highway which was provided as part of the Howe Road development with the sole purpose of connecting to any future development;
- Permeability is important;
- However, on balance, the lack of connection does not cause a severe enough impact to recommend refusal of the development on grounds of highway safety.

#### Ecology and Landscape Officer

- It is disappointing that the footpath access from the site through to Howe Road has been removed;

- The loss/lack of provision of this route should be considered in the planning balance;
- The County Wildlife Site (CWS) was identified as a constraint to development of the site at an early stage of project development. As a consequence all development was set back from the southern boundary of the site to reduce and avoid any effects;
- In the south east of the site the CWS is made up of an overgrown hedge/tree belt and associated scrub and ditch. To provide an access route through this area, a number of trees would need to be removed and the ditch would need to be bridged. Sufficient space would need to be created to provide a clear route and to ensure an amount of informal surveillance to ensure users would feel safe when passing through this area of vegetation. The consequence of providing a safe route through the CWS at this point would be to remove a large section of the landscape feature which currently separates the site, and future housing, from the adjacent Howe Road play area and skate park.

6.3 All consultation responses can be viewed online in full.

### **7.0 Representations:**

7.1 The initial representations are set out in section 6 in Working Paper 1.

7.2 Due to the nature of the amendment, neighbours, Town Council and Ward Member were not formally re-consulted.

7.3 No further representations have been received since January Committee.

7.4 All representations can be viewed online in full.

### **8.0 Policy:**

8.1 The relevant policies are set out in section 8 and 9 in Working Paper 1.

### **9.0 Supplementary Planning Documents:**

9.1 The relevant supplementary planning documents are set out in section 10 in Working Paper 1.

### **10.0 Officer Comment:**

10.1 The principle of the development remains unchanged and this is set out in paragraphs 11.2 to 11.5 of Working Paper 1, attached.

10.1 The key issues to be considered in the determination of this application also remain unchanged, these are:

- Layout, Design and Amenity
- Highways Impact, Sustainable Transport and Connectivity
- Open Space, Ecology and Drainage
- Affordable Housing
- Contamination, Air Quality and Sustainability
- Heritage Impacts
- Planning Obligations
- Other Matters

- 10.2 The majority of the assessment in the January Committee Report, set out in section 11 of the attached Working Paper 1, remains relevant at this time and unchanged. However, the amended plans have altered the officer's assessment in respect of: layout, amenity, highways, connectivity, ecology and landscape.

#### Layout and Amenity

- 10.3 The layout of the proposed development is remaining unchanged, minus the omission of the footpath to the east of the site.
- 10.4 The proposed scheme initially included a footpath to the east of the site, connecting to the existing adopted footpath along Howe Road. The reasoning for this is set out fully in the section below of the report, however the provision of this footpath caused concern with residents at Howe Road. Given the location and nature of the footpath, officers' considered that there would not be an unacceptable level of disturbance to the owners/occupies of nos. 14-20 Howe Road. However, now the footpath has been removed from the scheme it is considered that the level of adverse impact to the residential amenity of these properties has been further reduced.
- 10.5 Whilst the rest of this report sets out why a new footpath is not being provided in the southern eastern corner of the site, it is important to raise the potential impact on neighbour amenity that could be caused from the provision of a footpath in a new location. This could not be assessed fully unless this was proposed, however it should be highlighted that an inclusion of a footpath in this location is likely to have an impact on residential amenity to the properties immediately adjacent.

#### Highways and Connectivity

- 10.6 The scheme had evolved from the pre-application discussions and details to the plans that are currently being considered, to create strong permeability throughout the site, maximising connectivity to and from the site to the adjacent residential developments, open space and the wider area. Cycle and pedestrian links were provided on all boundaries of the site. Following the January Committee meeting, the footpath across the eastern boundary of the site has been omitted.
- 10.7 It is regrettable that the proposed pedestrian link to Howe Road has been removed from the proposal. This link was proposed to join an existing adopted highway which was provided as part of the Howe Road development with the sole purpose of connecting to any future development. Ensuring future permeability is an important part of the layout of new developments, and it is highly desirable to include this permeability within this application.
- 10.8 However, on balance, due to the existing connectivity to the north, west and south of the site, the lack of connection does not cause a severe enough impact to recommend refusal of the development on grounds of highway safety.

#### Landscape and Ecology

- 10.9 The NPPF confirms that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains where possible (paragraphs 174 and 175). This is reflected in policies DM11 and DM12 which seek to protect safeguard protected species and state that measures should be included in the design of all developments for the protection of biodiversity, the mitigation of any adverse impacts and enhancements commensurate with the scale of the development.
- 10.10 The Natural Environment and Rural Communities (NERC) Act (2006) Section 40(1) imposes a duty on every public authority in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. The duty applies to all local authorities and extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.
- 10.11 When Members sought to defer the application at January Committee, they requested that a new link was provided on the southern eastern corner of the site.
- 10.12 The site is located to the north of a section of Haverhill Disused Railway Line County Wildlife Site (CWS). The CWS was identified as a constraint to development of the site at an early stage of project and as a consequence all development was set back from the southern boundary of the site to reduce and avoid any effects.
- 10.13 County Wildlife Site designation is non-statutory, but it recognises the high value of a site for wildlife. Many sites are of county, and often regional or national, importance. They are often designated because they support characteristic or threatened species or habitats. CWS are recognised as having a fundamental role to play in meeting national biodiversity targets. CWS are not protected by legislation, but their importance is recognised by local authorities when considering any relevant planning applications and there is a presumption against granting permission for development that would have an adverse impact on a site. Such measures have been strengthened by the provisions of the Natural Environment and Rural Communities Act (NERC) 2006 which requires all public bodies to 'have regard for' the conservation of biodiversity. Suffolk Wildlife Trust monitors planning applications for any potential impact on County Wildlife Sites.
- 10.14 In the south east of the site the CWS is made up of an overgrown hedge/tree belt and associated scrub and ditch. To provide an access route through this area, a number of trees would need to be removed and the ditch would need to be bridged. Sufficient space would need to be created to provide a clear route and to ensure an amount of informal surveillance to ensure users would feel safe when passing through this area of vegetation. The consequence of providing a safe route through the CWS at this point would be to remove a large section of the landscape feature which currently separates the site, and future housing, from the adjacent Howe Road play area and skate park. In addition to this would be the potential effects on residential amenity from this as set out above.



10.15 Therefore, for the reasons set out in this report and Working Paper 1, not including a further footpath in the southern eastern corner of the site is supported and considered acceptable by officers’.

### **11.0 Conclusion and Planning Balance:**

11.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

11.2 As a result of the amendments made to the scheme and the additional information, it is considered that the proposed development creates a well laid out and visually attractive scheme which provides key and important features throughout the development. The layout of the scheme allows for soft landscaping to be incorporated, a large area of open space and good connectivity. The proposed dwellings are considered to be well designed, creating an interesting series of street scenes with safe access for vehicles and pedestrians. The development would not give rise to any unacceptable adverse effects on amenity. Additional information submitted in respect of ecology and protected species has also demonstrated that there would be no adverse impacts in this regard subject to appropriate precautionary measures, mitigation and enhancements.

11.3 The loss of the footpath connection to the east of the site is regrettable, however, on balance, due to the existing connectivity to the north, west and south of the site, the lack of connection does not cause a severe enough impact to recommend refusal of the development on grounds of highway safety.

11.4 Whilst concerns have been raised from Strategic Housing regarding layout of the affordable housing which conflict with the Affordable Housing SPD in terms of the cluster of affordable housing, the quantum and mix of affordable housing is in accordance with the requirements of the Strategic Housing Officer.

11.5 Furthermore, the delivery of housing, including affordable housing that would be facilitated by this application, should lend significant weight in support of the development.

11.6 As such, it is considered that in almost all respects the development is fully in accordance with the policies of the development plan and only limited conflict with some elements of specific policies remain. The remaining, limited areas where any harm has been identified are clearly outweighed by the collective benefits that would arise from the application proposals, which are substantial. Therefore, subject to the use of conditions and S106 agreement, the principle and detail of the development is considered to be acceptable.

### **12.0 Recommendation:**

12.1 It is **RECOMMENDED** that planning permission be **Approved** subject to the following conditions and S106 agreement:

### **13.0 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:

<b>Reference No:</b>	<b>Plan Type</b>	<b>Date Received</b>
19838SE-05	Topographic Survey	19.06.2018
19838SE-06	Topographic Survey	19.06.2018
19838SE-07	Topographic Survey	19.06.2018
20842/AHP/01 E	Affordable Housing Plan	10.01.2019
20842/AMP/01 F	Adoption plans	10.01.2019
20842/BCAP/01 E	Parking and Cycle Plan	10.01.2019
20842/BTP/01 F	Boundary Treatment	10.01.2019
20842/MAT/01 F	Materials	10.01.2019
20842/OFP E	Footpaths	10.01.2019
20842/PL1 L	Layout	10.01.2019
20842/RSL/01 E	Refuse Strategy	10.01.2019
20842/SHL/01 E	Storey Heights Layout	10.01.2019
20842/SLP/01	Site Location Plan	19.06.2018
CSA/3633/100	Ecological plan	19.06.2018
P17-1217_06 J	Landscape Masterplan	10.01.2019
P17_1217 G SHEET 2	Street Scene	09.11.2018
P17_1217- 01 B	Elevations	20.09.2018
P17_1217-18 02 A	Elevations	20.09.2018
P17_1217- 03 C	Floor Plans	20.09.2018
P17_1217 04 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 05 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 06 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 07 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 08 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 09 B	Floor Plans and Elevations	20.09.2018
P17_1217 10 B	Floor Plans and Elevations	20.09.2018
P17_1217 11 B	Elevations	20.09.2018
P17_1217 12 A	Floor Plans	20.09.2018
P17_1217 13 B	Elevations	20.09.2018
P17_1217 14 B	Floor Plans and Elevations	20.09.2018
P17_1217 15 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 17 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 18 A	Elevations	20.09.2018
P17_1217-18 19 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 20 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 21 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 22 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 23 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 24 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 25 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 26 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 27 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 28 A	Elevations	20.09.2018

P17_1217-18 29 A	Floor Plans	20.09.2018
19838SE-08	Topographic Survey	19.06.2018
P17_1217-18 30 A	Elevations	20.09.2018
P17_1217-18 31 C	Floor Plans and Elevations	20.09.2018
P17_1217-18 32 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 33 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 34 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 35 C	Floor Plans and Elevations	20.09.2018
P17_1217-18 36 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 37 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 38 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 39 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 40 A	Elevations	20.09.2018
P17_1217-18 41	Floor Plans and Elevations	19.06.2018
P17_1217-18 42 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 43 B	Floor Plans	20.09.2018
P17_1217-18 44	Floor Plans	19.06.2018
P17_1217-20 01 A	Garage Plans & Elevations	20.09.2018
P17_1217-20 02 A	Garage Plans & Elevations	20.09.2018
P17_1217-20 03 A	Garage Plans & Elevations	20.09.2018
P17_1217-20 04 A	Garage Plans & Elevations	20.09.2018
P17_1217-20 06 A	Car Port Plans	20.09.2018
P17-1217-18-48	Floor Plans and Elevations	19.06.2018
P17-1217-18-45	Floor Plans and Elevations	19.06.2018
P17-1217-18-46	Floor Plans and Elevations	19.06.2018
P17-1217-18-47	Floor Plans and Elevations	19.06.2018
HAVSK01 B	Lighting Details	09.11.2018
P17-1217/18	House Type	19.06.2018
P17-1217-18-20 B	Floor Plans and Elevations	20.09.2018
(-)	Application form	19.06.2018
P17-1217_3 C	Design and Access Statement	19.06.2018
P17-1217_5 B	Other	19.06.2018
CSA/3633/01	Ecological Survey	19.06.2018
CSA/3633/03 A	Other	20.09.2018
CSA/3633/02 D	Environmental Impact Assessment	28.11.2018
CSA/3633/04	Other	09.11.2018
P17-1217	Landscape plan	19.06.2018
P17-1217_07	Open Space	19.06.2018
618698-MLM-ZZ-XX-RP-TP-0001 03	Transport assessment	19.06.2018
618698-MLM-ZZ-XX-RP-TP-0002-R03-TP 03	Travel Plan	19.06.2018
618698-MLM-ZZ-XX-RP-C-0001	Flood Risk Assessment	09.08.2018
(-)	Land Contamination Assessment	19.06.2018
DH/KB/24131	Archaeological report	19.06.2018
BHA_310_02	Tree Constraint Plan	19.06.2018
BHA_310_02	Tree Survey	19.06.2018
(-)	Planning Statement	19.06.2018
GEOPHYSICAL SURVEY	Archaeological report	27.11.2018
REPTILE TRANSLOCATION	Reptile report	28.11.2018

## REPORT

Reason: To define the scope and extent of this permission.

3. Before the development is commenced, details of the estate roads and footpaths, (including layout, visibility, levels, gradients, surfacing, lighting 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. This condition is required to be pre commencement to ensure the infrastructure details for the development are appropriate before any other work is commenced.

4. 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.

5. All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Construction and Deliveries Management Plan which shall be submitted to and approved in writing by the local planning authority for approval a minimum of 28 days before any deliveries of materials commence. The plan shall include, but not be limited to; delivery routes, construction traffic parking, storage of materials and equipment, and means to ensure surface water, mud and other debris do not egress onto the highway. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV.

6. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 20842/RSL/01/ Rev C shall be provided for the units that it serves in its entirety before the units in question are brought into use and shall be retained thereafter for no other purpose.

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

7. The individual dwellings hereby permitted shall not be occupied until the area(s) that serve that dwelling within the site on drawing number 20842/BCAP/01 Rev C for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

8. 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 applicant shall submit a detailed design based on the Drainage Strategy by MLM (drawing ref:- 618696 Rev 3 and dated 09 Aug 2018) and will demonstrate that surface water run-off generated by the development will be limited to 4.6l/s up to and including the critical 100 year+CC storm.

Reason: 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. To ensure the development does not cause increased pollution to water environment. This condition requires matters to be agreed prior to commencement to ensure that surface water drainage is controlled accordingly.

9. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage. This condition requires matters to be agreed prior to commencement to ensure that surface water drainage is controlled accordingly.

10. The dwellings hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act.

11. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:  
Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
- i. Temporary drainage systems
  - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan. This condition requires matters to be agreed prior to commencement to ensure that flooding does not occur.

12. Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained, in accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

13. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Joint Development Management Policies Document 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018). This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or lost due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to archaeological and historic assets.

14. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved

in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Joint Development Management Policies Document 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018).

15. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised travel planning and a multimodal travel voucher.

Reason: In the interests of sustainable development as set out in the National Planning Policy Framework (2018), policies CS7 and CS8 of the St Edmundsbury Core Strategy 2010 and policies DM4, DM45 and DM46 of the Joint Development Management Policies Document 2015.

- 16.1. No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- i) A site investigation scheme (based on the approved Preliminary Risk Assessment (PRA) within the approved Desk Study), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM).
  - iii) Based on the risk assessment in ii), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

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

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178,

179, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

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

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy.

- 18.Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and enhance local air quality in line with the National Planning Policy Framework (NPPF), Policy DM14 of the Joint Development Management Policies Document, Policy CS2 (E) of the Core Strategy and the Suffolk Parking Standards.

- 19.Prior to the development commencing a comprehensive Construction and Site Management Programme shall be submitted to the Local Planning Authority for approval. The approved programme shall be implemented throughout the development phase, unless the Local Planning Authority gives written consent to any variation. The programme shall include:-
- a. site set-up and general arrangements for storing plant, including cranes, materials, machinery and equipment, offices and other facilities and contractors vehicle parking, loading, unloading and vehicle turning areas;
  - b. noise method statements and noise levels for each construction activity including any piling and excavation operations;
  - c. dust, dirt and vibration method statements and arrangements;
  - d. site lighting.

Reason: To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to



ensure that appropriate arrangements are put into place before any works take place on site that are likely to impact the area and nearby occupiers.

20. The hours of site clearance, site preparation and construction activities, including deliveries to the site and the removal of excavated materials and waste from the site, shall be limited only to 08:00 to 18:00 hours on Mondays to Fridays and 08:00 to 13:00 hours on Saturdays. No site clearance, site preparation or construction activities shall take place at the application site on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

21. No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

22. Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:

- i) Measures for the protection of those trees and hedges on the application site that are to be retained,
- ii) 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,
- iii) 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 agreed in writing by the Local Planning Authority.

Reason: To ensure that the trees and hedges on site are adequately protected, to safeguard the character and visual amenity of the area, in accordance with policies DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement of development to ensure that existing trees are adequately protected prior to any ground disturbance.

23. Site clearance, removal of hedgerows, trees, shrubs, other vegetation and habitats, or works to or demolition of buildings or structures that may be used by breeding birds or bats, shall be overseen on site by an ecological clerk of works, on-site ecologist or other appropriately competent person at the written approval from the Council. A site attendance record shall be maintained by the applicant which shall contain name and purpose of the visit and shall be available for inspection at 24 hours' notice.

Reason: To ensure that those habitats and species to be retained on site are adequately protected from harm during construction, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

24. No development above ground level shall take place until, a landscape and ecological management plan (LEMP) has been submitted to and be approved in writing by the Local Planning Authority. The LEMP shall include the following:

- i) Description and evaluation of features to be managed
- ii) Ecological trends and constraints on site that might influence management
- iii) Aims and objectives of management
- iv) Appropriate management options for achieving aims and objectives
- v) Prescriptions for management actions
- vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- vii) Details of the body or organization responsible for implementation of the plan
- viii) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To identify and ensure the protection of important species and those protected by legislation, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 25.No external lighting other than that which forms part of the development hereby permitted and shown on HAV/SK01 B shall be provided within the application site.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality and the ecological value of the area, in accordance with policy DM2, DM12 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 26.No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 has been submitted to and approved in writing by the Local Planning Authority. 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 assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 27.All of the ecological mitigation measures shall be carried out in accordance with the details contained in CSA Environmental Ecological Impact Assessment Rev C as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

The enhancement measures shall be carried out in accordance with the details contained in contained in CSA Environmental Ecological Impact Assessment Rev C and set out on drawing no. CSA 3633/108.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policy DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 28.No development above slab level shall take place until facing and roofing samples of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

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

Reason: To improve the sustainability of the dwellings in accordance with policy DM7 of the Joint Development Management Policies (2015)

#### **14.0 S106:**

14.1 The following is to be secured by S106:

- The delivery of 26 affordable homes on site with 21 affordable rent and 5 shared ownership homes.
- An affordable housing contribution of £10,200 is required to make the total provision up to 30% as 30% of 87 units equates to 26.1 units. The contribution is in lieu of 0.1 units.
- Financial contributions toward the provision of new and improved footpaths (5 in total) in the vicinity of the site. Three of these footpaths are owned by the Borough Council and two are owned by the County Council. The combined contribution amounts to £43,230 and will improve pedestrian and cycle access to and from the site to the wider area.
- The funding of improvements to the existing bus stop on Howe Road. The required contribution for this is £7,000.
- The funding of additional Early Years spaces in the ward of Haverhill North. The required contribution for this is £91,663.
- The funding of additional Primary School places at New Cangle Primary School. The required contribution is £243,620.
- The funding of additional Sixth Form places at the Samuel Ward Academy. The required contribution is £59,721.
- The funding for the provision of additional lending stock at Haverhill Library. The required contribution for this is £1,392.
- The funding of the expansion of Clements & Christmas Maltings Practice and Haverhill Family Practice to meet the additional healthcare requirements of this scheme. The required contribution is £33,120.
- The provision of public open space on site that is to be offered to the Council for adoption on completion. A contribution of £163,770.00 which includes maintenance of POS, paths inside the red line and SUDS basin.

#### **15.0 Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/1187/FUL](https://www.westsuffolk.gov.uk/DC/18/1187/FUL)



St Edmundsbury  
BOROUGH COUNCIL

DEV/SE/19/001

## WORKING PAPER 1

# Development Control Committee 3 January 2019

### Planning Application DC/18/1187/FUL – Land South of Chapelwent Road, Haverhill

**Date Registered:** 22.06.2018      **Expiry Date:** 21.09.2018 - EOT

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

**Parish:** Haverhill      **Ward:** Haverhill North

**Proposal:** Planning Application - 87no. dwellings with associated infrastructure

**Site:** Land South Of, Chapelwent Road, Haverhill, Suffolk

**Applicant:** Taylor Wimpey UK Ltd

**Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

**Recommendation:**

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Kerri Cooper  
Email: [kerri.cooper@westsuffolk.gov.uk](mailto:kerri.cooper@westsuffolk.gov.uk)  
Telephone: 01284 757341

## 1.0 Background:

- 1.1 The application site was previously identified and reserved for the construction of a Middle School. However, following the reorganisation of the school structure this site was no longer required for this purpose and it was not identified for any other suitable community uses. The greenfield site was put forward as a small scale allocation in Policy HV5 of the Haverhill Vision 2031.
- 1.2 During the course of the application amendments were made to the overall design and layout of the scheme and additional information was submitted regarding ecology, archaeology and drainage.
- 1.3 The application is before the Development Control Committee, as the Officers' recommendation is one of APPROVAL, contrary to the view of Haverhill Town Council.
- 1.4 A site visit is proposed for Thursday 20 December 2018.

## 2.0 Proposal:

- 2.1 Full Planning Permission is sought for a residential development comprising 87no. dwellings (26no. being affordable), together with associated infrastructure including vehicular and pedestrian accesses, parking and garaging. An area of public open space is proposed to the west of the proposed housing.
- 2.2 The development comprises a mix of dwelling types and sizes, set out below:

<b>SCHEDULE OF ACCOMMODATION</b>		
<b>PRIVATE HOUSING</b>		
<b>HOUSE TYPE:</b>	<b>DESCRIPTION:</b>	<b>No:</b>
PA22	2 BED HOUSE	6
PA34	3 BED HOUSE	12
PT36	3 BED HOUSE	5
PT37	3 BED HOUSE	4
PB33-G	3 BED HOUSE	4
PC32	3 BED TOWN HOUSE	3
PA44	4 BED HOUSE	7
PA48	4 BED HOUSE	5
PA49	4 BED HOUSE	6
PT43	4 BED HOUSE	4
NB51	5 BED TOWN HOUSE	5
	<b>TOTAL</b>	<b>61</b>
<b>AFFORDABLE HOUSING - RENTED</b>		
<b>HOUSE TYPE:</b>	<b>DESCRIPTION:</b>	<b>No:</b>
C542	1 BED HOUSE	2
C558	1 BED HOUSE	2
AA11	1 BED HOUSE	3
AA25	2 BED HOUSE	10
AA33	3 BED HOUSE	2
AA43	4 BED HOUSE	1
B1110	3 BED W/C BUNGALOW	1
	<b>TOTAL</b>	<b>21</b>
<b>AFFORDABLE HOUSING - SHARED OWNERSHIP</b>		
<b>HOUSE TYPE:</b>	<b>DESCRIPTION:</b>	<b>No:</b>
AA25	2 BED HOUSE	3
AA33	3 BED HOUSE	2
	<b>TOTAL</b>	<b>5</b>
<b>TOTAL NO. OF DWELLINGS:</b>		<b>87</b>

### **3.0 Application Supporting Material:**

3.1 Information submitted with the application as follows:

- Application Form
- Design and Access Statement
- Planning Statement
- Tree Survey and Topographic Survey
- Arboricultural Report
- Ecological Reports
- Ecological Plan
- Environmental Impact Assessment
- Geophysical Survey
- Transport Assessment
- Travel Plan
- Landscape Details
- Parking, Cycle and Footpath Details
- Materials
- House Type Pack
- Site Location and Layout
- Elevations, Floor Plans and Sections

3.2 The full list of plans and documents, which are relevant to the proposed development are detailed in full within Condition 2 in the recommendations section of the report.

### **4.0 Site Details:**

4.1 The application site, which is approximately 4.6 hectares in area, is located on the south side of Chapelwent Road within the designated Settlement Boundary of Haverhill. It is an allocated site under Policy HV5 in the Haverhill Vision 2031.

4.2 The site which was former agricultural land, is now semi-improved grassland comprising two fields, dominated by areas of blackthorn scrub and hedgerows.

4.3 The site is bounded to the east by residential development accessed from Howe Road. To the north of the site is a modern residential development and a large area of public open green space that includes a children's play area. To the west, the site is bounded by a track running parallel to it, beyond which lies a modern housing development. The southern boundary of the site is bounded by a track that follows the route of a disused railway line and is designated as a Local Nature Reserve 'Haverhill Railway Walk'.

4.4 The proposed development site lies in an area of high archaeological potential recorded on the County Historic Environment Record and is also situated in a topographically favourable location for activity from all periods, overlooking a tributary of the River Stour.

### **5.0 Planning History:**

5.1 No relevant planning history.

## **6.0 Consultations:**

6.1 The following consultation responses have been received, which are summarised below and full consultation responses are available to view online:

### Strategic Housing

Comments 27<sup>th</sup> July:

- Unable to support the application at present;
- The developer has met the councils CS5 policy to deliver 30% affordable housing on site and our tenure requirement of 80% affordable rented and 20% intermediate housing. The affordable housing mix also accords with the latest housing needs requirements for Haverhill;
- The affordable housing plan submitted that the affordable dwellings are all clustered in one corner of the development and not in accordance with the guidance set within the Affordable Housing SPD which requires the affordable dwellings to not exceed clusters of 15 dwellings or more;
- Lack of parking provision;
- The 1no. bedroom affordable houses are slightly smaller than the council's recommendation that all properties should at least meet the minimum National Described Space Standards as set out in the Technical Guidance

Comments 22<sup>nd</sup> August 2018:

- The affordable housing mix prescribed within the S106 is accurate to deliver the required 26 affordable dwellings on site;
- Having reviewed the House Type plans, Strategic Housing are comfortable that although these are slightly smaller than the National Prescribed Space Standard the internal floor plans show a sufficient amount of floor space for furniture, orientation etc.

Comments 8<sup>th</sup> October 2018:

- The concerns previous made in respect of parking have been addressed;
- The clustering of the affordable housing still remains a concern

### Public Health and Housing

Comments 10<sup>th</sup> July 2018:

- Public Health and Housing do not object and recommend conditions, however raise comments;
- Concerns regarding means of escape from some of the dwellings proposed;
- Some of the properties proposed are below National Space Standards

Comments 3<sup>rd</sup> October 2018:

- No further comments to make

### Environment Team

Comments 27<sup>th</sup> July 2018:

- No objection, subject to conditions

### Cambridge Airport

Comments 11<sup>th</sup> July 2018:

- No objection

### Natural England

Comments 13<sup>th</sup> July 2018:



- No comment to make – Local Planning Authority should refer to Standing Advice

#### West Suffolk Clinical Commissioning Group

Comments 17<sup>th</sup> July 2018:

- West Suffolk Clinical Commissioning Group (CCG) incorporating NHS England Midlands and East (East) (NHS England) request a financial contribution of £33,120 as it has been identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

#### Ramblers

Comments 23<sup>rd</sup> July 2018:

- The only public right of way, shown on the Definitive Map, in the vicinity, is of course Withersfield fp 1, which becomes Haverhill fp 10 as it heads for the town's Withersfield Road;
- No objection is offered

#### Environment Agency

Comments 24<sup>th</sup> July 2018:

- No comment to make.

#### Anglian Water

Comments 27<sup>th</sup> July 2018:

- No objection, subject to pre-commencement conditions in respect of surface water disposal.

Comments 9<sup>th</sup> October 2018:

- No objection, subject to pre-commencement conditions in respect of surface water disposal.

#### Suffolk County Council Floods and Water

Comments 23<sup>rd</sup> July 2018:

- SCC Flood and Water Management have reviewed the drainage strategy and recommend a holding objection at the current time. The overall principle of the surface water drainage design is acceptable however SCC require further clarification on the design at this full planning stage.

Comments 8<sup>th</sup> October 2018:

- SCC Flood and Water Management have reviewed the latest drainage strategy and have no further objections, subject to conditions.

#### Suffolk County Council Archaeology

Comments 19<sup>th</sup> July 2018:

- The proposed development site lies in an area of high archaeological potential recorded on the County Historic Environment Record and is also situated in a topographically favourable location for activity from all periods, overlooking a tributary of the River Stour.
- In order to establish the archaeological potential of the site, a geophysical survey will be required in the first instance. The geophysical survey results will be used to make a decision on the timing and extent of trial trenched evaluation which is required at this site. The results of the evaluation should be presented as part of any planning application for this site, along with a detailed strategy for further investigation and appropriate mitigation. The results should inform the development to ensure preservation in situ of any

previously unknown nationally important heritage assets within the development area.

Comments 28<sup>th</sup> November 2018:

- Following the receipt of the Geophysical Survey, no objection subject to conditions.

Suffolk County Council Development Contributions Manager

Comments 26<sup>th</sup> July 2018:

- Contributions towards pre-school, primary school and sixth forms in the catchment area are sought as there is forecast to be surplus capacity to accommodate pupils anticipated from this scheme. A contribution of £1,392 towards the development of library services is sought. Consideration will also need to be given to adequate play space provision, health, supported housing, transport issues, waste management, surface water drainage, fire safety and broadband.

Suffolk Wildlife Trust

Comments 31<sup>st</sup> July 2018:

- Object to application;
- Suffolk Wildlife Trust have read the Preliminary Ecological Appraisal report (CSA Environmental, Mar 2018) and note the findings of the consultant. The report recommends that further surveys for flora, bats, dormice and reptiles are required in order to assess the full potential ecological impacts of this proposal and identify mitigation and/or compensation measures. In the absence of this survey information it is not possible to fully assess the likely impacts of the proposed development on protected and/or UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006))

Comments 2<sup>nd</sup> November 2018:

- All of the ecological survey and assessment information has now been provided as part of an Ecological Impact Assessment (EcIA) (CSA Environmental, Oct 2018);
- The application site supports a range of protected and/or UK Priority species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)), including reptiles (common lizard), breeding birds and foraging and commuting bats, the site also supports a range of flora species associated with chalky soils;
- Appropriate mitigation measures required and further clarification

Comments 23<sup>rd</sup> November 2018:

- Following the additional information provided in support of this application, including the letter from CSA Environmental of 8<sup>th</sup> November 2018, no objection subject to conditions and recommendations.

Suffolk Constabulary Design Out Crime Officer

Comments 24<sup>th</sup> July 2018:

- Some areas of concern relating to security and permeability for dwellings within the development.

Comments 10<sup>th</sup> and 30<sup>th</sup> October 2018:

- Whilst there are still some areas of concern relating to security and permeability for dwellings within the development, it is welcomed and appreciated that the developer has accommodated Secure by Design principles where possible.

Suffolk County Highway Authority

Comments 25<sup>th</sup> July 2018:

- Holding objection until acceptable details are submitted;
- Revisions to parking, increased cycle provision, road layout, off site highway works required.

Comments 15<sup>th</sup> October 2018:

- Whilst improvements have been made, elements of parking is required to be designed and amendments to the layout are needed in particular permeability.

Comments 22<sup>nd</sup> November 2018:

- No objection, subject to conditions and S106 contributions.

#### Ecology and Landscape Officer

Comments 26<sup>th</sup> July 2018:

- Object to the proposed development as there is not sufficient biodiversity survey information available. It is noted that the ecologist has presented a plan showing that the majority of the site contains potential dormouse and/or reptile habitat. Dormouse, reptile, bat, and botanical surveys are planned and these should inform the development design.

Comments 1<sup>st</sup> November 2018:

- The ecology reports and survey submitted by the applicants ecologist can't be taken any further until the results of the further surveys required are known, as this is essential to inform the layout and design concept for any planning application.

Comments 23<sup>rd</sup> November 2018:

- Satisfied with the findings from the surveys and reports, which will be required to be conditioned accordingly;
- Amendments and clarification still required to layout which include, bollard details, lighting details, planting, boundary treatment and Public Open Space (POS).

Comments 3<sup>rd</sup> December 2018:

- Further matters and points addressed from comments dated 23<sup>rd</sup> November;
- No objection, subject to conditions.

#### Parks and Infrastructure Manager

Comments 26<sup>th</sup> July 2018:

- Currently object to POS proposals as it is considered that the site has been looked at in isolation to the wider landscape that surrounds the site and failed to integrate the spaces to create one seamless POS;

Comments 23<sup>rd</sup> November 2018:

- Following amendments to the scheme and subject to conditions and POS contributions, all concerns previously raised have been addressed.

#### Suffolk County Council Travel Plan Officer

Comments 10<sup>th</sup> July 2018:

- A response will be provided, however it will be incorporated within the formal Highway Authority comments;
- No objection, recommend conditions.

### **7.0 Representations:**

#### Ward Member

- No comments received.

#### Haverhill Town Council

Comments 26<sup>th</sup> July 2018:

- Object to the application;
- Concerns raised by Public Health regarding room sizes;
- Lack of vehicle charging points;
- Lack of access to the Railway Walk on southern corner – sustainable access;
- Concerns regarding Flora and Fauna

Comments 29<sup>th</sup> August 2018:

- Object to the application, however some concerns have been addressed (the wording in bold italic is direct from Haverhill Town Council);
- Concerns raised by Public Health regarding room sizes – ***objection remains***
- Lack of vehicle charging points – ***objection withdrawn***
- Lack of access to the Railway Walk on southern corner; sustainable access – ***objection remains as against the alternative footpath to Howe Road***
- Concerns regarding Flora and Fauna - ***request for a condition to be placed, not an objection.***

Comments 4<sup>th</sup> October 2018:

- Objection remains;
- The Town Council insist on a direct link access to the railway walk on the southern corner of the site;
- Echo concerns raised by Public Health in relation to room sizes

### Neighbours

89no. nearby addresses were notified of the application via post and 2no. site notices were displayed.

During the course of the application, representations have been received by the owners/occupiers of 10no. properties, which are summarised as follows:

#### 26 Alderton Close

- A number of representations have been received by the owner of no. 26 Alderton Close in respect of ecology and subsequent dialogue between the Local Planning Authority, Applicant/Agent and Owner have taken place;
- Objected to the application due to lack of ecological reports and information submitted with application;
- Site clearance work undertaken prior to an surveys being submitted and objection from Suffolk Wildlife Trust and Ecologist;
- Work and activities undertaken could affect the outcome of the surveys and findings

#### 16 Alderton Close

- Disappointed that there are no private bungalows within the development;
- Lack of bungalows make it difficult for people who require one to be able to purchase one;
- Concerned with the review undertaken in respect of Wildlife and Flora;
- Lack of post box and dog bins on Meadowlands Estate and regard needs to be given to this within this development

#### 4 Howe Road

- Object to proposed development;
- Ecological impact – destroy existing wildlife;

- Existing infrastructure – sewage at capacity, schools are unable to enrol nearby children and increase in traffic and impact on highway safety;
- Social housing has been isolated

#### 6 Howe Road

- Objects to the proposed development due to the location and design of the affordable housing units;
- Affordable Housing been poorly thought out and does not have regard to The Ministry of Housing Communities and Local Government
- Design and scale of the proposed development does not reflect local demand and need;
- Impact on highway safety – occupants of existing estates use Howe Road

#### 16 Howe Road

- Object to footpath opening and creation from the proposed development to Howe Road;
- Would result in safety hazard;
- A footpath should be created closer to the railway line;
- Impact on highway safety – a Zebra Crossing should be provided

#### 18 Howe Road

- Concerns to footpath opening and creation from the proposed development to Howe Road;
- Would result in safety hazard;
- A footpath should be created closer to the railway line;
- The existing footpath has never been maintained

#### 20 Howe Road

- Object to proposed development;
- Eastern boundary line passing the corner of my house within a meter or so and only approximately 3 meters from my front door, with the proposed fencing going straight through my front garden (which itself is bounded by course hedges);
- Impact on amenity as a result of the location of the development on the eastern boundary

#### 28 Howe Road

- Object to proposed development;
- Detrimental impact to lives of current residents;
- Impact on vehicle movements and traffic;
- Impact on amenity as a result of overlooking;
- Impact on wildlife

#### 12 Slaters Drive

- I would hope that no windows overlook my property;
- Impact on parking – garages are not usually used for parking;
- If more bungalows were proposed, my larger property would become available;

#### 14 Slaters Drive

- Object strongly to plot 32 due to loss of light and privacy loss;
- Impact on parking due to traffic generated from proposed development;
- Loss of green space;
- Area rich in Flora and Fauna

16 Slaters Drive

- Overlooking to my property as a result of proposed development

All representations can be viewed online in full.

**8.0 Policy:** The following policies of the Joint Development Management Policies Document 2015, the St Edmundsbury Core Strategy 2010 & Haverhill Vision 2031 Documents have been taken into account in the consideration of this application:

Joint Development Management Policies Document 2015

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM4 Development Briefs
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM44 Rights of Way
- Policy DM20 Archaeology
- Policy DM22 Residential Design
- Policy DM42 Open Space, Sport and Recreation Facilities
- Policy DM45 Transport Assessments and Travel Plans
- Policy DM46 Parking Standards

St Edmundsbury Core Strategy 2010

- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity

- Core Strategy Policy CS5 - Affordable Housing
- Core Strategy Policy CS7 - Sustainable Transport
- Core Strategy Policy CS12 - Haverhill Strategic Growth

#### Haverhill Vision 2031

- Vision Policy HV1 - Presumption in Favour of Sustainable Development
- Vision Policy HV2 - Housing Development within Haverhill
- Vision Policy HV5 - Housing on Greenfield Sites

### **9.0 Other Planning Policy:**

- National Planning Policy Framework (2018)

9.1 The NPPF was revised in July 2018 and is a material consideration in decision making from the day of its publication.

9.2 Paragraph 213 of the Framework is clear that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised Framework. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given.

9.3 The key development plan policies in this case are set out above. It is necessary to understand how the Framework deals with the issues otherwise raised in these policies, and to understand how aligned the Development Plan Policies and the Framework are. Where there is general alignment then full weight can be given to the relevant Policy. Where there is less or even no alignment then this would diminish the weight that might otherwise be able to be attached to the relevant Policy.

9.4 The Policies set out within the Joint Development Management Policies have been assessed in detail by Officers and are considered sufficiently aligned with the provisions of the 2018 NPPF that full weight can be attached to them in the decision making process.

### **10.0 Supplementary Planning Documents:**

- St Edmundsbury Borough Council Supplementary Planning Document for Open Space, Sport and Recreation Facilities (2012)
- Forest Heath District Council and St Edmundsbury Borough Council Joint Affordable Housing Supplementary Planning Document (2013)

### **11.0 Officer Comment:**

- 11.1 The issues to be considered in the determination of the application are:
- Principle of Development

- Layout, Design and Amenity
- Highways Impact, Sustainable Transport and Connectivity
- Open Space, Ecology and Drainage
- Affordable Housing
- Contamination, Air Quality and Sustainability
- Heritage Impacts
- Planning Obligations
- Other Matters

#### Principle of Development

- 11.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The St Edmundsbury Development Plan comprises the policies set out in the Joint Development Management Policies Document (2015), the Core Strategy Development Plan Document (2010) and the three Vision 2031 Area Action Plans. National planning policies set out in the National Planning Policy Framework (2018) are also a key material consideration.
- 11.3 The site is subject to an allocation in the Haverhill Vision 2031 under policy HV5 (a) which seeks to allocate this site with an indicative capacity for 85no. dwellings.
- 11.4 The proposed development comprises 87 no. dwellings (26no. affordable units) with associated infrastructure. The scheme incorporates an area of public open space (POS) in the western area of the site. 85no. dwellings in the policy is indicative and therefore 87no. dwellings in principle is not unacceptable, provided that development is otherwise acceptable in terms of all other development plan policies.
- 11.5 Given the allocation, the principle of the proposed development is an acceptable one. The acceptability or otherwise of the application therefore rests on the detail of the proposal as assessed against the relevant Development Plan policies and national planning guidance, taking into account relevant material planning considerations.

#### Layout, Design and Amenity

- 11.6 The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development (paragraph 124). The Framework goes on to reinforce this in paragraph 127, stressing the importance of developments that function well and add to the overall quality of the area, that are visually attractive, sympathetic to local character and history and that establish or maintain a strong sense of place. It also confirms at paragraph 130 that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'
- 11.7 Policy DM2 requires development proposals to recognise and address the key features and characteristics of an area and to maintain or create a sense of place and/or local character.



- 11.8 Policy DM22 states that all residential development proposals should maintain or create a sense of place and/or character by basing design on an analysis of existing buildings and landscape and utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness.
- 11.9 The development proposes a mix of 1, 2, 3, 4 and 5 bedroom dwellings. The majority of the dwellings are of a two storey scale, however some are two and a half storey dwellings, and some three storey dwellings as well as one single storey dwelling. Along the frontage of the development on Chapelwent Road, there are 8no. properties which front the street and are of a scale and form as so to command the street scene in a positive manner. This feature, creates a visually interesting development from the entrance of the site. Through to the POS in the west, the road runs centrally through the site, with building lines shaping the road and following this form as to create a sense of enclosure. The proposed dwellings incorporate a mix of design and architectural features drawn from the local area, forming three character areas within the development; Georgian Terrace, Victorian Square and Traditional Suffolk Vernacular. The detailing and mix of buildings creates attractive street scenes from many aspects of the site. Key and prominent buildings frame the development at two main parts of the site, the frontage along Chapelwent Road and the central area of the site where a square has been created. The buildings position and overall formation frame key views and create a sense of place in these areas of the site in particular.
- 11.10 A number of changes have been made to the scheme to address concerns of officers. These include the removal of the parking court in the centre of the affordable housing units and reducing the amount of parking to the front of the properties where possible to improve the appearance in the street scene. In addition, the revisions to the layout of the scheme have enabled good levels of natural surveillance and opportunities to address a number of the initial concerns raised by the Police Architectural Liaison Officer in respect of boundary treatments, parking and provision of car ports.
- 11.11 The amendments to the layout have addressed officers' comments and concerns, so as to result in an attractive and well-designed development.
- 11.12 Policies DM2 and DM22 of the Joint Development Management Policies Document also seek to safeguard residential amenity from potentially adverse effects of new development and ensure that new developments provide sufficient levels of amenity for future users. The protection of residential amenity is key aspect of good design, endorsed within the NPPF that planning policies and decisions promote health and well-being with a high standard of amenity for existing and future users.
- 11.13 The properties benefit from a sufficient amount of outdoor amenity space, which in the context of the size of the properties and the urban location is considered to be positive. The orientation and position of the dwellings, along with their designs ensures that the relationship between the properties is one that is acceptable with no unacceptable or overbearing impacts.
- 11.14 The most sensitive areas of the site, when considering the potential impact on residential amenity of existing dwellings, is the north and east of the site,

given the existing residential development that adjoins on Howe Road and Slaters Drive. The properties which are immediately adjacent to the site on both Howe Road and Slaters Drive either face rear or side onto the site.

- 11.15 The footpath proposed to the east of the site, connecting to the existing footpath along Howe Road has caused concern with residents at Howe Road. The reasoning for the footpath is set out in the next section, however it will provide a direct pedestrian and cycle route from and to the development to wider connections. Given the location and nature of the footpath, officers' consider that there would not be an unacceptable level of disturbance to the owners/occupies of nos. 14-20 Howe Road.
- 11.16 Along the eastern boundary of the site is an area of proposed landscaping, providing a soft boundary treatment and buffer between the properties along Howe Road that back onto the site and the proposed development. The main access road into the site is located beyond this, with the proposed dwellings along the east of the site facing towards Howe Road. The minimum distance between the front elevations of the proposed dwellings to the east of the site and the boundary of the site is approximately 17metres.
- 11.17 Along the northern boundary of the site, adjacent to Slaters Drive is a proposed parcel of soft landscaping which incorporates a centrally located cycle path along the entire boundary. A shared private road and driveways are located beyond this, which serves 5no. dwellings closest to the rear of the existing residential properties along Slaters Drive, resulting in a minimum distance of approximately 13metres from the side elevation of the proposed dwellings and the boundary of the site.
- 11.18 Concerns have been raised by residents of Slaters Drive and Howe Road regarding impact on amenity to their properties from overlooking. However, for the reasons cited above, it is not considered that the proposed development will result in an unacceptable level of impact on residential amenity to the properties along Slaters Drive and Howe Road by virtue of overlooking, loss of light or disturbance as to cause harm.

#### Highways Impact, Sustainable Transport and Connectivity

- 11.19 The NPPF advises that development should provide for high quality walking and cycling networks (paragraph 104), and also emphasises in paragraph 108 that in assessing applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the types of development and its location;
  - b) safe and suitable access to the site can be achieved for all users; and,
  - c) any significant impacts from the development on the highway network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 11.20 It further goes on to advise that the development should not be prevented or refused on transport grounds, unless there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

- 11.21 Policy DM2 of the Joint Development Management Policies Document also requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network, along with Policy DM46 which promotes more sustainable forms of transport.
- 11.22 The proposed development provides one highway access into the site off Chapelwent Road. The location of the access has been established from the existing turning head in situ. The primary access serves all of the central dwellings within the site, however it leads to secondary accesses and private driveways which serve the remaining dwellings. The Highway Authority were satisfied with the primary access into the site, however they raised some concerns with the detail of the scheme and in response a number of changes have been made to the internal layout of the development. The road serving plots 71-71 & 84-87 has been revised from a shared surface road type to a minor access road, incorporating a 1.8m wide footpath along the eastern site boundary with a footpath connection through to Howe Road. Triple tandem parking has been omitted, along with some of the carports. Additional visitor spaces have been introduced in order for the scheme to be in accordance with standards and guidance. The central area of the site has also been reconfigured to remove the parking which would have required users to reverse onto the primary road and the provision of a raised table.
- 11.23 The scheme has evolved from the pre-application discussions and details to the plans that are currently being considered, to create strong permeability throughout the site, maximising connectivity to and from the site to the adjacent residential developments, open space and the wider area. Cycle and pedestrian links are provided on all boundaries of the site.
- 11.24 The applicant, Town Council and local residents wished for a pedestrian/cycle access to be provided in the southern eastern corner of the site through the existing wildlife corridor connecting to the existing footpath. Due to the adverse impact upon landscape and ecology this cannot be supported by the Local Planning Authority. Therefore, at the request of the Local Authority and the Highway Authority a footpath/cycle link was provided on the eastern boundary connecting to the existing adopted footpath at Howe Road. The current pedestrian/cycle route (that is currently a dead end) was delivered as part of the Howe Road development for the sole purpose of creating a future sustainable link on the eastern boundary of the current application site. The approach of bringing forward well connected (for pedestrians and cyclists) residential developments follows the design philosophy that has been delivered to the east of Howe Road.
- 11.25 Following the amendments to the scheme, the Local Highway Authority's concerns have been addressed. Subject to appropriate conditions as recommended by the Highways Officer, the application has therefore demonstrated that the proposed development can be successfully accommodated within the highway network without significant harm in respect of highway safety and that safe and suitable access can be achieved for all users.

Public Open Space (POS), Landscape, Ecology and Drainage

- 11.26 The NPPF confirms that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and

providing net gains where possible (paragraphs 174 and 175). This is reflected in policies DM11 and DM12 which seek to protect safeguard protected species and state that measures should be included in the design of all developments for the protection of biodiversity, the mitigation of any adverse impacts and enhancements commensurate with the scale of the development.

- 11.27 The Natural Environment and Rural Communities (NERC) Act (2006) Section 40(1) imposes a duty on every public authority in exercising its functions, to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. The duty applies to all local authorities and extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.
- 11.28 Strong concerns were raised by the Tree, Ecology and Landscape Officer and Suffolk Wildlife Trust due to the lack of ecological surveys and reports submitted with the application. The survey information and findings would then form the schemes layout and design, most importantly as set out above the area of POS. The insufficient biodiversity information also raised objections with local residents, especially with regard to the clearance of the site before these reports had been undertaken, submitted and commented on by statutory consultees.
- 11.29 As confirmed to residents, the Local Planning Authority do not have control over site clearance works and this would be covered by separate legislation. The applicant/agent had kept the Local Planning Authority updated throughout the course of the application in terms of when reports and surveys were to be submitted and the nature of the site clearance work that was being undertaken in association with the ecological surveys and the archaeological investigations. Based on the information that has been submitted, and in discussion with the Ecology and Landscape Officer and Suffolk Wildlife Trust, Officers believe that the applicant was working within the law in relation to protected species.
- 11.30 Following receipt of the appropriate reports and surveys, the ecological impact could be assessed fully. The findings of the reports concludes the following:
- 11.31 The application site consists of two fields, both dominated by semi-improved grassland with substantial areas of blackthorn *Prunus spinos* dominated scrub, a single bisecting section of hedgerow and further hedgerows bounding the site. A medium population of common lizard are present on-site as well as several common species of bat, known to utilise the site for foraging. The scheme seeks to retain and enhance habitats of botanical interest within the development where possible. These will include hedgerows, grassland and orchid-rich turf. Such habitats will be managed and enhanced for the benefit of wildlife. Mitigation measures have been provided herein to address potential impacts to these species and ensure compliance with applicable legislation. Opportunities for ecological enhancement have been incorporated within the scheme design to benefit a range of wildlife. These include; creation of hibernacula, species rich wildflower banks, new grassland, diverse thicket planting, incorporation of bat and bird boxes and the creation of hedgehog highways within new

gardens. The report concludes that badgers are likely absent from site and so will not be affected by the proposed development.

- 11.32 Provided that the recommendations and precautionary methods are carried out, it is considered that all significant impacts upon biodiversity, including any potential adverse impacts upon specific protected species will likely be able to be wholly mitigated and appropriate enhancements secured, in accordance with policies DM11 and DM12 of the Joint Development Management Policies Document, the guidance contained in the NPPF and in line with relevant wildlife legislation.
- 11.33 In order to demonstrate that the proposed layout would allow for an acceptable drainage and landscaping scheme, whilst preserving biodiversity detailed landscaping drawings have been produced and drainage details have been prepared. It is important for these three elements to be considered together as the location of drainage infrastructure within the development will have an impact on the delivery of the proposed trees, other planting and ecological mitigation and enhancements.
- 11.34 Suffolk County Council Flood Officer has reviewed the submitted details and is satisfied that the latest drainage layout is acceptable, subject to detailed and appropriate conditions. It is therefore considered in principle that sufficient spaces has been dedicated to drainage infrastructure and an appropriate scheme can be achieved.
- 11.35 The layout of the site allows for sufficient space to provide the necessary additional planting and the position of essential drainage infrastructure. The detailed scheme will therefore be able to provide the appropriate screening where this is required for amenity purposes, biodiversity enhancements and to enhance the appearance of the development.
- 11.36 The area of POS is located in the western area of the site and measures approximately 1.8hectares and forms an important element and feature of the development. It has been designed to connect to the existing POS to the north of the site and provide connection through to the old railway, whilst ensuring that open space has regard to the ecological constraints, protected species and drainage. This area of the site in particular has required careful consideration and detailed discussions for the POS to be designed sensitively to mitigate the impact of the proposed development on protected species. The parcel of open space creates an effective use of the land from the continuation of the natural green space that has been designed to allow and encourage wider use of the POS.

#### Affordable Housing

- 11.37 Policy CS5 of the Council's Core Strategy requires developers to integrate and provide affordable housing within sites where housing is proposed. Where a site is 0.3 hectares and above 10no. or more dwellings, 30% affordable housing shall be provided.
- 11.38 The affordable housing requirement for this proposal for 87no. dwellings equates to 26.1 dwellings. 26no. dwellings are to be provided on site and a 0.1 commuted sum. The required tenure split is 80% affordable rented and 20% shared ownership, based on the following;

*Affordable Rented*

7 x 1 bedroom house  
10 x 2 bedroom house  
2 x 3 bedroom house  
1 x 3 bedroom bungalow  
1 x 4 bedroom house  
Total = 21 units

*Shared Ownership*

3 x 2 bedroom house  
2 x 3 bedroom house  
Total = 5 units

- 11.39 The Strategic Housing Team raised concerns initially regarding the room sizes of the 1 bedroom affordable rented units as these are below National Space Standards and it is the Council's recommendation that accommodation should at least be the minimum. The National Space Standards provide guidance to Local Authorities when considering developments but this is not a formal development plan policy at present. Therefore it is for each application to be assessed on its own merits.
- 11.40 The applicant has provided confirmation from two affordable housing providers that they would accept the accommodation at the size that is being proposed. Furthermore, on reviewing the floors plans of the 1 bedroom units, the Strategic Housing Team have confirmed they are comfortable that although these are slightly smaller than the National Described Space Standard the internal floor plans show a sufficient amount of floor space for furniture and circulation.
- 11.41 During the course of the application, the Strategic Housing Team raised an additional concern regarding the location and clustering of the affordable dwellings. The Affordable Housing SPD states that affordable dwellings shall not exceed clusters of 15 or more. The affordable dwellings are situated in the south east of the site and whilst they are situated together the 26no. dwellings do not strictly appear or read as one whole cluster, given the layout, associated infrastructure and siting. There are 7no. market dwellings located in the south east of the site. 11no. affordable dwellings front the road and are centralised within the site becoming part of the focal point within the development. It is acknowledged that it could be seen that there is a conflict with the Affordable Housing SPD in terms of the cluster of affordable housing and this should be given appropriate weight. However, for the reasons cited above, in the planning balance it is not considered this is significant as to warrant the application being refused solely on this ground.

Contamination, Air Quality and Sustainability

- 11.42 The application is supported by a Phase 1 and 2 – Desk Study and Site Investigation Report undertaken by Geosphere Environmental Ltd, reference 2445, SI, dated 12 April 2018. The Geosphere report includes a desk study which details the history and environmental setting of the site and surrounding area together with an intrusive investigation comprising of trial pits, window sample boreholes, cable percussive boreholes, gas monitoring and laboratory chemical analysis.

- 11.43 No specific sources of contamination were noted during the desk study and the intrusive investigation did not identify any elevated levels of contaminants when considering the proposed residential end use. However, a proportion of the site was not investigated due to heavy vegetation and gas monitoring indicated the need for protective measures. The report recommends that further investigation is undertaken in the south and west of the site once vegetation clearance has been undertaken, in order to assess the ground conditions for both environmental and geotechnical purposes. Accordingly it is recommended that a standard land contamination condition is imposed.
- 11.44 The EPUK document Land-Use Planning & Development Control: Planning For Air Quality (January 2017(v1.2)) recommends major developments are subject to measures to help reduce the impact on Local Air Quality. All major developments should be targeted as there very few developments which will show a direct impact on local air quality, but all developments will have a cumulative effect.
- 11.45 The NPPF states that 'plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to ... incorporate facilities for charging plug-in and other ultra-low emission Vehicles'. St Edmundsbury Core Strategy Policy CS2, Sustainable Development, requires the conserving and, wherever possible, enhancing of natural resources including, air quality. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions and ensure no deterioration to either air or water quality. Furthermore, section 3.4.2 of the Suffolk Parking Standards states that "Access to charging points should be made available in every residential dwelling."
- 11.46 It is welcomed that the applicant confirms within their Planning Statement that they will be providing vehicle electric charging points in all plots with a garage. However, to enhance the local air quality through the enabling and encouraging of zero emission vehicles in accordance with policy, all dwellings with off street parking should be provided with an electrical vehicle charging point.
- 11.47 The NPPF states that the planning system should support the transition to a low carbon future in a changing climate and should help to (inter alia) shape places in ways that contribute to radical reductions in greenhouse gas emissions.
- 11.48 The importance the Government places on addressing climate change is reflected in policy DM7 of the Joint Development Management Policies Document which requires adherence to the broad principles of sustainable design and construction (design, layout, orientation, materials, insulation and construction techniques), but in particular requires that new residential proposals to demonstrate that appropriate water efficiency measures will be employed (standards for water use or standards for internal water fittings).
- 11.49 Given the provisions of Policy DM7 of the Joint Development Management Policies Document (2015) requires developers to demonstrate water efficiency measures (and one of the options is 110 litres water use per person, per day), it is considered reasonable to require the more stringent

water efficiency measures set out in the Building Regulations be applied to this development by way of condition.

### Heritage Impacts

- 11.50 As set out in the NPPF, heritage assets should be conserved in a way that is appropriate to their significance. Heritage assets include an extensive range of features that include archaeological remains, Scheduled Ancient Monuments, Listed Buildings and Conservation Areas.
- 11.51 The site lies in an area of high archaeological potential recorded on the County Historic Environment Record and is also situated in a topographically favourable location for activity from all periods, overlooking a tributary of the River Stour. It is situated within an area where SCC Archaeological Service have confirmed extensive multi-period finds scatters have been recorded and to the south-east of a Bronze Age enclosure, containing a number of associated finds and features. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 11.52 Given the high potential, lack of previous investigation and large size of the proposed development area, it was recommend that, in order to establish the full archaeological implications of this area and the suitability of the site for the development, the applicant should be required to provide for an archaeological evaluation of the site prior to the determination of any planning application submitted for this site, to allow for preservation in situ of any sites of national importance that might be defined. In order to establish the archaeological potential of the site, a geophysical survey was required to be undertaken.
- 11.53 The geophysical survey undertaken during the course of the application enabled an appropriate decision to be made on the timing and extent of trial trenched evaluation which is required at this site. There is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 11.54 As the proposed development would cause significant ground disturbance that has potential to damage any archaeological deposits that exist, Suffolk County Council Archaeological Service have confirmed that conditions are necessary to secure appropriate investigation and recording.

### Planning Obligations

- 11.55 The NPPF sets out in paragraphs 54-57 how conditions and planning obligations can be secured for a development to make an unacceptable impact to one which is acceptable. 'Planning obligations must only be sought where they meet all of the following tests:
- a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.'



- 11.56 Suffolk County Council as the highway authority have requested a financial contribution towards the provision of new and improved footpaths. This is considered wholly reasonable to mitigate the costs otherwise arising from this scheme. A contribution is also requested, and is considered reasonable and necessary, in relation to the provision of a bus stop adjacent to the site. At the time of writing this report, the exact contribution has not been confirmed, however, principle of these contributions has been agreed with the applicant.
- 11.57 Suffolk County Council as the education authority has also identified a shortfall in the number of available early years, primary and sixth form places and requests a financial contribution of £395,004. A contribution of £1,392 towards the library provision within the area is requested.
- 11.58 The Borough Council seeks a contribution for the maintenance of the POS. At the time of writing this report, the exact contribution has not been confirmed, however, the principle of this contribution has been agreed with the applicant.
- 11.59 Policy CS5 of the Council's Core Strategy and the National Planning Policy Framework requires scheme of more than 10 units to provide up to 30% affordable housing. As set out in the affordable housing section, the proposed development is policy compliant.
- 11.60 The contributions sought, which have been agreed by the applicant are considered reasonable and necessary to mitigate the impact of the proposed development.

## **12.0 Conclusion and Planning Balance:**

- 12.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 12.2 As a result of the amendments made to the scheme and the additional information, it is considered that the proposed development creates a well laid out and visually attractive scheme which provides key and important features throughout the development. The layout of the scheme allows for soft landscaping to be incorporated, a large area of open space and very good connectivity. The proposed dwellings are considered to be well designed, creating an interesting series of street scenes with safe access for vehicles and pedestrians. The development would not give rise to any unacceptable adverse effects on amenity. Additional information submitted in respect of ecology and protected species has also demonstrated that there would be no adverse impacts in this regard subject to appropriate precautionary measures, mitigation and enhancements.
- 12.3 Whilst concerns have been raised from Strategic Housing regarding layout of the affordable housing which conflict with the Affordable Housing SPD in terms of the cluster of affordable housing, the quantum and mix of affordable housing is in accordance with the requirements of the Strategic Housing Officer.

- 12.4 Furthermore, the delivery of housing, including affordable housing that would be facilitated by this application, should lend significant weight in support of the development.
- 12.5 In conclusion, subject to the use of conditions and S106 agreement, 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.

### 13.0 Recommendation:

- 13.1 It is recommended that planning permission be **APPROVED** subject to the following conditions and S106 Agreement:

### 14.0 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:

Reference No:	Plan Type	Date Received
19838SE-05	Topographic Survey	19.06.2018
19838SE-06	Topographic Survey	19.06.2018
19838SE-07	Topographic Survey	19.06.2018
20842/AHP/01 D	Affordable Housing Plan	08.11.2018
20842/AMP/01 D	Adoption plans	08.11.2018
20842/BCAP/01 D	Parking and Cycle Plan	08.11.2018
20842/BTP/01 F	Boundary Treatment	28.11.2018
20842/MAT/01 E	Materials	08.11.2018
20842/OFP C	FOOTPATHS	09.11.2018
20842/PL1 K	Layout	28.11.2018
20842/RSL/01 D	Refuse Strategy	08.11.2018
20842/SHL/01 D	Storey Heights Layout	08.11.2018
20842/SLP/01	Site Location Plan	19.06.2018
CSA/3633/100	Ecological plan	19.06.2018
P17-1217_06 H	Landscape Masterplan	28.11.2018
P17_1217 G SHEET 2	Street Scene	09.11.2018
P17_1217- 01 B	Elevations	20.09.2018
P17_1217-18 02 A	Elevations	20.09.2018
P17_1217- 03 C	Floor Plans	20.09.2018
P17_1217 04 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 05 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 06 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 07 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 08 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 09 B	Floor Plans and Elevations	20.09.2018
P17_1217 10 B	Floor Plans and Elevations	20.09.2018
P17_1217 11 B	Elevations	20.09.2018

P17_1217 12 A	Floor Plans	20.09.2018
P17_1217 13 B	Elevations	20.09.2018
P17_1217 14 B	Floor Plans and Elevations	20.09.2018
P17_1217 15 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 17 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 18 A	Elevations	20.09.2018
P17_1217-18 19 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 20 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 21 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 22 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 23 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 24 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 25 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 26 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 27 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 28 A	Elevations	20.09.2018
P17_1217-18 29 A	Floor Plans	20.09.2018
19838SE-08	Topographic Survey	19.06.2018
P17_1217-18 30 A	Elevations	20.09.2018
P17_1217-18 31 C	Floor Plans and Elevations	20.09.2018
P17_1217-18 32 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 33 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 34 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 35 C	Floor Plans and Elevations	20.09.2018
P17_1217-18 36 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 37 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 38 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 39 B	Floor Plans and Elevations	20.09.2018
P17_1217-18 40 A	Elevations	20.09.2018
P17_1217-18 41	Floor Plans and Elevations	19.06.2018
P17_1217-18 42 A	Floor Plans and Elevations	20.09.2018
P17_1217-18 43 B	Floor Plans	20.09.2018
P17_1217-18 44	Floor Plans	19.06.2018
P17_1217-20 01 A	Garage Plans & Elevations	20.09.2018
P17_1217-20 02 A	Garage Plans & Elevations	20.09.2018
P17_1217-20 03 A	Garage Plans & Elevations	20.09.2018
P17_1217-20 04 A	Garage Plans & Elevations	20.09.2018
P17_1217-20 06 A	Car Port Plans	20.09.2018
P17-1217-18-48	Floor Plans and Elevations	19.06.2018
P17-1217-18-45	Floor Plans and Elevations	19.06.2018
P17-1217-18-46	Floor Plans and Elevations	19.06.2018
P17-1217-18-47	Floor Plans and Elevations	19.06.2018
HAVSK01 B	Lighting Details	09.11.2018
P17-1217/18	House Type	19.06.2018
P17-1217-18-20 B	Floor Plans and Elevations	20.09.2018
(-)	Application form	19.06.2018
P17-1217_3 C	Design and Access Statement	19.06.2018
P17-1217_5 B	Other	19.06.2018
CSA/3633/01	Ecological Survey	19.06.2018
CSA/3633/03 A	Other	20.09.2018
CSA/3633/02 D	Environmental Impact Assessment	28.11.2018
CSA/3633/04	Other	09.11.2018
P17-1217	Landscape plan	19.06.2018
P17-1217_07	Open Space	19.06.2018

618698-MLM-ZZ- XX-RP-TP-0001 03	Transport assessment	19.06.2018
618698-MLM-ZZ- XX-RP-TP-0002- R03-TP 03	Travel Plan	19.06.2018
618698-MLM-ZZ- XX-RP-C-0001 (-)	Flood Risk Assessment	09.08.2018
DH/KB/24131	Land Contamination Assessment	19.06.2018
BHA_310_02	Archaeological report	19.06.2018
BHA_310_02	Tree Constraint Plan	19.06.2018
(-)	Tree Survey	19.06.2018
GEOPHYSICAL SURVEY	Planning Statement	19.06.2018
REPTILE TRANSLOCATION REPORT	Archaeological report	27.11.2018
	Reptile report	28.11.2018

Reason: To define the scope and extent of this permission.

3. Before the development is commenced, details of the estate roads and footpaths, (including layout, visibility, levels, gradients, surfacing, lighting 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. This condition is required to be pre commencement to ensure the infrastructure details for the development are appropriate before any other work is commenced.

4. 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.

5. All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Construction and Deliveries Management Plan which shall be submitted to and approved in writing by the local planning authority for approval a minimum of 28 days before any deliveries of materials commence. The plan shall include, but not be limited to; delivery routes, construction traffic parking, storage of materials and equipment, and means to ensure surface water, mud and other debris do not egress onto the highway. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV.

6. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 20842/RSL/01/ Rev C shall be provided for the units that it serves in its entirety before the units in question are brought into use and shall be retained thereafter for no other purpose.

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

7. The individual dwellings hereby permitted shall not be occupied until the area(s) that serve that dwelling within the site on drawing number 20842/BCAP/01 Rev C for the purposes of Loading, Unloading, manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

8. 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 applicant shall submit a detailed design based on the Drainage Strategy by MLM (drawing ref:- 618696 Rev 3 and dated 09 Aug 2018) and will demonstrate that surface water run-off generated by the development will be limited to 4.6l/s up to and including the critical 100 year+CC storm.

Reason: 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. To ensure the development does not cause increased pollution to water environment. This condition requires matters to be agreed prior to commencement to ensure that surface water drainage is controlled accordingly.

9. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage. This condition requires matters to be agreed prior to commencement to ensure that surface water drainage is controlled accordingly.

10. The dwellings hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act.

- 11.No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include:  
Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
- i. Temporary drainage systems
  - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan. This condition requires matters to be agreed prior to commencement to ensure that flooding does not occur.

- 12.Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained, in accordance with policy DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13.No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Joint Development Management Policies Document 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018). This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or lost due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to archaeological and historic assets.

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Joint Development Management Policies Document 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018).

- 15.Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, personalised travel planning and a multimodal travel voucher.

Reason: In the interests of sustainable development as set out in the National Planning Policy Framework (2018), policies CS7 and CS8 of the St Edmundsbury Core Strategy 2010 and policies DM4, DM45 and DM46 of the Joint Development Management Policies Document 2015.

- 16.1. No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- i) A site investigation scheme (based on the approved Preliminary Risk Assessment (PRA) within the approved Desk Study), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM).

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

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

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

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

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy.

18.Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and enhance local air quality in line with the National Planning Policy Framework (NPPF), Policy DM14 of the Joint Development Management Policies Document, Policy CS2 (E) of the Core Strategy and the Suffolk Parking Standards.

19.Prior to the development commencing a comprehensive Construction and Site Management Programme shall be submitted to the Local Planning Authority for approval. The approved programme shall be implemented



throughout the development phase, unless the Local Planning Authority gives written consent to any variation. The programme shall include:-

- a. site set-up and general arrangements for storing plant, including cranes, materials, machinery and equipment, offices and other facilities and contractors vehicle parking, loading, unloading and vehicle turning areas;
- b. noise method statements and noise levels for each construction activity including any piling and excavation operations;
- c. dust, dirt and vibration method statements and arrangements;
- d. site lighting.

Reason: To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that appropriate arrangements are put into place before any works take place on site that are likely to impact the area and nearby occupiers.

20. The hours of site clearance, site preparation and construction activities, including deliveries to the site and the removal of excavated materials and waste from the site, shall be limited only to 08:00 to 18:00 hours on Mondays to Fridays and 08:00 to 13:00 hours on Saturdays. No site clearance, site preparation or construction activities shall take place at the application site on Sundays, Bank or Public Holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

21. No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

22. Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:

- i) Measures for the protection of those trees and hedges on the application site that are to be retained,
- ii) 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,
- iii) 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 agreed in writing by the Local Planning Authority.

Reason: To ensure that the trees and hedges on site are adequately protected, to safeguard the character and visual amenity of the area, in accordance with policies DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement of development to ensure that existing trees are adequately protected prior to any ground disturbance.

23. Site clearance, removal of hedgerows, trees, shrubs, other vegetation and habitats, or works to or demolition of buildings or structures that may be used by breeding birds or bats, shall be overseen on site by an ecological clerk of works, on-site ecologist or other appropriately competent person at the written approval from the Council. A site attendance record shall be maintained by the applicant which shall contain name and purpose of the visit and shall be available for inspection at 24 hours' notice.

Reason: To ensure that those habitats and species to be retained on site are adequately protected from harm during construction, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

24. No development above ground level shall take place until, a landscape and ecological management plan (LEMP) has been submitted to and be approved in writing by the Local Planning Authority. The LEMP shall include the following:

- i) Description and evaluation of features to be managed
- ii) Ecological trends and constraints on site that might influence management
- iii) Aims and objectives of management
- iv) Appropriate management options for achieving aims and objectives
- v) Prescriptions for management actions
- vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)

- vii) Details of the body or organization responsible for implementation of the plan
- viii) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To identify and ensure the protection of important species and those protected by legislation, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 25.No external lighting other than that which forms part of the development hereby permitted and shown on HAV/SK01 B shall be provided within the application site.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality and the ecological value of the area, in accordance with policy DM2, DM12 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 26.No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 has been submitted to and approved in writing by the Local Planning Authority. 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 assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 27.All of the ecological mitigation measures shall be carried out in accordance with the details contained in CSA Environmental Ecological Impact

Assessment Rev C as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

The enhancement measures shall be carried out in accordance with the details contained in contained in CSA Environmental Ecological Impact Assessment Rev C and set out on drawing no. CSA 3633/108.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policy DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 28.No development above slab level shall take place until facing and roofing samples of the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

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

Reason: To improve the sustainability of the dwellings in accordance with policy DM7 of the Joint Development Management Policies (2015)

## **15.0 S106:**

15.1 The following is to be secured by S106:

- The delivery of 26 affordable homes on site with 21 affordable rent and 5 shared ownership homes.
- An affordable housing contribution of £10,200 is required to make the total provision up to 30% as 30% of 87 units equates to 26.1 units. The contribution is in lieu of 0.1 units.
- Financial contributions toward the provision of new and improved footpaths (5 in total) in the vicinity of the site. Three of these footpaths are owned by the Borough Council and two are owned by the County Council. The combined contribution amounts to £43,230 and will improve pedestrian and cycle access to and from the site to the wider area.
- The funding of improvements to the existing bus stop on Howe Road. The required contribution for this is £7,000.
- The funding of additional Early Years spaces in the ward of Haverhill North. The required contribution for this is £91,663.
- The funding of additional Primary School places at New Cangle Primary School. The required contribution is £243,620.
- The funding of additional Sixth Form places at the Samuel Ward Academy. The required contribution is £59,721.
- The funding for the provision of additional lending stock at Haverhill Library. The required contribution for this is £1,392.
- The funding of the expansion of Clements & Christmas Maltings Practice and

Haverhill Family Practice to meet the additional healthcare requirements of this scheme. The required contribution is £33,120.

- The provision of public open space on site that is to be offered to the Council for adoption on completion. A contribution of £163,770.00 which includes maintenance of POS, paths inside the red line and SUDS basin.

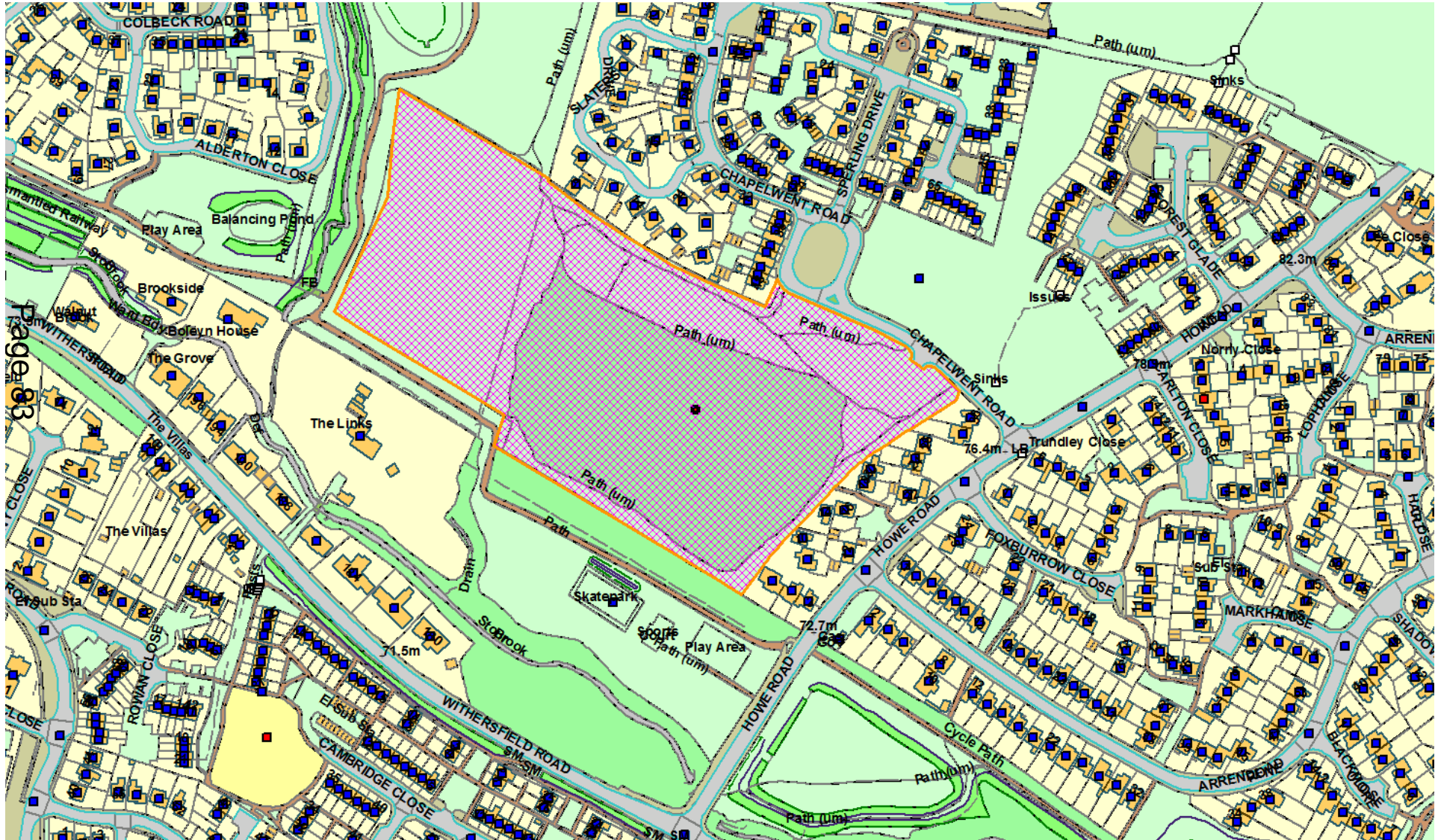
#### **16.0 Documents:**

- 16.1 All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/1187/FUL](#)

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Land South Of Chapelwent Road Haverhill



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Rev.	Description	Int.	Date
A	Schedule of accommodation and site layout updated.	AMG	30.01.18
B	Foul water pump station & electric sub-station added	AMG	31.01.18
C	Overall density reduced. Dwellings fronting northern and eastern boundaries revised to address comments from adjacent residents. Landscape belt added along eastern boundary. Existing hedgerows and vegetation retained along western and southern boundary as per LPA and Ecologists recommendations.	AMG	07.03.18
D	Visitor parking bays removed from central POS. Parking revised plots 29 & 33 and Additional visitor parking bays created. Potential informal visitor parking spaces added within highway. Affordable housing tenures revised plots 74-75, 79-83.	AMG	12.03.18
E	OS data along Howe Road and footpath along southern boundary updated.	AMG	19.03.18
<b>Plots 77 - 81 re-planned.</b>			
F	Vis-plays added to private drive / site access off Chapelwent Road & Visitor parking spaces and BCP within private drive relocated away from vis-splay. Bay windows added to side elevation of plots 25, 29 & 33 and visitor parking adjacent to plot 33 relocated. Parking to plots 58-64 revised to accommodate access to Sub-Station.		
G	Parking allocation revised plots: 19-21 & 85. Car-ports removed plots 5-8. Plots 8-11 re-planned. Parking revised plots 11-12. Plots 25, 29 & 33 handed.		
H	Plot 39 changed from PA48 to PA49. Key added to layout. Plots 79-81 re-planned & tenures revised. Vis-plays added to bends opposite plots: 11, 22-25 & 27.	AMG	22.03.18
I	Road vis-plays revised and bin collection points located away from vis-plays.		
J	Plot 76 bungalow footprint updated to accord with revised planning drawing and schedule of accommodation updated accordingly.	AMG	17.04.18

Rev.	Description	Int.	Date
H	Layout revised to address Planning, Highway and Landscape Officer comments: central square revised to show raised table removed, plots & parking to 65-70 & 77-83 revised, parking & drive ways revised plots: 1, 19-22, 25-29, 33-36, 41-44, 58-61, 74-75, plots 86-87 re-positioned and parking adjusted, road type serving plots; 71-76 & 84-87 revised from shared surface to minor access incorporating footpath along highway adjacent to eastern boundary with footpath connection to Howe Road, access to pump-station revised to incorporate cycle path connection with removable bollard, informal visitor spaces added within curtilage of highway, plot 25 revised from PA49 housetype to PT43 type, Plot 10 parking allocation corrected, existing hedgerow surrounding western POS shown on layout and sections to be removed clarified, cycle path within POS re-aligned, plot 18 revised from housetype PT37 to PA48, electric sub-station re-positioned and attenuation basin size enhanced.	AMG	23.08.18
I	Additional parking space added to front of plot 8. Footpath connection to Howe Road annotated on layout. Additional bollard added to cyclepath / pump station access.	AMG	18.10.18
J	Private drive and visitor bays serving plots 37 - 40 re-positioned away from existing hawthorn hedge. Plot 40 double garage omitted and parking provided to the side. Plot 39 house type revised from PA49 to PA44 to allow for revised parking to plot 40. Private drive serving plots 41 - 43 re-positioned away from existing blackthorn thicket and bin collection point re-positioned.	AMG	02.11.18
K	Anglian Water easment added in POS and landscape design of public open spaces revised in accordance with Landscape and Ecology Officer comments.	AMG	28.11.18



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SCHEDULE OF ACCOMMODATION		
PRIVATE HOUSING		
HOUSE TYPE:	DESCRIPTION:	No:
PA22	2 BED HOUSE	6
PA34	3 BED HOUSE	12
PT36	3 BED HOUSE	5
PT37	3 BED HOUSE	4
PB33-G	3 BED HOUSE	4
PC32	3 BED TOWN HOUSE	3
PA44	4 BED HOUSE	7
PA48	4 BED HOUSE	5
PA49	4 BED HOUSE	6
PT43	4 BED HOUSE	4
NB51	5 BED TOWN HOUSE	5
<b>TOTAL</b>		<b>61</b>
AFFORDABLE HOUSING - RENTED		
HOUSE TYPE:	DESCRIPTION:	No:
C542	1 BED HOUSE	2
C558	1 BED HOUSE	2
AA11	1 BED HOUSE	3
AA25	2 BED HOUSE	10
AA33	3 BED HOUSE	2
AA43	4 BED HOUSE	1
B1110	3 BED W/C BUNGALOW	1
<b>TOTAL</b>		<b>21</b>
AFFORDABLE HOUSING - SHARED OWNERSHIP		
HOUSE TYPE:	DESCRIPTION:	No:
AA25	2 BED HOUSE	3
AA33	3 BED HOUSE	2
<b>TOTAL</b>		<b>5</b>
<b>TOTAL NO. OF DWELLINGS:</b>		<b>87</b>
<b>CAR PARKING SPACES:</b>		<b>229</b>
<b>AVERAGE SPACES PER DWELLING:</b>		<b>2.6</b>

LEGEND:	
	DENOTES SITE BOUNDARY
14	DENOTES PLOT NUMBER
PT42	DENOTES HOUSE TYPE REFERENCE
as	DENOTES HOUSE TYPE HANDING
P14	DENOTES ALLOCATED PARKING SPACE
G14	DENOTES ALLOCATED GARAGE SPACE
CP14	DENOTES ALLOCATED CARPORT SPACE
*	DENOTES AFFORDABLE HOUSING UNIT
(R)	DENOTES 'RENTED' TENURE DWELLING
(S/O)	DENOTES 'SHARED OWNERSHIP' DWELLING
	DENOTES DWELLING/GARAGE/CARPORT ACCESS
G	DENOTES INDICATIVE GATE POSITION
BCP	DENOTES BIN COLLECTION POINT
	DENOTES INDICATIVE TREE PLANTING (Refer to Landscape Architects Drawings for specific Details)
	DENOTES DESIGNATED AREA OF STRUCTURAL LANDSCAPING
	DENOTES BOLLARD
	DENOTES VIS-SPLAY

Rev.	Description	Int.	Date

Site Name: **Chapelwent Road, Haverhill**

Drawing Title: **Planning Layout Proposals**

**Taylor Wimpey** Taylor Wimpey East Anglia  
 Castle House, Kempson Way, Bury St Edmunds, Suffolk, IP32 7AR  
 Tel: 01284 773800 Fax: 01284 773860 Web: www.taylorwimpey.co.uk

Scale: 1:500 @ A1 Date: 30.01.18  
 Drawn by: AMG Checked by: **20842/PL1** Rev: **K**



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*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/19/012

## Development Control Committee 7 February 2019

### Planning Application DC/18/2299/FUL – Proposed New Development, Manor Road, Haverhill

<b>Date Registered:</b>	12.11.2018	<b>Expiry Date:</b>	11.02.2019
<b>Case Officer:</b>	Ed Fosker	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Haverhill Town Council (EMAIL)	<b>Ward:</b>	Haverhill East
<b>Proposal:</b>	Planning Application - Planning Application - 37 no. dwellings and associated works including parking, vehicular accesses and landscaping.		
<b>Site:</b>	Proposed New Development, Manor Road, Haverhill, Suffolk		
<b>Applicant:</b>	Mr Paul Bonnett - Barley Homes (Group) Limited		

#### **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:

Ed Fosker

Email: [ed.fosker@stedsbc.gov.uk](mailto:ed.fosker@stedsbc.gov.uk)

Telephone: 01638 719431

## **Background:**

**This application is brought before the Development Control Committee because Barley Homes (Group) Ltd is owned by St Edmundsbury Council and Forest Heath District Council.**

## **Proposal:**

1. Planning permission is sought for the erection of 37 no. dwellings and associated works including parking, vehicular accesses and landscaping. The dwellings comprise a mix of unit sizes from one bedroomed flats to four-bedroomed houses (4 x one bed flats, 5 x two bed flats, 10 x two bed houses, 14 x three bed houses and 4 x four bed houses).

## **Site Details:**

2. The former Westfield Primary School site which is approximately 1.2 hectares is located to the north-west of Manor Road, Haverhill. The original school buildings have been demolished, and the site is overgrown, with a number of significant mature trees around the site perimeter, and within the centre of the site. The site is broadly square in shape, with existing vehicular access from Manor Road. The ground level slopes significant from the eastern corner to the western corner, by approximately 7m.

## **3. Planning History:**

None.

## **Consultations:**

4. Highway Authority: Whilst the Highways Authority have raised no objection with regard to the amount of parking provision, parking layout and accesses off Manor Road it has not been confirmed as to who will adopt the drainage features which potentially take the adopted road surface water. It is noted that adoption of the road layout is subject to confirmation and will be addressed at a later date. The street lights are still shown as on private land and as such could not be adopted. These will have to be relocated into the adopted highway and have approval by SCC street lighting engineer before road adoption. At adoption stage we will require more detail on measures to discourage parking on the footways especially adjacent to plot 25. These issues are no reason to preclude the granting of any planning consent, only formal adoption by Suffolk County Council.
5. Suffolk County Council Flood & Water Management: No objection subject to conditions to require a detailed surface water drainage scheme, details of further infiltration testing on site, details of all Sustainable Urban Drainage System components and piped networks, and a Construction Surface Water Management Plan.
6. Environment Agency: We have reviewed the information provided and have no objection to the proposed development.
7. Public Health and Housing: do not object to the proposed development. However there are nearby residential dwellings that may be adversely

impacted during the construction therefore I recommend the developer submit a Construction Method Statement.

8. Environment Team: The desk study and ground investigation both state that the site has a "generally flat topography", however, the topographical survey of the site identifies numerous level changes on the site, which may possibly be associated with a cut and fill exercise, with the surrounding land having a noticeable fall to the southwest. If a cut and fill exercise has taken place this could have a bearing on the nature and expected distribution of the Made Ground, which is identified as the main potential source of contamination.

A small wooden shed structure, which housed an unspecified pump was identified to the south eastern side of the development. We would recommend that a precautionary approach is taken and this should be considered as a potential source of contamination from potential former fuel storage or plant operation etc. unless the precise use can be established. This should be targeted as part of the intrusive investigation, however, no evidence is provided to confirm this was targeted. The desk study identifies the only plausible on site source of contamination to be Made Ground. Made Ground is identified within six of the eleven exploratory holes formed during the ground investigation. It is therefore surprising that only a single sample of Made Ground has been analysed for potential contaminants, whilst four samples of natural soil and one sample of topsoil are analysed. Further sampling and characterisation of the Made Ground is required given that Geosphere have identified this as the primary potential source of contamination.

Although the gas monitoring does not provide the rate of change of the atmospheric pressure, which would indicate whether a worse case scenario has been targeted, we are willing to accept the gas monitoring results due to the very low levels of hazardous ground gases together with this Services knowledge of the gassing regime of the nearby landfill. Given the above points and the need for further assessment, we recommend the standard land contamination condition is attached, should planning be granted, to ensure any further assessment is appropriately completed.

Also recommend the below condition requesting electric vehicle charge points is attached to the planning consent, should planning be granted, to enhance the local air quality through the enabling and encouraging of zero emission vehicles.

9. Suffolk Wildlife Trust: having read the Preliminary Ecological Appraisal, Bat Survey Report and Reptile Survey and Outline Mitigation Strategy (all Geosphere Environmental Ltd, June, August and August 2017 respectively) and we are satisfied with the findings of the consultant. We note the presence of the Haverhill Disused Railway Walk County Wildlife Site directly adjacent to the south western boundary of the site. This site is also a Local Nature Reserve and provides an important wildlife corridor through the built-up centre of Haverhill. It is therefore very important that this site is not impacted in any way by the proposed development during construction and operational phases. We request that the recommendations made within the report are implemented in full, via a condition of planning consent, should permission be granted.

10. Suffolk County Council Infrastructure Officer: The following section 106 contributions would be required for the proposed development:  
Primary School contribution: **£97,448**  
Secondary School contribution: **£111,682**  
Pre School contribution: **£8,333**  
Library Contribution: **£592**
11. Strategic Housing Officer: The Strategic Housing Team supports the above application in principle as it accords with our CS5 Policy to deliver 30% (11 dwellings) affordable housing. A commuted sum will need to be secured for the 0.1 of a dwelling. The affordable housing provision also meets our tenure requirement of 80% affordable rent and 20% shared ownership as defined within the Affordable Housing SPD. The Council has also endorsed an interim Technical Advice Note regarding space standards and the applicant has indicated that the affordable housing will meet the standards required.
12. Archaeological Service: An archaeological evaluation carried out at this site, prior to application showed that the site is heavily altered and negative for archaeology. I do not recommend the need for an archaeological condition.
13. Tree Officer: The majority of the boundary trees are proposed to be retained, this is desirable and the arboricultural impact of the proposed development is not likely to be significant. However, I believe that the removal of the group of trees to the south east of the site is likely to be visually impactful on the street scene. Overall, the site has been planned in a manner that promotes a harmonious relationship between future dwellings and the retained trees. I therefore have no objections.
14. Leisure & Cultural Team:
- All of the open space is to the perimeter of the site and of a sloping nature
  - Provides visual amenity but limits the ability to use the space for any non-passive form of recreation
  - It retains existing mature and semi mature trees and vegetation
  - Any additional tree planting should be mindful of mature heights and shading of properties
  - Public open space should be protected from encroachment of vehicles through the use of wood post and galvanised pole knee rail (see below Specification)

There is a local need to improve the wider access provided by the adjacent railway walk through surfacing the existing stone surface with tarmac. This improvement would allow better access from the new development to existing local amenities such as the town centre, leisure centre, open spaces for active recreation and play areas through walking and cycling; that are not provided for on site.

Therefore a capital commuted sum of **£33,000** is requested to help achieve this improvement.

Future maintenance of the open space within the development, would if offered to the local authority, require a commuted maintenance sum of **£22,909.00** based on the current measurements shown on the submitted drawings.

## Representations:

15. Ward Member – no comments received.
16. Town Council: The Town Council welcome this development which appears an attractive layout, but would ask planning officers to take into consideration that the development brief used for this application was drawn up prior to the Vision 2031 and is 10 years out of date. The Town Council have asked that in terms of types of housing, is the brief still relevant with regards to affordable housing needs today.

The Town Council request that to pursue a sustainable development the applicant contributes towards creating a link to the railway walk adjacent to the site. This part of the railway walk would need to be upgraded, cleared and tidied. This would encourage residents to access local services in the town centre.

The Town Council have asked that the applicant include an outdoor/eco-gym area in the green space, fibre internet connection for high speed broadband and the provision of electric car points.

The applicant to provide clarity as to who would be responsible for maintaining the private driveways in the future.

17. Neighbours: No comments received.

**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:

18. Joint Development Management Policies Document:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM22 Residential Design
- Policy DM46 Parking Standards

19. St Edmundsbury Core Strategy December 2010

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

- Core Strategy Policy CS5 - Affordable Housing
- Vision Policy HV1 - Presumption in Favour of Sustainable Development
- Vision Policy HV2 - Housing Development within Haverhill
- Westfield Primary School Development Brief (June 2012)

**Other Planning Policy:**

20. National Planning Policy Framework (2018)

**Officer Comment:**

21. The issues to be considered in the determination of the application are:
- Principle of Development
  - Visual Amenity – Design, Scale, Layout
  - Impact on Highway Safety
  - Residential Amenity
  - Density
  - Landscaping
  - Biodiversity
  - Affordable Housing
  - Developer Contributions

**Principle of Development**

22. The NPPF was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given. The Policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provisions of the 2018 NPPF that full weight can be attached to them in the decision making process.
23. The site is allocated for residential development, under policy HV6 of the Haverhill Vision 2031, and the loss of the site from educational use is justified within the Development Brief, which sets out the public consultation exercises that have been undertaken, and which demonstrate that there is no demand for alternative community use, in accordance with policy DM41 of the JDMPD. The principle of residential development in this location is therefore considered acceptable in principle.
24. The proposal is sited within an existing housing settlement boundary close to the town centre. Policies DM1, CS2, HV1 and HV2 support sustainable development where it is not contrary to other policies. Furthermore, the NPPF encourages the efficient re-use of brownfield land. The siting of the development is considered appropriate given the existing facilities nearby, located close the town centre town and on that basis, the site is a sustainable location. It is therefore, considered that the principle of



development of the site is wholly acceptable and in compliance with locally and nationally adopted policy.

## **Visual Amenity - Design**

25. Policy DM22: Residential Design provides that all residential development proposals should maintain or create a sense of place and/or character by employing designs that are specific to the scheme, and which respond intelligently, basing design on an analysis of existing buildings, landscape or topography, and fully exploiting the opportunities that these present, utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness, using an appropriate innovative design approach and incorporating a mix of housing and unit sizes that is appropriate for the location, creating or contributing to a coherent and legible place that is structured and articulated so that it is visually interesting and welcoming and creating and supporting continuity of built form and enclosure of spaces.
26. The design of the scheme seeks to respond to the design aspirations of the adopted Development Brief for the site. It provides a strong built form in the south-west corner where the three storey flat block is located which is also the lowest point within the site. Active building frontages address both footpaths and Manor Road (as per the Development Brief) and the scheme looks outwards and connects with its surroundings with five dwellings presenting the front elevation to the north eastern side and six dwellings presenting the front elevation to the Manor Road side of the site. The site is surrounded on three sides by residential development which is predominantly two-storey, with some three-storey dwellings in Ruffles Road. The pattern of the development reflects the character of the surrounding area. Surrounding dwellings are traditional in form and utilising accents of panels of different materials. This is reflected in the design of the proposed scheme. The build form varies from flats to semi-detached, terraces with some detached dwellings in the vicinity of the site. There is no dominant housing types in the area with the majority having been constructed in the last 30 years.
27. The principal road through the site is bounded by two-storey dwellings with parking partially concealed between properties. The three-storey flats provide a focal point building at the end of the road, with views through the trees and out of the site. The changes in level over the site are reflected in the buildings adding a level of interest to the townscape within the site. Carports link buildings in key areas where this helps to provide a more cohesive street frontage. The design style incorporates the use of red and buff facing brick walls. Windows are to be grey UPVC and grey fascias, soffits and bargeboards. Areas of colour render are to be used with feature cladding in key locations. Roofs have steep pitches and are clad in concrete pan tiles (both traditional and flat profile) red traditional tiles and grey flat profile are proposed. Projecting oriel windows are included on prominent elevations to add interest. These are to be clad in Rockpanel Wood with either pitched tiled or lead covered roofs.
28. The design of the development is considered acceptable and appropriate, given the site context. The site will benefit from the development which will improve the wider character and appearance of the area. On this basis, the

proposal is considered to comply with policies DM22, the design aspirations of the adopted Development Brief and the provisions of the NPPF.

## Scale

29. Policy DM2 Creating Places - Development Principles and Local Distinctiveness provides that proposals for all development should, recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness. Maintain or create a sense of place and/or local character, particularly restoring or enhancing localities where strong local characteristics are lacking or have been eroded.
30. The surrounding area is a mix of properties of varying types with no particular design being predominant and the planning brief proposes a gentle contemporary architectural style. The proposed buildings within the application site will be well screened by the existing and proposed trees and will mainly be viewed from within the site with limited views afforded from surrounding area or the existing street scene. The site is self-contained and low-lying within dense mature hedgerow and trees banked to the boundaries and groups of trees within the site itself.
31. The site contours, existing trees, steep banks and site levels provide a level of constraint to development. The ground level slopes from the eastern corner to the western corner, by more than 7m. In addition, there is a large sewer pipe that lies to the south of the site which precludes development from the south-western boundary of the site.
32. The developable area of the site is close to that shown in the adopted Development Brief, that is 0.81ha. This is only approximately 66% of the total site area and in the proposal is only 0.79ha.  
It is a design principle of the Development Brief for the site that the development scheme for the site: "strikes an appropriate balance between maximising the development potential of the site; respects existing site characteristics (including trees); and which properly integrates the development into the surrounding townscape. The development should create a sense of place, whilst, at the same time, enhancing the character of the locality." The setting of the developable part of the site because of the site characteristics has a 'semi-rural' feel. With the banks, trees and hedgerows to the site boundaries being retained this enhances this semi-rural character because the developable site lies below the level of the surrounding development. It is not considered that a strong dense urban scheme would not be appropriate for the site as it would be incongruous noting the 'semi-rural' feel.
33. The scale and massing of the flats and dwellings are considered appropriate for the site with the roof height of the block of flats the south western corner having been reduced by 1.3m. The location of the flat block in the lowest area of the site is considered appropriate as this reflects the development brief. The space between the housing would allow for vistas through to the banks of trees and hedgerows which form the boundaries to the wider site. The majority of buildings in the area are two storey. There are however a number of 3 storey dwellings to the southeast of the site in Ruffels Road. The site is well screened from the road and footpaths adjacent by mature trees. The site levels mean that development in the northeast part of the

site will be significantly lower than the dwellings on Pentlow Hawke Close overlooking the site.

34. The proposed development comprises predominantly two storey buildings with some areas of three storey at key focal locations. The scheme is laid out in blocks of development rather than larger terraces to avoid multiple changes in level between buildings and numerous retaining walls. The topography of the site dictates that semi-detached and short terraces would sit more comfortably. Car ports are provided in some location to provide continuity of frontage and remove cars from the fronts of properties.
35. The scale of the development is considered acceptable and appropriate, given the site context. The site will benefit from the development which will improve the wider character and appearance of the area. On this basis, the proposal is considered to comply with policy DM2 the adopted Development Brief for the site and the provisions of the NPPF.

## **Layout**

36. The development layout plan has been the subject of extensive pre-applications discussions with Officers over a period of time and the main constraints of the site which has dictated the layout are:
  - The positioning of the vehicular access points along Manor Road, with the northern access providing the main entrance to the site and the southern entrance providing access to a smaller number of dwellings.
  - The pedestrian links through the site to the public footpaths to the north east and south western boundaries.
  - The number and positioning of the existing trees.
  - The ground level slopes significant from the eastern corner to the western corner, by approximately 7m
37. The objective of the development brief is to create a housing scheme that responds to the site, which embraces and exploits changes in level, important views and existing landscapes features."
  - The main boundary trees and hedge lines are to be retained.
  - The scheme should be open to engage with the public access adjacent.
  - The scheme should present frontages to the footpaths adjacent.
  - The existing landscape areas should become public open space, and there should be natural surveillance of these areas.
  - There is an area of site in the western corner that is "prone to waterlogging." Development in this area will be avoided.
  - The existing properties near the north-western boundary should not be overlooking by the development.
38. The footpath link to the northwest is to be retained while the boundary to the southeast is more open with new steps provided to access the footpath from within the site. The provision of these steps can be controlled through the use of a planning condition. Dwelling frontages address Manor Road and the footpaths to the northeast and southwest as far as practicable.
39. Open space, albeit sloping in areas is provided around the perimeter of the site to take advantage of the mature trees, also providing a buffer between the development and the boundaries. These spaces are all well overlooked to provide natural surveillance. The "wet area" in the western corner of the

site, and raised area in the northern corner are left undeveloped. Car ports have been provided in a few locations which helps achieve continuity in the street scene, and provides security of vehicles.

40. A parking square is created in the western corner which includes 9 flats on the southeast side. The majority of proposed dwellings are 2 storey and the flats are 3 storey and provide a focal point at the end off the access road. The southern entrance from Manor Road serves a small mews court of 4 houses.
41. The principal road through the site is bounded by two-storey dwellings with parking partially concealed between properties, plots 25 -33 are on the southern side, with plots 2 – 4 and 10 -12 on the northern side. Plots 34 to 37 create a cluster of houses around the mews court entrance from Manor Road. The northern corner of the site has elevated levels adjacent to the boundary making the development in this area unviable. Plots 6 – 9 are positioned to face this boundary. Plots 1 and 5 address the north western boundary of the site and plots 13 – 15 are positioned to the north eastern side of the site and face inwards to overlook the parking square. The gardens are predominantly separated with wooden fencing, however in key locations brick walls have been positioned where private amenity space faces either the site boundaries or fronts any of the roads within the site. The location of the main site entrance road is to be moved slightly to the south to avoid the entrance being opposite Ruffles Road and improve the layout within the site.
42. The layout of the proposed development is considered acceptable and appropriate, given the site context. The site will benefit from the development which will improve the wider character and appearance of the area. On this basis, the proposal is considered to comply with policies DM2, DM22, the aspirations of the development brief and the provisions of the NPPF.

### **Impact on Highway Safety**

43. Policy DM46 seeks to reduce over-reliance on the private car and to promote sustainable forms of transport. All development proposals should provide appropriately designed and sited car/cycle parking and should make provision for emergency, delivery and service vehicles, in accordance with the adopted standards.
44. Access to the site benefits from a wide grass verge which helps visibility and means that less trees are adversely affected by the proposal. The private drive off Manor Road (using the access serving the former caretakers' house) does not need to be modified as it is proposed to be used as a private drive serving a small mews development comprising four dwellings. The provision of parking serving the site for all dwelling types, complies with parking standards and the Highways Authority have raised no objection.
45. All of the parking courts are proposed to be bounded by low knee rail fences and shrub planting to minimise the impact of the parking on the overall scheme, and serve to delineate the parking courts and protect trees and general amenity areas from the impact of parking. Cycle sheds are provided to serve all the residential dwellings, in a shared covered storage area in

the case of the flatted development and by storage sheds within the private gardens of the proposed houses.

46. Whilst the Highways Authority have raised no objection with regard to the amount of parking provision, parking layout and accesses off Manor Road it has not been confirmed as to who will adopt the drainage features which potentially take the adopted road surface water. It is noted that adoption of the road layout is subject to confirmation and will be addressed at a later date. The street lights are still shown as on private land and as such could not be adopted. These will have to be relocated into the adopted highway and have approval by SCC street lighting engineer before road adoption. At adoption stage we will require more detail on measures to discourage parking on the footways especially adjacent to plot 25. These issues are no reason to preclude the granting of any planning consent, only formal adoption by Suffolk County Council.
47. Aspiration 2 of the Haverhill Vision 2031 is to provide walkable neighbourhoods to enable communities to meet their day-to-day needs without necessarily requiring them to drive, also good access to local centres. The site is located in very close proximity to the town centre and with the provision of access directly to the footpath to the north eastern side and steps provided within the site to the south western boundary to allow for access to the footpath it is considered that the pedestrian route into the town centre provides an acceptable solution.
48. Given the sustainable location of the site, the proposed parking and secure cycle storage provided with this scheme it is considered to comply with policy DM46 and Aspiration 2 of the Haverhill Vision 2031.

### **Residential Amenity**

49. With regard to residential amenity, the retention of the boundary trees and hedging to the northern, southern and western boundaries with the natural contours of the site provide a substantial buffer to mitigate any overlooking or potential overbearing impact to any off site dwellings around the development. It is not considered that the proposal would have an adverse impact on the residential amenity currently enjoyed by any of the surrounding properties and the positioning, orientation and various degrees of separation of the dwellings within the site provide a satisfactory relationship between the proposed dwellings. It is therefore considered to be in accordance with policies DM2 and DM22.

### **Density**

50. A total of 37 dwellings are proposed, which equates to a gross density of 31dph. This is broadly in line with the Development Brief, which states that the developable area can accommodate residential development at a density of about 35-40dph, albeit the developable area is increased slightly in the current proposals. A mix of dwellings is provided, including a range of sizes from 1-bedroom flats to 4-bedroom houses. This is generally consistent with the mix set out in the 2013 Strategic Housing Market Assessment, and should ensure that the development meets local needs and creates a sustainable community.

### **Flood Risk and Drainage**

51. The site is previously developed land located in Flood Zone 1 which is a low probability flood zone with less than 1 in 1,000 annual probability of flooding. The change in levels means that occasionally the south-western corner of the site is wet, and therefore a wetland habitat has been incorporated which will have biodiversity benefits as well as helping to accommodate wetter conditions in this corner of the site.
52. The development proposes a sustainable drainage system and a sustainable technical design to minimise the use of water resources and the production of waste. With the Suffolk County Council Flood & Water Management officer raising no objection subject conditions to require a detailed surface water drainage scheme, Details of further infiltration testing on site, details of all Sustainable Urban Drainage System components and piped networks and Construction Surface Water Management Plan, it is considered to be in accordance with Policy DM6, Policy DM14 and the provisions of the NPPF 2018.

### **Landscaping**

53. The vast majority of trees on the site boundary are to be retained, however it is proposed the tree belts projecting into the site will be removed to permit a more cohesive development of the site, and to achieve best use of available land. Approximately 25 trees will be removed and new trees will be planted within the development, with the new planting scheme to be required by condition.
54. The lower quality trees and hedgerow are the ones to be removed in order to facilitate development. The scheme has incorporated the existing higher quality trees into the design after extensive pre-application advice from the Local Authorities Tree Officer and new landscaping works are also proposed. As well as private amenity space associated with each of the dwellings and flats, the proposals include areas of public open space around the site and soft landscaping.
55. The adopted development brief for the site recognises the importance of the bordering mature trees and hedgerows to the site. It states "The trees on the site's boundaries make a significant contribution to the immediate townscape." It is proposed to retain the vast majority of these with only a very small group to the south east being removed (to facilitate vehicular access), and supplement them to maintain the landscape setting of the site. The strong mature trees and hedging to the boundaries provide screening from the surrounding development so that the residential amenity of both the potential residents of the scheme and the surrounding development are protected. The Local Authorities Tree officer raises no objection and commented that "Overall, the site has been planned in a manner that promotes a harmonious relationship between future dwellings and the retained trees".
56. The proposal is considered in accordance with the vision for the site, which states "the scheme should aim to balance the retention of trees with the development potential for the site, whilst respecting the existing site characteristics and surrounding townscape."

### **Biodiversity**

57. The Geosphere Environmental Ltd ecological report lays out that Common Lizard and Slow Worm were found to be using the scrub to the north and south of the site. Only a single adult Slow Worm was noted during the survey visits, and two juvenile Common Lizard. It was estimated that the site supports a very low population of Slow Worm and Common Lizard, based upon the Froglife Guidance. Given the maximum count of Common Lizard and Slow Worms, it is anticipated that there is a very low population of Common Lizard and Slow Worm present within a localised area of the site. It is considered likely that controlled clearance of the vegetation in proximity to where the Common Lizard and Slow Worm were noted, will suffice in ensuring no direct harm.
58. Bat activity was recorded along the hedgerow and tree lines along the field boundaries. In addition, static detectors were placed on site on three occasions between the 5 July to the 11 July, 27 July to the 2 August, and 18 August to the 23 August 2017, totalling seventeen consecutive nights. Common Pipistrelles were recorded almost every night during the static and transect surveys. No other bat species were recorded.
59. It is recommended that as much suitable habitat for bats is retained in the final development as possible. This should include the retention of the hedgerows and tree lines along the boundaries, since bats will continue to utilise these habitats for foraging. Lighting overspill on the boundary trees, hedgerows and areas of suitable foraging habitats should be avoided during construction and within the final development, to maintain this habitat as suitable for foraging and commuting. Any hedgerow or trees to be removed should be replaced elsewhere on site, with shrub and tree species considered beneficial to wildlife.
60. The scheme proposes to retaining all the boundary vegetation and supplementing this with the exception of the removal of a few trees to facilitate the amended site access. This will allow the maintenance of a wildlife corridor, which is likely to remain undisturbed into the future.
61. The ecological report makes a number of recommendations which form enhancement features which should be included in the scheme including:
- Bat boxes or bat bricks should be incorporated into the scheme;
  - Planting night scented flowers including Jasmine and Honeysuckle would also be beneficial to foraging bats;
  - Rubble piles and/or log piles should be incorporated into the proposed development scheme;
  - Nesting boxes for common passerine birds;
  - Holes in the bottom of garden fences should be considered to provide habitat connectivity for foraging hedgehogs (hedgehog-friendly readymade fence panels are readily available).
62. Suffolk Wildlife Trust have raised no objection subject to a condition to ensure the recommendations made within the report by Geosphere Environmental Ltd are implemented in full. It is therefore not considered that the proposed development would adversely affect any nature conservation site or protected species. Accordingly, the proposals are considered to be in accordance with Policy DM10 and the provision of the NPPF.

## **Affordable Housing**

63. The St Edmundsbury Core Strategy sets out the spatial strategy for development across the Borough, and identifies Haverhill as one of the main areas for development, with an expected contribution of 34% of planned housing growth across the plan period to 2031. It also lays out the appropriate level of affordable housing provision: 20% on sites of 5-9 dwellings/0.17-0.3ha and 30% on larger sites. The Policy requirement is to provide 30% affordable housing on a scheme of this size.
64. The scheme in principle accords with policy CS5 to deliver 30% (11 dwellings) affordable housing. A commuted sum will need to be secured for the 0.1 of a dwelling. The affordable housing provision also meets the tenure requirement of 80% affordable rent and 20% shared ownership as defined within the Affordable Housing SPD. The Council has also endorsed an interim Technical Advice Note regarding space standards and the applicant has indicated that the affordable housing will meet the standards required (as will the open market units).

## **Developer Contributions**

65. Regulation 122 of The Community Infrastructure Levy Regulations 2010 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:
- (a) necessary to make the development acceptable in planning terms;
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
66. The following section 106 contributions would be required for the proposed development:
- Primary School contribution: £97,448
  - Secondary School contribution: £111,682
  - Pre School contribution: £8,333
  - Library Contribution: £592
- Improve the wider access provided by the adjacent railway walk through surfacing the existing stone surface with tarmac: £33,000  
Future maintenance of the open space within the development: £22,909.00  
Committed sum of 0.1 of a dwelling to comply with affordable housing provision (to be calculated at S106 stage)
67. These are considered to be necessary, directly related and reasonably related to the scale of development. The applicant has agreed to enter into a Section 106 agreement to provide the affordable housing provision and funds, to improve the wider access provided by the adjacent railway walk through surfacing the existing stone surface with tarmac: £33,000 and future maintenance of the open space within the development: £22,909.00 has been agreed and the school and library contributions are currently under negotiation.

## **Other Matters**

68. Policy DM7 provides that all proposals for new development including the re-use or conversion of existing buildings will be expected to adhere to broad



principles of sustainable design and construction and optimise energy efficiency through the design, layout, orientation, materials and construction techniques. In particular proposals for new residential development will be required to demonstrate that appropriate water efficiency measures will be employed to ensure water consumption is no more than 110 litres per person per day (including external water use).

69. The water consumption of each individual dwelling is subject to condition and also all dwellings with off street parking are required to provide an operational electric vehicle charge point by condition. It is considered that these measures will ensure compliance with policy DM7.
70. The comments of the Town Council with regard to the Development Brief being out of date are noted, however the Westfield Primary School Development Brief was adopted in June 2012 and remains relevant in 2019, compliant with the Joint Development Management Policies Document 2015 and the provisions of the National Planning Policy Framework 2018. Also the Local Authorities Strategic Housing Officer has confirmed that the affordable housing provision meets the tenure requirement of 80% affordable rent and 20% shared ownership as defined within the Affordable Housing SPD.
71. The Town Council have requested that the applicant contributes towards creating a link to the railway walk adjacent to the site, steps within the site have been provided to access the footpath and the applicant has agreed to provide a contribution of £33,000 to improve the wider access provided by the adjacent railway walk through surfacing the existing stone surface with tarmac.
72. Electric car charging points are required by condition, however the area of green open space to the south western corner of the site would be unsuitable for anything such as an 'eco gym' given the fact that it can become a wet area of the site and is proposed to be left for wildlife to improve biodiversity within the site.

### **Conclusion:**

73. In conclusion, the site is located within the Housing Settlement Boundary and close to the town centre where there is a presumption in favour of development. The site is allocated for residential development with the Westfield Primary School Development Brief having been adopted in June 2012. The proposal is considered to meet the aspirations of the development brief, comply with policy and the provisions of the National Planning Policy Framework.
74. Having regard to the Framework, the Development Brief and all other material planning considerations the proposal is considered to comply with the provisions of both national and development plan policy. On this basis, the application is recommended for approval.

### **Recommendation:**

It is **RECOMMENDED** that planning permission be Approved subject to the following conditions and the completion of a Section 106 agreement with the contributions as listed above:

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.

3. The development hereby permitted shall be constructed entirely of the materials detailed within the application hereby approved.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

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

Reason: To improve the sustainability of the dwellings in accordance with policy DM7 of the Joint Development Management Policies (2015).

5. 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 garage shall be used solely for the garaging of private motor vehicles and for ancillary domestic storage incidental to the occupation and enjoyment of the associated dwelling and shall be used for no other purpose.

Reason: To ensure continued compliance with adopted parking standards in the interests of highway safety, in accordance with policy DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

6. Before for first occupation of the dwellings hereby approved; the areas marked and indicated as amenity open space on the approved site layout plan shall have been provided and all associated landscaping works detailed in the approved landscaping scheme for the site shall have been completed. Thereafter the amenity open space shall be retained and used for no other purpose.

Reason: To ensure that sufficient amenity space is provided on the development site for the future occupiers of the dwellings, in accordance with policy DM42 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 8 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

7. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the commencement of the

development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development and ensure a satisfactory environment, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

8. Prior to commencement of development a scheme for the protection during construction of the trees on the site, in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the extent of root protection areas and details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained with the scheme shall be implemented prior to commencement of any development, site works or clearance in accordance with the approved details, and shall be maintained and retained until the development is completed. Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement of development to ensure that existing trees are adequately protected prior to any ground disturbance.

9. Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework and the Suffolk Parking Standards.

10. No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
  - i) A site investigation scheme (based on the approved Preliminary Risk Assessment (PRA) within the approved Desk Study), to provide information

for a detailed assessment of the risk to all receptors that may be affected, including those off site.

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

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

2. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in

iii) is submitted and approved, in writing, by the Local Planning Authority. The long term monitoring and maintenance plan in iii) shall be updated and be implemented as approved.

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

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

11. Before the first occupation of any of the dwellings hereby approved details of the biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. Any such details as may be submitted shall include in full the mitigation measures as laid out in the Geosphere Environmental Ltd ecological report as received 12<sup>th</sup> November 2018. Any such measures as may be agreed shall be installed and thereafter retained as so installed. There shall be no residential occupation unless and until the biodiversity enhancement measures as agreed in writing have been implemented.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with the provisions of Policy DM10 of the Joint Development Management Policies.

12. Prior to commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) The parking of vehicles of site operatives and visitors
- ii) Loading and unloading of plant and materials
- iii) Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
- iv) The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
- v) Wheel washing facilities
- vi) Measures to control the emission of dust and dirt during construction
- vii) A scheme for recycling/disposing of waste resulting from demolition and construction works
- viii) Hours of construction operations including times for deliveries and the removal of excavated materials and waste
- ix) Noise method statements and noise levels for each construction activity including piling and excavation operations
- x) Access and protection measures around the construction site for pedestrians, cyclists and other road users including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto.

Reason: To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that appropriate arrangements are put into place before any works take place on site that are likely to impact the area and nearby occupiers.

13. The site preparation and construction works, including road works, shall be carried out between the hours of:  
 08:00 to 18:00 Mondays to Fridays. 08:00 - 13.30 Saturdays. No times during Sundays or Bank Holidays without the prior written consent of the Local Planning Authority. No generators are to be used in external areas on the site outside the hours of: 08:00 to 18:00 Mondays to Fridays, 08:00 - 13.30 Saturdays. No times during Sundays or Bank Holidays The Local Planning Authority shall be provided with three days notice prior to any extended concrete pour taking place outside the agreed hours of construction for agreement that the works can proceed.

Reason: To protect the amenity of the area. To protect the amenity of adjacent areas, in accordance with policies DM2 of the West Suffolk Joint Development Management Policies Document 2015, the National Planning Policy Framework and all relevant Core Strategy Policies.

15. A. No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment [Ref:-48753 by Richard Jackson Consultants and dated October 2018] and Drainage Strategy [Richard Jacksons, drawing ref. 48753-PP-003 Rev B and dated 6th Dec 2018] has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a restriction in run-off to Greenfield runoff rates and surface water storage on site, as outlined in the FRA. Infiltration

systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. Details to be submitted include:-

1. Details of further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole). Borehole records should also be submitted in support of soakage testing.

B. The dwellings hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as per s21 of the Flood and Water Management Act.

C. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:

- a. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
- i. Temporary drainage systems
  - ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses
  - iii. Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses in line with the River Basin Management Plan

17. Before first occupation of the dwellings hereby approved details of the treatment of the boundaries of the site and of the dwellings within the site, including all knee rail fencing shown adjacent to car parking spaces, shall have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and materials of the screen walls/retaining walls/fences/knee rails to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted together with a programme of implementation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted. The works shall be completed prior to first occupation in accordance with the approved details and thereafter retained as so installed.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

18. The main vehicular access off Manor Road access shall be completed in all respects in accordance with Drawing No. 500362-IWD-XX-XX-DR-A-2100 Rev P9; with an entrance width of 5.5m and be available for use before first occupation. Thereafter it shall be retained in its approved form. At this time all other means of access within the frontage of the application site shall be permanently and effectively "stopped up" in a manner which previously shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out and to avoid multiple accesses which would be detrimental to highway safety.

19. The access to plots 34 - 37 shall be completed in all respects in accordance with Drawing No. 500362-IWD-XX-XX-DR-A-2100 Rev P9; with an entrance width of 4.5m and be available for use before first occupation. Thereafter it shall be retained in its approved form. At this time all other means of access within the frontage of the application site shall be permanently and effectively "stopped up" in a manner which previously shall have been approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to ensure the approved layout is properly constructed and laid out and to avoid multiple accesses which would be detrimental to highway safety.

20. Before the first occupation of any dwelling details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

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

21. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, street lighting, 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.

22. The dwellings hereby approved shall not be occupied until the area(s) within the site shown on 500362-IWD-XX-XX-DR-A-2100 Rev P9 for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the onsite parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

23. Before the vehicular accesses from Manor Road are first used visibility splays shall be provided as shown on Drawing No. 500362-IWD-XX-XX-DR-A-2100

Rev P9 with an X dimension of 43m and a Y dimension of 43m and thereafter retained in the specified form. 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 accesses 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.

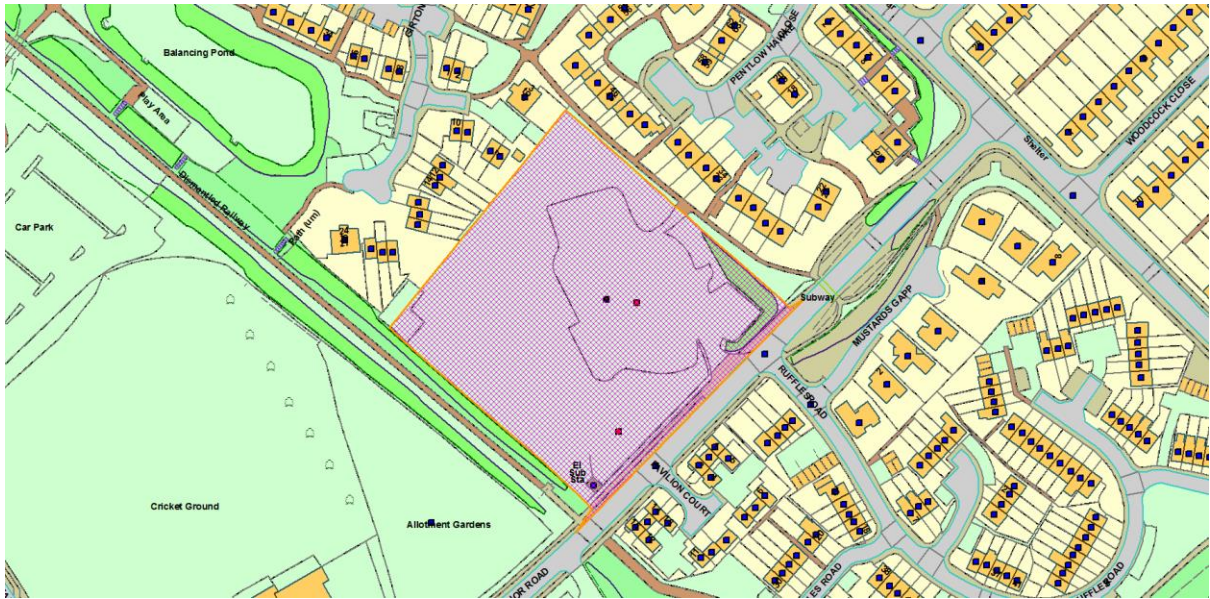
24. Details of the 'step connection to public footpath', as shown on drawing 500362-IWD-XX-XX-DR-A-2100 Rev P9 shall be submitted to and approved in writing prior to the first occupation of any dwellings hereby approved. Any such details as may be approved shall be implemented prior to the first occupation of any dwellings within the site. There shall be no occupation unless and until this step connection to the public footpath has been provided.

Reason: In the interests of pedestrian permeability in accordance with the provisions of Policies DM2 and DM22.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/2299/FUL](https://www.dorsetcouncil.gov.uk/DC/18/2299/FUL)





DC/18/2299/FUL – Proposed New Development, Manor Road, Haverhill



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Ingleton Wood LLP shall have no liability to the Employer arising out of any unauthorized modification or amendment to, or any transmission, copy or use of the material, or any proprietary work contained therein, by the Employer, Other Project Team Member, or any other third party.

All dimensions are to be checked and verified on-site by the Main Contractor prior to commencement; any discrepancies are to be reported to the Contract Administrator.

This drawing is to be read in conjunction with all other relevant drawings and specifications

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**ACCOMMODATION SCHEDULE:**

- 4 x 1B2P FLATS (51m<sup>2</sup>) - 3 STOREY
- 5 x 2B4P FLATS (67m<sup>2</sup>) - 3 STOREY
- 10 x 2B4P HOUSES (81m<sup>2</sup>) - 2 STOREY
- 14 x 3B5P HOUSES (93-102m<sup>2</sup>) - 2 STOREY
- 4 x 4B6P HOUSES (106m<sup>2</sup>) - 2 STOREY

37 UNITS TOTAL  
 TOTAL SITE AREA:  
 1.26Ha (DENSITY 29.4 D/Ha)  
 DEVELOPABLE SITE AREA:  
 0.79 Ha (DENSITY 46.8 D/Ha)

PUBLIC OPEN SPACE: APPROX. 0.4 Ha

- \* 11 AFFORDABLE UNITS (30%)  
 (AR) AFFORDABLE RENT: PLOTS 16-23  
 (SO) SHARED OWNERSHIP: PLOTS 14, 15 & 24
- PARKING:  
 100% FOR 1 BED FLATS  
 150% FOR 2 BED FLATS  
 200% FOR 2-3 BED HOUSES  
 300% FOR 4 BED HOUSES  
 10 VISITOR'S SPACES (27%)

- EXISTING TREES (TO BE REMOVED)
- EXISTING TREES (RETAINED)
- PROPOSED NEW TREES
- ROOT PROTECTION ZONE
- G = GARAGE CP = CAR PORT
- 1.8m HIGH BRICK WALLS
- RETAINING WALLS (450 - 1000mm high)
- RETAINING WALLS (150 - 450mm high)
- EXISTING ELECTRICAL CABLE TO BE RE-LOCATED.
- SECURE SHEDS
- ROTARY DRYERS
- PAVING SLABS FOR BINS

P8	Footpath connection to the south western boundary and the public footpath added. Extent of retaining walls indicated. Parking bays to unit 36 swapped with visitors bays	18/12/18	TB	DT
P7	Colour reference to 1 bed flat corrected	08/11/18	TB	DT
P6	Planning application	31/10/18	TB	DT
P5	Fifth Issue	25/10/18	TB	DT
P4	Fourth Issue	10/10/18	TB	DT
P3	Third Issue	27/09/18	TB	DT
P2	Second Issue	26/09/18	TB	DT
P1	First Issue	29/08/18	MA	DT
Rev	Description	Date	Chk	Apr
Project No: 500362		Scale @ A2: 1:500	Drawn By: MA	

## Ingleton Wood

Property and Construction Consultants

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Vision, form and function

Project:  
**Westfield Middle School Site,  
 Manor Road,  
 Haverhill**

Client:  
**Barley Homes**

Title:  
**Proposed Site Layout**

Drawing Number:  
**500362-IWD-XX-XX-DR-A-2100**

Status: <b>S2</b>	Purpose of Issue: <b>Information</b>	Revision: <b>P8</b>
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*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/19/013

## Development Control Committee 7 February 2019

### Planning Application DC/18/1017/FUL - Hill View Works, Simms Lane, Hundon

<b>Date Registered:</b>	11.06.2018	<b>Expiry Date:</b>	06.08.2018 – EOT 08.02.2019
<b>Case Officer:</b>	Kerri Cooper	<b>Recommendation:</b>	Refuse Application
<b>Parish:</b>	Hundon	<b>Ward:</b>	Hundon
<b>Proposal:</b>	Planning Application - 5no. dwellings with 5no. garages and new vehicular access (following demolition of existing industrial buildings)		
<b>Site:</b>	Hill View Works, Simms Lane, Hundon		
<b>Applicant:</b>	Mr K Ager		

#### **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](mailto:kerri.cooper@westsuffolk.gov.uk)  
Telephone: 01284 757341

## **1.0 Background:**

**1.1 This application was considered by the Development Control Committee in October 2018, having been before the Development Control Committee at the request of the Local Ward Member, Councillor Mary Evans.**

**1.2 The application was deferred at the October Committee meeting due to Members requesting that a marketing assessment was carried out in accordance with Policy DM30 and DM33 as a result of the loss of the employment site.**

**1.3 This report should be read in conjunction with the October Committee Report, which is attached as Working Paper 1.**

## **2.0 Proposal:**

2.1 Planning Permission is sought for the construction of 5no. dwellings and associated garaging, following the demolition of existing industrial buildings.

## **3.0 Application Supporting Material:**

3.1 The following documents have been received since October Committee:  
- Birchall Steel Report  
- Covering letter/statement in association with Birchall Steel Report

3.2 The full planning application, plans and documents submitted by the Applicant can be viewed online using the following link:  
<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P9A9P2PDGJ100>

## **4.0 Site Details:**

4.1 The site details are set out in paragraph 3.1 in Working Paper 1.

## **5.0 Planning History:**

5.1 The planning history is set out in paragraph 4.1 in Working Paper 1.

## **6.0 Consultations:**

6.1 All consultation responses are set out in section 5 in Working Paper 1.

6.2 No further consultations were required to be carried out.

6.3 All consultations can be viewed online in full.

## **7.0 Representations:**

7.1 All representations are set out in section 6 in Working Paper 1.

7.2 Due to the nature of the additional information submitted, neighbours, Town Council and Ward Member were not formally re-consulted.

7.3 No further representations have been received since October Committee.

7.4 All representations can be viewed online in full.

## **8.0 Policy:**

8.1 The relevant policies are set out in section 7 and 8 in Working Paper 1.

## **9.0 Officer Comment:**

The key issues to be considered in the determination of this application also remain unchanged, these are:

- Principle of Development
- Impact on Character & Visual Amenity
- Impact on Neighbouring Amenity
- Impact on Highway Safety
- Other Matters
- Material Considerations and Planning Balance

9.1 The majority of the assessment in the October Committee Report, set out in section 9 of the attached Working Paper 1, remains relevant at this time and unchanged. However, in light of the submitted Birchall Steel Report, the weight which should be attributed to the loss of the employment site is required to be addressed and therefore the principle of the development will be re-assessed.

### Principle of Development

9.1 The proposal comprises the construction of 5no. dwellings and associated garaging, following demolition of existing industrial buildings associated with the current business operating on the site. The applicant confirmed in their submission that they are willing to offer one of the proposed dwellings as an affordable unit if there is a need and demand or alternatively provide an off-site commuted sum.

9.2 The NPPF was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given.

9.3 Policy CS13 relates to the rural areas within the Borough and states that development outside the settlements defined in Policy CS4 will be strictly controlled, with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside. Policy DM5 states that areas designated as countryside will be protected from unsustainable development and sets out the circumstances where new or extended buildings will be permitted. In terms of housing policy DM5 supports the principle of affordable housing, dwellings for key agricultural, forestry or equine workers, small scale development in accordance with policy DM27, and the replacement of existing dwellings on a one-for-one basis. Policy DM27 permits up to two dwellings on small undeveloped plots within otherwise built up frontages in existing clusters of housing. These

policies are considered to be consistent with paragraphs 77 to 79 of the revised NPPF in respect of rural housing. Paragraph 78 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive. Paragraph 79 sets out the circumstances where housing in the countryside can be supported, and these include housing for rural workers and the re-use of redundant buildings. Paragraph 77 supports rural exception sites to provide affordable housing to meet local needs. As such policies CS13, DM5 and DM27 can be afforded significant weight.

- 9.4 Policy CS2 seeks to ensure that a high quality, sustainable environment is achieved and requires, inter alia, the conservation and enhancement of the character and quality of local landscapes and the wider countryside in a way that recognises and protects the fragility of these resources. Policy CS3 states that proposals for new development must create and contribute to a high quality, safe and sustainable environment. Proposals will be expected to address, inter alia, consideration of protection of the landscape and natural environment and an understanding of the local context and an indication of how the proposal will enhance the area. Policy DM2 states that proposals for all development should (as appropriate) recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area.
- 9.5 These policies are considered to be consistent with paragraphs 127 and 170 of the NPPF. Paragraph 127 states that decisions should ensure the developments are sympathetic to local character including the landscape setting, and paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside. As such policies CS2, CS3 and DM2 can be afforded significant weight.
- 9.6 Policy DM30 seeks to protect employment sites and to ensure that there would be no adverse impact on employment generation if a site is to be considered for a non-employment use. Paragraph 84 of the NPPF states:
- 9.7 *Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*
- 9.8 As a result of the revised changes to the NPPF, further emphasis and weight should now be given to employment in rural areas subject to impact. Therefore, policy DM30 can be afforded significant weight.
- 9.9 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. The NPPF is a material consideration in planning decisions but does not change



the statutory status of the development plan as the starting point for decision making. Paragraph 12 of the NPPF states that where development conflicts with an up-to-date development plan permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to-date development plan only if material considerations in a particular case indicate that the plan should not be followed.

- 9.10 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.
- 9.11 St. Edmundsbury Borough Council published an assessment of a five year housing land supply in September 2017. The report sets out the availability of housing land supply for the period 2017-2022. The assessment confirms that the Council is able to demonstrate a five year supply of housing.
- 9.12 Hundon which is a Local Service Centre as defined under Policy CS4 of the Core Strategy with a reasonable range of services and facilities including a primary school, community shop, two pubs and a community centre. The application site however lies some considerable distance outside of the housing settlement boundary, within land designated as countryside, and in an area otherwise remote from easy access to day to day services.
- 9.13 The application site is situated approximately 4 km from the village of Hundon itself, within Brockley Green. The nearest village, Kedington is situated approximately 2 km from the application site. The location of the site, its distance from the services and facilities in either village, the lack of pedestrian footpaths, and the lack of existing infrastructure results in the proposed development being considered very clearly to be locationally unsustainable, with limited or even no obvious opportunities to encourage pedestrian and cycle access to and from the site.
- 9.14 It is acknowledged and respected that one of the units proposed could be suitable in terms of size to provide an affordable housing unit. However due to the site being situated in the countryside, sites for affordable housing schemes would only come forward in exceptional circumstances and while the proposal does otherwise require affordable housing based on site area with reference to the provisions of Policy CS5, more importantly the provisions of Para. 63 of the NPPF as the most up to date national policy seeks to preclude affordable housing on schemes of this size. A
- 9.16 Therefore, the offer to provide affordable housing should be given limited weight in the balance of considerations.
- 9.17 The application site measures 0.38 hectares in total. To the north of the application site is Hill View and to the east, south and west is agricultural land. The proposed development does not comprise infilling of a small undeveloped plot nor does it comprise a single dwelling or pair of semi-detached dwellings. As such, the proposed development fails to comply with policy DM5, DM27, DM29 and paragraph 79 of the NPPF.

- 9.18 Policy DM30 states that any non-employment use proposed on sites and premises used and/or designated on the policies maps for employment purposes, and that is expected to have an adverse effect on employment generation, will only be permitted where the local planning authority is satisfied that the proposal can demonstrate that it complies with other policies in this and other adopted local plans (particularly policies DM1 and DM2 in the Joint Development Management Policies Document), and one or more of the following criteria has been met (as appropriate to the site/premises and location): a. there is a sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements; b. evidence can be provided that genuine attempts have been made to sell/let the site in its current use, and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable future; c. the existing use has created over-riding environmental problems (e.g. noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site; d. an alternative use or mix of uses would assist in urban regeneration and offer greater benefits to the community in meeting local business and employment needs; e. it is for an employment related support facility such as employment training/education, workplace crèche or industrial estate café; f. an alternative use or mix of uses would provide other sustainability benefits that would outweigh the loss of an employment site.
- 9.19 The site is currently occupied by Vulchem Hygiene Supplies Ltd. The engineering business has occupied the site for a considerable number of years and has continued to expand. The applicant has stated that if planning permission is to be granted, the business is proposed to be relocated elsewhere. Information has been submitted which details potential alternative premises in Haverhill, Newmarket or Bury St Edmunds but these are considered vague. Limited or even no weight can be attached to this however in the balance of consideration since the policy seeks to protect this site employment site from loss without adequate assessment having first been given to its retention.
- 9.20 Since October Committee, a report has been provided by Birchall Steel which provides the likely commercial demand for the existing land at buildings at Hill View Works, together with an assessment as to the viability of a commercial redevelopment of the site.
- 9.21 The report which has been undertaken is NOT a marketing assessment and is instead simply a report which looks at the location, quality and repairs required for the site to be considered for a commercial use. It is concluded that redevelopment of the site for B1 (business) use is unviable but this is a conclusion that has not been reached with the site first having been offered to the market as is otherwise required by DM30. The report/assessment does not have regard to or consideration for any other employment use and does not provide adequate marketing evidence under the requirements of the relevant policy.
- 9.22 There remains a clear and real conflict therefore with the provisions of DM30 and it is considered that plainly insufficient evidence has been submitted to explore all of the remaining criteria under policy DM30 for the Local Planning Authority to be satisfied that there will be no impact from the loss of the employment use.

- 9.23 Para. 79 of the NPPF seeks to avoid the provision of isolated homes in the countryside. Based on the locationally unsustainable conclusions set out above this site can be considered as nothing other than isolated. Virtually no ready opportunity exists for access to day to day goods and services by any other means than the private car and this factor weighs very, very heavily against the proposal. Para. 78 of the NPPF makes it very clear how important sustainable development is within rural areas, supporting the provisions of DM5, and stating that *'to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.'* While it is recognised that plainly any rural housing will help some nearby local settlements in increasing their sustainability this benefit is modest, and is clearly outweighed in the opinion of officers by the day to day locational unsustainability issues and by the adverse effects upon rural employment generation, noting the conflict with DM30 and the manifest lack of any robust assessment.
- 9.24 Section 11 of the NPPF sets out the support that must be given to development which make the most effective use of land. Support for the reuse of brownfield land should be given substantial weight where that site is within a settlement but this paragraph does not apply in this instance noting that the site is outside of any settlement boundary and any weight is also further reduced here by reason of the manifest locational unsustainability of this proposal.
- 9.25 Paragraph 121 of the NPPF states that:
- 'Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework'*
- 9.26 For the reasons already set out above, this development is quite plainly not considered compatible with the provisions of other policies, for example Para. 79, and limited weight can therefore be attached to this paragraph in support of the proposal.
- 9.27 Having regard to all of the above, the principle of development in this location is contrary to adopted and national planning policy. Significant weight must be attached to this very clear conflict.

#### Material Considerations and Planning Balance

- 9.28 The submitted Planning Statement acknowledges 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, in summary:
- Brownfield site;
  - Applicant can relocate business;

- Proposal would result in a reduction in traffic;
- Providing affordable housing;
- Visual improvement to site

- 9.29 The site is a brownfield site and this weighs in favour in the overall planning balance, albeit noting the conclusions drawn above, and noting the wider conflict with paragraph 79 of the NPPF this weight is limited. Furthermore, it is an active employment site at present and whilst information has been provided in respect of potential relocation options, these are not definitive, and in any event, relocation of the existing business would not safeguard this site for employment purposes, which is the aim of DM30.
- 9.30 The proposed scheme proposes one affordable unit, which is an aspect that the Strategic Housing team support, however it is not considered a sustainable location given that Brockley Green forms its own hamlet, which is a significant distance away from the services and facilities in Hundon itself and noting that national policy does not require affordable housing on a scheme of this size limited weight can be attached to this offer. There is also no mechanism before us for securing the provision of such in any event.
- 9.31 There would be temporary economic benefits arising from the construction activity required to deliver the development plus some intrinsic, albeit modest, benefit from the provision of dwellings generally. These benefits are however considered to be modest and easily repeatable in relation to any number of sites elsewhere in the Borough.
- 9.32 Officers' consider that the material considerations cited do not outweigh the clear and significant conflict with the development plan in this case.

## **10.0 Conclusion:**

- 10.1 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 proposal is 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. Furthermore, insufficient evidence has been submitted in respect of policy DM30 for the Local Planning Authority to be satisfied that there will be no impact from the loss of the employment use.
- 10.2 In addition, the proposal would create an encroachment to the countryside, distinctively separate from the Housing Settlement Boundary. The provision of 5no. dwellings would intrude into this open countryside setting, to the detriment of the character and appearance of the area. It would have an unwelcome urbanising effect through the beginning of a ribbon development.
- 10.3 In conclusion, for the reasons outline above, it is considered that the proposed development is contrary to Policies RV1, RV3, CS1, CS4, CS13, DM1, DM2, DM5, DM27, DM29 and DM30 and there are no material planning considerations that outweigh this very significant conflict with the development plan.

## **11.0 Recommendation:**

- 11.1 It is recommended that planning permission be **REFUSED** for the following reasons:
1. Policies CS1 and CS4 between them establish the spatial strategy and the settlement hierarchy for development within St. Edmundsbury. Both seek to resist, residential development outside of settlement boundaries. Furthermore, Policy DM5 (Development within the Countryside) states that areas designated as countryside will be protected from unsustainable development and Policy DM27 sets out the circumstances where dwellings will be permitted outside of settlement boundaries, with Policy DM29 setting out the circumstances where a rural exception site will be permitted. The site is considered to be locationally unsustainable and isolated in direct conflict with the provisions of paragraph 79 of the NPPF. Furthermore, the proposal does not meet the provisions of any of these Development Plan policies and there are no material considerations that outweigh this very significant conflict with the Development Plan.
  2. Policy DM30 seeks to protect employment sites and to ensure that there would be no adverse impact on employment generation if a site is to be considered for a non-employment use. Insufficient evidence has been submitted in respect of policy DM30 for the Local Planning Authority to be satisfied that there will be no impact from the loss of the employment use.
  3. Policy DM2 states that proposals should recognise and address key features, characteristics and landscape of the area. The provision of 5no. dwellings would intrude into this open countryside setting to the detriment of the character and appearance of the area. The proposal would create a visual intrusiveness in this attractive rural location and create a significant impact as to cause harm to the surrounding landscape character proving contrary to the provisions of Policy DM2 and to those of the NPPF relating to good design.

## **12.0 Documents:**

- 12.1 All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online <DC/18/1017/FUL>

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St Edmundsbury  
BOROUGH COUNCIL

DEV/SE/18/034

## **WORKING PAPER 1**

# Development Control Committee 4 October 2018

### **Planning Application DC/18/1017/FUL – Hill View Works, Simms Lane, Hundon**

<b>Date Registered:</b>	11.06.2018	<b>Expiry Date:</b>	06.08.2018 – EOT 05.10.2018
<b>Case Officer:</b>	Kerri Cooper	<b>Recommendation:</b>	Refuse
<b>Parish:</b>	Hundon	<b>Ward:</b>	Hundon
<b>Proposal:</b>	Planning Application - 5no. dwellings with 5no. garages and new vehicular access (following demolition of existing industrial buildings)		
<b>Site:</b>	Hill View Works, Simms Lane, Hundon		
<b>Applicant:</b>	Mr K Ager		

#### **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:

**The application is referred to Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel at the request of Councillor Mary Evans (Ward Member: Hundon).**

**A site visit will take place on Thursday 27 September 2018.**

### 1.0 Proposal:

- 1.1 Planning Permission is sought for the construction of 5no. dwellings and associated garaging, following the demolition of existing industrial buildings.

### 2.0 Application Supporting Material:

- 2.1 The full planning application, plans and documents submitted by the Applicant can be viewed online using the following link:  
<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=P9A9P2PDGJ100>

### 3.0 Site Details:

- 3.1 The application site comprises an existing business, Vulchem Hygiene Supplies Ltd, which is situated outside the settlement boundary of Hundon within land designated as Countryside. The site forms part of Brockley Green which is a hamlet in the parish of Hundon.

### 4.0 Planning History:

4.1

Reference	Proposal	Status	Decision Date
DC/17/2479/OUT	Outline Planning Application (All matters reserved) - 5no. dwellings with detached garages and new vehicular access (demolition of existing Industrial buildings)	Application Withdrawn	16.01.2018
E/94/2271/P	Planning Application - Continued use of buildings for light industry (Class B1) with associated office and storage buildings	Application Granted	19.09.1994
E/84/1160/P	Erection of pig building	Application Granted	27.02.1984

### 5.0 Consultations:

- 5.1 Public Health and Housing – No objection, subject to conditions.



- 5.2 Environment Team – No objection, subject to conditions.
- 5.3 Environment and Transport: Highways – No objection, subject to conditions.
- 5.4 Strategic Housing – The Strategic Housing Team would consider plot 5 as acceptable, if it was to be considered as an affordable housing unit.
- 5.5 Fire and Rescue Service – Advisory notes and in formatives circulated to applicant.
- 5.6 All consultations can be viewed online in full.

## **6.0 Representations:**

- 6.1 Parish Council - No comments received.
- 6.2 Ward Member - Councillor Mary Evans supports the application and has made the following summarised comments:
  - Traffic generated from employment site;
  - Detrimental visual impact of existing site appearance;
  - Enhance vitality of surrounding rural area;
  - Provides an affordable dwelling;
  - Will provide sustainable development;
  - Proposed development will provide attractive, well designed homes;
  - In keeping with character of the area;
  - Positive impact on highway safety
- 6.3 Neighbours – 1no. letter of comments was received from the owners/occupiers of Hill View, which is summarised as follows:
  - No objection to proposed development;
  - Commercial use unsightly;
  - Family vehicles along the lane would be preferable over lorries and vans
- 6.4 All representations can be viewed online in full.

**7.0 Policy:** The following policies of the Joint Development Management Policies Document 2015, the St Edmundsbury Core Strategy 2010 & Vision 2031 Documents have been taken into account in the consideration of this application:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features

- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM22 Residential Design
- Policy DM27 Housing in the Countryside
- Policy DM29 Rural Housing Exception Sites in St Edmundsbury
- Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses
- Policy DM33 Re-Use or Replacement of Buildings in the Countryside
- Policy DM46 Parking Standards
- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity
- Core Strategy Policy CS5 - Affordable Housing
- Core Strategy Policy CS7 - Sustainable Transport
- Core Strategy Policy CS13 - Rural Areas
- Vision Policy RV1 - Presumption in favour of Sustainable Development
- Vision Policy RV3 - Housing settlement boundaries

### **8.0 Other Planning Policy:**

- National Planning Policy Framework (2018)

### **9.0 Officer Comment:**

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

- Principle of Development
- Impact on Character & Visual Amenity
- Impact on Neighbouring Amenity
- Impact on Highway Safety
- Other Matters
- Material Considerations and Planning Balance

#### Principle of Development

- 9.1 The proposal comprises the construction of 5no. dwellings and associated garaging, following demolition of existing industrial buildings associated with the current business operating on the site. The applicant confirmed in their submission that they are willing to offer one of the proposed

dwellings as an affordable unit if there is a need and demand or alternatively provide an off-site commuted sum.

- 9.2 The NPPF was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given.
- 9.3 Policy CS13 relates to the rural areas within the Borough and states that development outside the settlements defined in Policy CS4 will be strictly controlled, with a priority on protecting and enhancing the character, appearance, historic qualities and biodiversity of the countryside. Policy DM5 states that areas designated as countryside will be protected from unsustainable development and sets out the circumstances where new or extended buildings will be permitted. In terms of housing policy DM5 supports the principle of affordable housing, dwellings for key agricultural, forestry or equine workers, small scale development in accordance with policy DM27, and the replacement of existing dwellings on a one-for-one basis. Policy DM27 permits up to two dwellings on small undeveloped plots within otherwise built up frontages in existing clusters of housing. These policies are considered to be consistent with paragraphs 77 to 79 of the revised NPPF in respect of rural housing. Paragraph 78 states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive. Paragraph 79 sets out the circumstances where housing in the countryside can be supported, and these include housing for rural workers and the re-use of redundant buildings. Paragraph 77 supports rural exception sites to provide affordable housing to meet local needs. As such policies CS13, DM5 and DM27 can be afforded significant weight.
- 9.4 Policy CS2 seeks to ensure that a high quality, sustainable environment is achieved and requires, inter alia, the conservation and enhancement of the character and quality of local landscapes and the wider countryside in a way that recognises and protects the fragility of these resources. Policy CS3 states that proposals for new development must create and contribute to a high quality, safe and sustainable environment. Proposals will be expected to address, inter alia, consideration of protection of the landscape and natural environment and an understanding of the local context and an indication of how the proposal will enhance the area. Policy DM2 states that proposals for all development should (as appropriate) recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area.
- 9.5 These policies are considered to be consistent with paragraphs 127 and 170 of the NPPF. Paragraph 127 states that decisions should ensure the developments are sympathetic to local character including the landscape setting, and paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the

countryside. As such policies CS2, CS3 and DM2 can be afforded significant weight.

- 9.6 Policy DM30 seeks to protect employment sites and to ensure that there would be no adverse impact on employment generation if a site is to be considered for a non-employment use. Paragraph 84 of the NPPF states:
- 9.7 *Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*
- 9.8 As a result of the revised changes to the NPPF, further emphasis and weight should now be given to employment in rural areas subject to impact. Therefore, policy DM30 can be afforded significant weight.
- 9.9 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. The NPPF is a material consideration in planning decisions but does not change the statutory status of the development plan as the starting point for decision making. Paragraph 12 of the NPPF states that where development conflicts with an up-to-date development plan permission should not usually be granted. Local Planning Authorities may take decisions that depart from an up-to-date development plan only if material considerations in a particular case indicate that the plan should not be followed.
- 9.10 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.
- 9.11 St. Edmundsbury Borough Council published an assessment of a five year housing land supply in September 2017. The report sets out the availability of housing land supply for the period 2017-2022. The assessment confirms that the Council is able to demonstrate a five year supply of housing.
- 9.12 Hundon which is a Local Service Centre as defined under Policy CS4 of the Core Strategy with a reasonable range of services and facilities including a primary school, community shop, two pubs and a community centre. The application site however lies some considerable distance outside of the housing settlement boundary, within land designated as countryside, and in an area otherwise remote from easy access to day to day services.

- 9.13 The application site is situated approximately 4 km from the village of Hundon itself, within Brockley Green. The nearest village, Kedington is situated approximately 2 km from the application site. The location of the site, its distance from the services and facilities in either village, the lack of pedestrian footpaths, and the lack of existing infrastructure results in the proposed development being considered very clearly to be locationally unsustainable, with limited or even no obvious opportunities to encourage pedestrian and cycle access to and from the site.
- 9.14 It is acknowledged and respected that one of the units proposed could be suitable in terms of size to provide an affordable housing unit. However due to the site being situated in the countryside, sites for affordable housing schemes would only come forward in exceptional circumstances and while the proposal does otherwise require affordable housing based on site area with reference to the provisions of Policy CS5, more importantly the provisions of Para. 63 of the NPPF as the most up to date national policy seeks to preclude affordable housing on schemes of this size. A
- 9.16 Therefore, the offer to provide affordable housing should be given limited weight in the balance of considerations.
- 9.17 The application site measures 0.38 hectares in total. To the north of the application site is Hill View and to the east, south and west is agricultural land. The proposed development does not comprise infilling of a small undeveloped plot nor does it comprise a single dwelling or pair of semi-detached dwellings. As such, the proposed development fails to comply with policy DM5, DM27, DM29 and paragraph 79 of the NPPF.
- 9.18 Policy DM30 states that any non-employment use proposed on sites and premises used and/or designated on the policies maps for employment purposes, and that is expected to have an adverse effect on employment generation, will only be permitted where the local planning authority is satisfied that the proposal can demonstrate that it complies with other policies in this and other adopted local plans (particularly policies DM1 and DM2 in the Joint Development Management Policies Document), and one or more of the following criteria has been met (as appropriate to the site/premises and location): a. there is a sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements; b. evidence can be provided that genuine attempts have been made to sell/let the site in its current use, and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable future; c. the existing use has created over-riding environmental problems (e.g. noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site; d. an alternative use or mix of uses would assist in urban regeneration and offer greater benefits to the community in meeting local business and employment needs; e. it is for an employment related support facility such as employment training/education, workplace crèche or industrial estate café; f. an alternative use or mix of uses would provide other sustainability benefits that would outweigh the loss of an employment site.
- 9.19 The site is currently occupied by Vulchem Hygiene Supplies Ltd. The engineering business has occupied the site for a considerable number of years and has continued to expand. The applicant has stated that if

planning permission is to be granted, the business is proposed to be relocated elsewhere. Information has been submitted which details potential alternative premises in Haverhill or Bury St Edmunds but these are considered vague. Limited or even no weight can be attached to this however in the balance of consideration since the policy seeks to protect this site employment site from loss without adequate assessment having first been given to its retention. There is clear and real conflict therefore with the provisions of DM30 and it is considered that plainly insufficient evidence has been submitted to explore all of the remaining criteria under policy DM30 for the Local Planning Authority to be satisfied that there will be no impact from the loss of the employment use.

- 9.20 Para. 79 of the NPPF seeks to avoid the provision of isolated homes in the countryside. Based on the locationally unsustainable conclusions set out above this site can be considered as nothing other than isolated. Virtually no ready opportunity exists for access to day to day goods and services by any other means than the private car and this factor weighs very, very heavily against the proposal. Para. 78 of the NPPF makes it very clear how important sustainable development is within rural areas, supporting the provisions of DM5, and stating that *'to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.'* While it is recognised that plainly any rural housing will help some nearby local settlements in increasing their sustainability this benefit is modest, and is clearly outweighed in the opinion of officers by the day to day locational unsustainability issues and by the adverse effects upon rural employment generation, noting the conflict with DM30 and the manifest lack of any robust assessment.
- 9.21 Section 11 of the NPPF sets out the support that must be given to development which make the most effective use of land. Support for the reuse of brownfield land should be given substantial weight where that site is within a settlement but this paragraph does not apply in this instance noting that the site is outside of any settlement boundary and any weight is also further reduced here by reason of the manifest locational unsustainability of this proposal.
- 9.22 Paragraph 121 of the NPPF states that:
- 'Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework'*
- 9.23 For the reasons already set out above, this development is quite plainly not considered compatible with the provisions of other policies, for example Para. 79, and limited weight can therefore be attached to this paragraph in support of the proposal.
- 9.24 Having regard to all of the above, the principle of development in this location is contrary to adopted and national planning policy. Significant weight must be attached to this very clear conflict.

## Impact on Character & Visual Amenity

- 9.25 Policy DM2 states that proposals for all development should not involve the loss of gardens and important open, green or landscaped areas which make a significant contribution to the character and appearance of a settlement. In addition, it also requires development proposals to recognise and address the key features and characteristics of an area and to maintain or create a sense of place and/or local character.
- 9.26 Policy DM13 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.
- 9.27 Policy DM22 states that all residential development proposals should maintain or create a sense of place and/or character by basing design on an analysis of existing buildings and landscape and utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness.
- 9.28 The proposed development comprises 5no. detached dwellings and associated garages. The dwellings would be served by a shared access off Simms Lane. There are three residential dwellings located on Simms Lane, two of which are associated with farms. They are situated a significant distance apart, with vast agricultural land in between each site.
- 9.29 A justification put forward by the applicant/agent is that the proposed development would create a visual improvement to the site. Whilst the industrial buildings and appearance of the site is not in itself attractive, due to the existing screening in situ limited views are visible from the public realm as for it not to cause any significant harm to the character and appearance of the area.
- 9.30 As a result of the proposed development, the appearance and character of the site will change when viewed immediately to the front of the site and also in longer distance views from the north, south and west. The development proposed, with a shared and visually prominent access, plus dwellings uncharacteristically closely positioned, will appear overtly urban in this otherwise generally open rural context.
- 9.31 The provision of 5no. dwellings would intrude into this open countryside setting, to the detriment of the character and appearance of the area. The proposal would create a visual intrusiveness in this attractive rural location and create a significant impact so as to cause harm to the surrounding landscape character, resulting in an erosion of the countryside character. Consequently, the proposal is considered detrimental to the character and appearance of the locality through the development of an uncharacteristic and dominant development.
- 9.32 As such, the harm arising from the visual impact upon the character and appearance of the area is at a level that the Local Planning Authority considers that the harm identified above in visual and character terms is significant.

## Impact on Neighbour Amenity

- 9.33 There is one neighbouring property, Hill View adjacent to the application site, which is set within a generous sized plot. It is considered that the proposed residential use would be a less intensified use to that of the existing industrial use.
- 9.34 The proposed dwellings have been positioned within the site, to create sufficient separation distance between each plot and are set in from the side boundaries. Furthermore, the proposed dwellings have been designed and positioned appropriately within the site, as to respect each other and the adjacent neighbouring property, Hill View. It is therefore considered that the proposed development will not result in an adverse impact on neighbouring amenity as to cause harm, by virtue of overlooking, overbearing impact or loss of light.

#### Impact on Highway Safety

- 9.35 There are two existing accesses serving the site at present. One of the accesses is to be improved and the other access is to be blocked up.
- 9.36 Suffolk County Highway Authority considers that the proposed accesses will improve the visibility and will not surplus the current situation to lead to an adverse impact on highway safety subject to appropriate conditions. Furthermore, sufficient on-site parking is to be provided as to accord with Suffolk Parking Standards.

#### Other Matters

- 9.37 The application site is not situated within a flood zone. Therefore, there will be no impact on flooding as result of the proposed development.
- 9.38 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.
- 9.39 There are no protected species within 200 metres of the proposed development site.

#### Material Considerations and Planning Balance

- 9.36 The submitted Planning Statement acknowledges 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, in summary:
- Brownfield site;
  - Applicant can relocate business;
  - Proposal would result in a reduction in traffic;
  - Providing affordable housing;
  - Visual improvement to site



- 9.37 The site is a brownfield site and this weighs in favour in the overall planning balance, albeit noting the conclusions drawn above, and noting the wider conflict with paragraph 79 of the NPPF this weight is limited. Furthermore, it is an active employment site at present and whilst information has been provided in respect of potential relocation options, these are not definitive, and in any event, relocation of the existing business would not safeguard this site for employment purposes, which is the aim of DM30.
- 9.38 The proposed scheme proposes one affordable unit, which is an aspect that the Strategic Housing team support, however it is not considered a sustainable location given that Brockley Green forms its own hamlet, which is a significant distance away from the services and facilities in Hundon itself and noting that national policy does not require affordable housing on a scheme of this size limited weight can be attached to this offer. There is also no mechanism before us for securing the provision of such in any event.
- 9.39 There would be temporary economic benefits arising from the construction activity required to deliver the development plus some intrinsic, albeit modest, benefit from the provision of dwellings generally. These benefits are however considered to be modest and easily repeatable in relation to any number of sites elsewhere in the Borough.
- 9.40 Officers' consider that the material considerations cited do not outweigh the clear and significant conflict with the development plan in this case.

## **10.0 Conclusion:**

- 10.1 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 proposal is 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. Furthermore, insufficient evidence has been submitted in respect of policy DM30 for the Local Planning Authority to be satisfied that there will be no impact from the loss of the employment use.
- 10.2 In addition, the proposal would create an encroachment to the countryside, distinctively separate from the Housing Settlement Boundary. The provision of 5no. dwellings would intrude into this open countryside setting, to the detriment of the character and appearance of the area. It would have an unwelcome urbanising effect through the beginning of a ribbon development.
- 10.3 In conclusion, for the reasons outline above, it is considered that the proposed development is contrary to Policies RV1, RV3, CS1, CS4, CS13, DM1, DM2, DM5, DM27, DM29 and DM30 and there are no material planning considerations that outweigh this very significant conflict with the development plan.

## **11.0 Recommendation:**

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

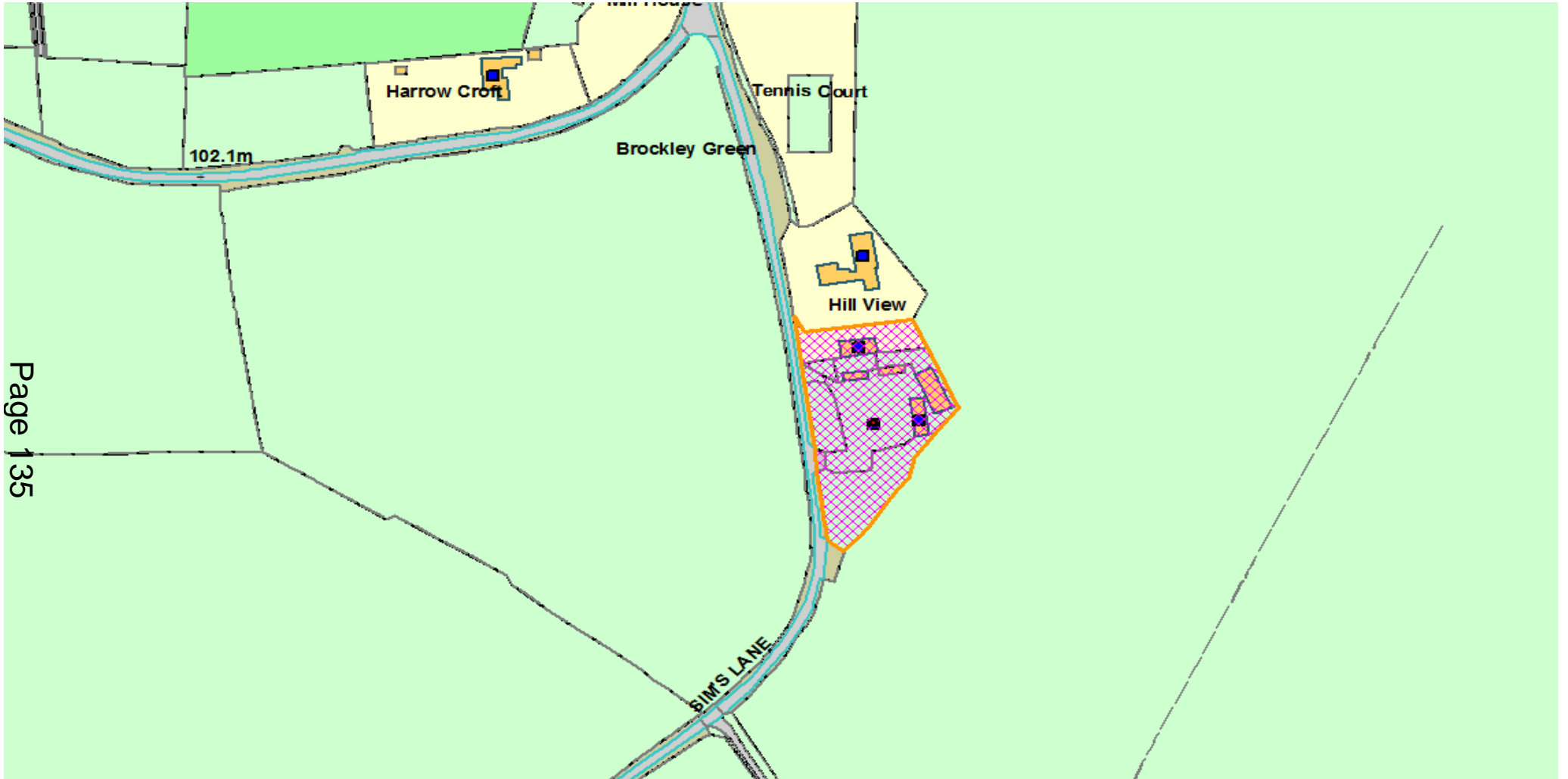
1. Policies CS1 and CS4 between them establish the spatial strategy and the settlement hierarchy for development within St. Edmundsbury. Both seek to resist, residential development outside of settlement boundaries. Furthermore, Policy DM5 (Development within the Countryside) states that areas designated as countryside will be protected from unsustainable development and Policy DM27 sets out the circumstances where dwellings will be permitted outside of settlement boundaries, with Policy DM29 setting out the circumstances where a rural exception site will be permitted. The site is considered to be locationally unsustainable and isolated in direct conflict with the provisions of paragraph 79 of the NPPF. Furthermore, the proposal does not meet the provisions of any of these Development Plan policies and there are no material considerations that outweigh this very significant conflict with the Development Plan.
2. Policy DM30 seeks to protect employment sites and to ensure that there would be no adverse impact on employment generation if a site is to be considered for a non-employment use. Insufficient evidence has been submitted in respect of policy DM30 for the Local Planning Authority to be satisfied that there will be no impact from the loss of the employment use.
3. Policy DM2 states that proposals should recognise and address key features, characteristics and landscape of the area. The provision of 5no. dwellings would intrude into this open countryside setting to the detriment of the character and appearance of the area. The proposal would create a visual intrusiveness in this attractive rural location and create a significant impact as to cause harm to the surrounding landscape character proving contrary to the provisions of Policy DM2 and to those of the NPPF relating to good design.

## **12.0 Documents:**

12.1 All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/1017/FUL](https://www.stedmundsbury.gov.uk/DC/18/1017/FUL)



DC/18/1017/FUL

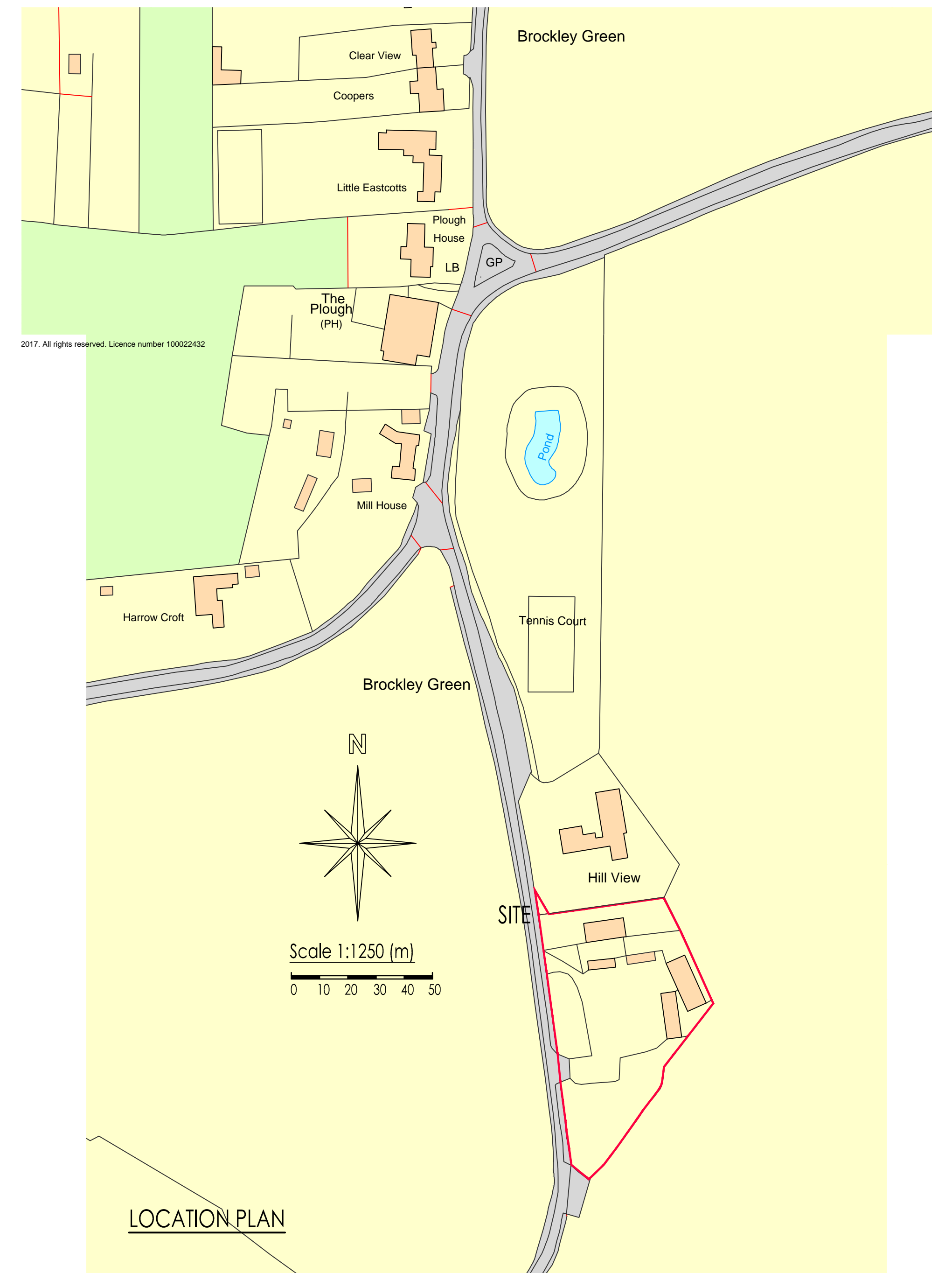
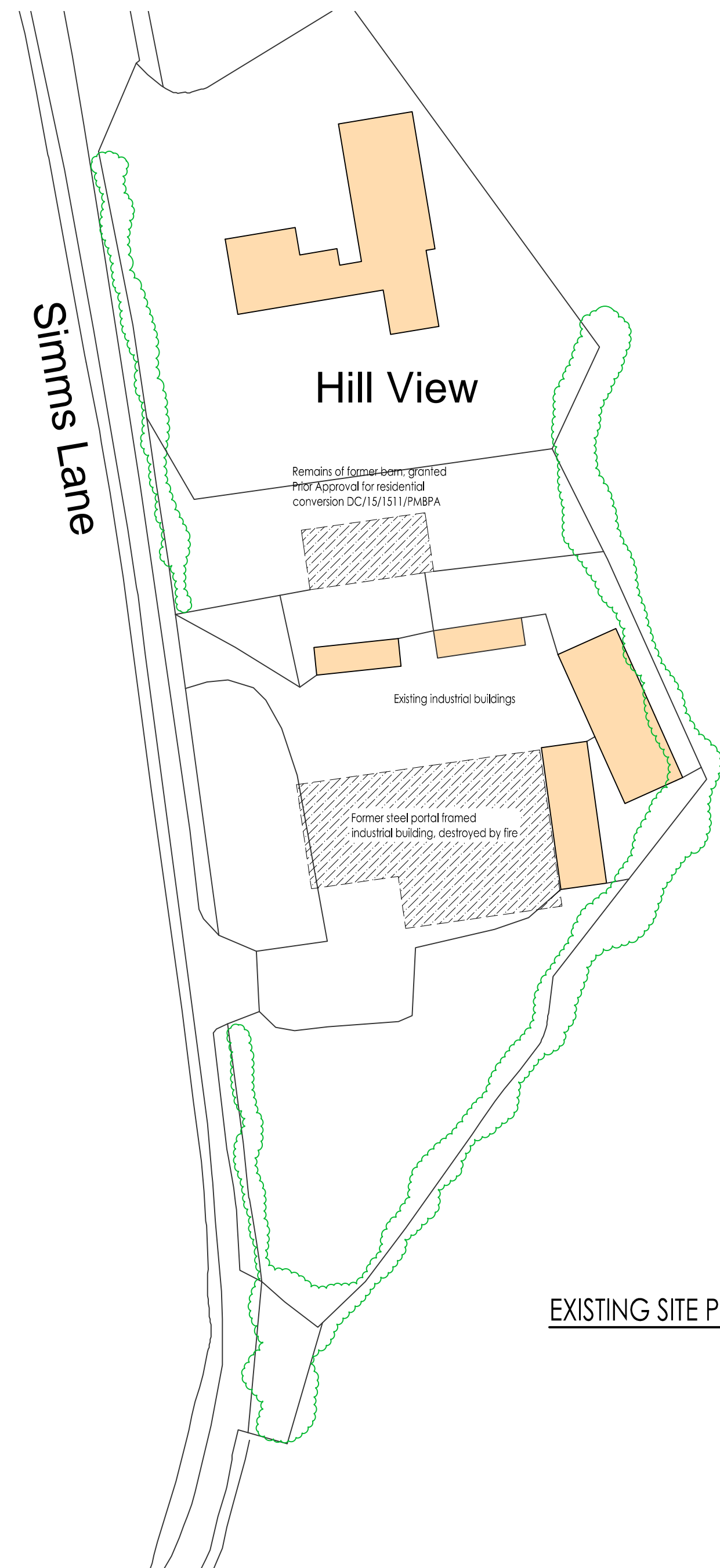


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**STREET ELEVATION**



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**Whymark & Moulton**  
Chartered Surveyors &  
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Project **PROPOSED REDEVELOPMENT  
LAND AND BUILDINGS AT HILL VIEW  
SIMMS LANE  
HUNDON**

**SITE LAYOUT AND STREET ELEVATION**

Scale **1:200, 1:500, 1:1250** Date **April 2018**

Drawing No **16/076-01 B**

Amendments

A May 2018 Site layout amended

B June 2018 Bin Storage and Collection Points shown

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*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/19/014

## Development Control Committee 7 February 2019

### Planning Application DC/18/2013/FUL – Water Pumping Station Corner of A143, Haverhill Road, Little Wratting

<b>Date Registered:</b>	09.10.2018	<b>Expiry Date:</b>	08.02.2019
<b>Case Officer:</b>	Julie Barrow	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Little Wratting	<b>Ward:</b>	Withersfield
<b>Proposal:</b>	Planning Application - New water treatment works		
<b>Site:</b>	Water Pumping Station Corner of A143, Haverhill Road, , Little Wratting		
<b>Applicant:</b>	Miss Angela Richardson - Anglian Water Services 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:

Julie Barrow

Email: [julie.barrow@westsuffolk.gov.uk](mailto:julie.barrow@westsuffolk.gov.uk)

Telephone: 01284 757621

## **Background:**

**Prior to the submission of the application the applicant requested a Screening Opinion from the Local Planning Authority. The LPA determined that the proposal does not constitute environmental impact assessment development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.**

**The application is referred to Development Control Committee as it relates to a major planning application and Kedington Parish Council objects to the proposal. The site is located in the Parish of Little Wratting, however given its proximity to Kedington, Kedington Parish Council were consulted and objected to the application.**

**A site visit will take place on 31 January 2019.**

## **Proposal:**

1. The application seeks consent for the construction of a water treatment works on land to the south-west of the B1061 / A143 junction. The works will occupy a footprint of approximately 7200m<sup>2</sup> and will comprise the following components:
  - Settlement tanks
  - Surge vessel
  - Balance tanks
  - Filter plat
  - Switchroom kiosk
  - Hypochloride dosing kiosk
  - Orthophosphoric dosing kiosk
  - Sampling kiosk
  - Switch room kiosk
  - Pump building
  - Sampling kiosk
  - Stand-by generator and fuel tank building
  - Welfare building
  - DN0 metering kiosk
  - Hundon pumping station
2. The various components of the water treatment works will vary in size and height with the filtration plant being the tallest structure with a maximum height of 7.8m. The adjacent settlement tanks will have a maximum height of 5.9m. The equipment is located towards the centre of the site, where the ground level will be reduced to approximately 3-4m below the level of the ground to the west of the site.
3. With the exception of the access off the B1061 Haverhill Road, the treatment works will be surround by an earth bund approximately 2.5m high. The site will be enclosed by 3.9m high steel security fencing (painted green) with space provided for landscaping.
4. A pump station kiosk and a metering kiosk will be installed adjacent to an existing borehole immediately to the north of the site of the proposed treatment works. Land to the west of the borehole will be used during the construction process as a temporary compound and soil storage area.



5. The proposed water treatment works will treat water from the existing abstraction borehole located adjacent to the works. The new process will pump water from the borehole through filtration and disinfection processes.
6. A new pipeline is also proposed to support the water treatment works. This does not form part of this application as Anglian Water has established that the installation of the pipeline can be carried out as permitted development and an express planning permission is not therefore required.

### **Application Supporting Material:**

7. The following supporting documents have been submitted with the application:
  - Planning & Design & Access Statement
  - Site Location Plan
  - Site Layout Plan
  - Plans detailing:
    - Elevations
    - Fences details
    - Visibility splays & road details
    - Temporary ditch crossing
    - Bund details
    - Filter plant
    - Dirty wash water tanks
    - Contact & balance tanks
    - Hypochloride, Orthodosing kiosk
    - Generator & fuel tank building, welfare building and waste tank
    - Switch room kiosk
    - Standby generator building
    - Welfare building
    - DNO & Hundon kiosk
    - Landscaping
  - Landscape Management Plan
  - Ecological Appraisal Report
  - Noise Assessment
  - Archaeological Brief
  - Archaeological Written Scheme of Investigation
  - Transport Statement
  - Traffic Management Plan
  - Landscape Visual Impact Assessment
  - Cover letter to landowner
  - Development Notice
  - Resident Consultation Letters
  - Parish Council Consultation
8. During the course of the application site drainage details were submitted together with the information requested by the Environment Agency at EIA screening stage.

### **Site Details:**

9. The site is located to the south-west of the B1061 / A143 junction and is currently in agricultural use. An existing borehole lies to the north of the site. The site is bounded on its northern side by a ditch and a single track

access road that serve the borehole site then leads onto farmland. Agricultural land surrounds the site to its south and west. The land opposite the site is in industrial use (albeit that the premises are currently not being used by the landowners), with a sports field and residential development further south. There are a number of dwellings to the north-west of the site known as Green Row, with The Folly immediately to the west of this cluster of dwellings on the old Haverhill road.

### Planning History:

10.Reference	Proposal	Status	Decision Date
DC/18/1706/EIASC R	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 considered that there are likely significant environmental impacts for which an Environmental Statement would be required - Construction of a new water treatment works at Kedington and construction of two c2.4 km parallel water mains between the new works at Kedington and Boyton Hall Water Reservoir	ES required	not 15.10.2018

### Consultations:

11. SCC Highways – No objection subject to conditions.
12. SCC Strategic Development – Travel Plan Officer – No comment. Development is too small to justify a Travel Plan.
13. Public Health & Housing – The closest residential premises are approximately 100m away. All the plant will generate noise, which may impact on the residential occupiers within the vicinity of the site.

The application is supported by a Noise Assessment Report. Baseline sample noise measurements were undertaken and noise levels due to various noise sources at the treatment plant were calculated at noise sensitive premises. The calculations were based on all plant operating simultaneously, as a worse-case scenario. The standby generator is tested for 2 hours during the daytime on a monthly basis and will only operate in the event of a power cut.

The report concludes that, excluding the operation of the standby generator, the remaining plant items would generate noise levels that should result in

daytime, evening and night-time noise levels that are below the WHO guidelines with windows open.

There is an adverse impact at The Folly and Green Row properties during the evening with the rating level 1db above background level but this is not considered to be significant. During the night-time the rating level is 4db above background noise level, which, whilst this impact is approaching adverse but significant, it may give rise to some lack of amenity.

With the standby generator in operation, whilst the calculated rating level would indicate a low impact at the nearest residential property during the daytime, the rating level during the evening and night-time will be 6db and 9db respectively above the background noise levels at The Folly and Green Row and 1db and 2db above the background levels at Stone Cottage, at around 150m to the south of the site. The operation of the plant, with the generator in operation, during the night-time, may therefore give rise to some lack of amenity but the internal noise levels, with windows open, will still be below the recommended WHO guideline values.

Whilst Public Health & Housing would not wish to raise any objections to this application, due to the low background noise levels at the nearest residential properties to the application site, particularly during the night-time, the operation of the plant may give rise to some lack of amenity.

Conditions recommended to minimise the impact of the development during construction on the existing residential occupiers in the vicinity of the site.

14. Cadent – There is apparatus in the vicinity of the site that may be affected by the activities specified – High or Intermediate pressure (above 2 bar) Gas pipelines and associated equipment. Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.
15. SCC Archaeological Service – There would be no significant impact on known archaeological sites or areas with archaeological potential. No objection to development and no archaeological mitigation is required.
16. SCC Floods – As the proposed site area (non-residential development) is less than 41ha the LLFA has no formal comments to make.
17. Historic England – Do not wish to offer any comments. Suggest that the views of the Council's specialist conservation advisers are sought.
18. Environment Agency – The EA has no concerns over the proposal for this water treatment works.

The EA do not consider there to be any issues with changes in flow regime because the groundwater is at significant depth below surface. The abstraction borehole is solid cased to a depth of 62m and abstracts from the Chalk. The Chalk underlies a substantial thickness of boulder clay approx. 45m thick. The Chalk is confined at this location and the groundwater level is believed to be in the region of 17mbgl, so it is highly unlikely that the flow path will be disrupted.

The applicant should incorporate appropriate pollution control measures.

Anglian Water Services have already contacted the EA about a discharge permit.

### **Representations:**

19. Cllr J Midwood – *I have contacted residents in Little Wrattling (there is no Parish Council) and I have not found objections to the proposals.*

*Great Wrattling Parish Council discussed the plans at their meeting last month and found no grounds to object.*

*The only opposition to the plans I have received was from a Kedington resident who urged me to call in the application to Committee. I am not prepared to do this as I do not represent Kedington Ward.*

20. Kedington Parish Council – Objects to the proposal on the following grounds:
- The site is on Greenfield land outside the settlement boundary of Kedington which is countryside, protected from development.
  - The visual amenity of this prominent gateway to the village will be adversely affected.
  - It would be detrimental to maintaining the identity, character and historical context of our settlement, contrary to Policy CS4 and significant detrimental impact, contrary to DM5.
  - The alternative site assessment has not adequately explored available brownfield sites as required by the sequential approach, Rural Vision 2031 Policy CS1.
  - The alternative site assessment has not adequately explored all available sites which are in less-prominent positions with a better fit in the landscape which would have less impact upon the landscape and visual amenity.
21. Site notice posted, advertisement placed in the East Anglian Daily Times and 9 nearby addresses notified. Responses received from Bell House, Silver Street, Kedington objecting to the proposal, which are summarised as follows:
- Do not believe Kedington Parish Council has been notified of the application and there is now little time to respond.
  - Understand need for current borehole at proposed site was to provide standby support until completion of additional control measures at Great Wrattling WTW.
  - Relevant to understand relationship between facilities and what targeted regulatory mechanisms have been put in place to ensure that non-metaldehyde slug-control techniques are used in high risk areas.
  - Alternative site assessment does very little to evaluate all available alternative sites.
  - Rural Vision 2031 Policy CS1 states that the sequential approach dictates that brownfield sites should be considered before making any greenfield allocations. There is plenty suitable brownfield land available in the direct vicinity of the proposed location.
  - There is a presumption against further development in the countryside.

- Proposal threatens the identity, character and historical context of Kedington.
- Visual amenity will be adversely affected.
- The additional site assessment sought one large rectangular site. The application is for 2 sites which will be very difficult to assimilate into the surroundings.
- The proposed application sites sit directly in the path of a "proposed local link", which formed St Edmundsbury Green Infrastructure Strategy.
- The Visual Assessment did not show the quality of the landscape and the analysis failed to understand the importance of this value to the village of Kedington.
- The open landscape between Kedington and Haverhill is an important feature to prevent coalescence and has a high importance, locally.
- The application does not contain sufficient information on the need, distinguish between functions that it may be expected to fulfil or clarify the timescale that the site would be re-instated back to its original form.
- Is this site for drinking water purification or for waste water treatment?
- Kedington already has a waste water treatment site.

The responses can be read in full online.

### **Policy:**

22. 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:

- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS13 - Rural Areas
- Vision Policy RV1 - Presumption in favour of Sustainable Development
- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM11 Protected Species
- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 Landscape Features
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM20 Archaeology
- Policy DM44 Rights of Way

### **Other Planning Policy:**

23. National Planning Policy Framework (2018)

**Other Relevant Planning Policy and Guidance:**

24. The National Planning Policy Framework was revised in July 2018 and is a material consideration in decision making from the days of its publication. Paragraph 213 is clear that existing policies should not be considered out of date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given. The Policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provisions of the 2018 NPPF that full weight can be attached to them in the decision making process.

**Officer Comment:**

25. The issues to be considered in the determination of the application are:
- Principle of Development
  - Impact on the character and appearance of the area
  - Highway safety
  - Ground conditions and contamination
  - Residential amenity
  - Other planning matters

Principle of development

26. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The St Edmundsbury Development Plan is comprised of the adopted Core Strategy, Vision 2031 (consisting of three Local Plans – Bury St Edmunds Vision 2031, Haverhill Vision 2031 and Rural Vision 2031) and the Joint Development Management Policies. National planning policies set out in the Framework are a key material consideration.
27. Policy CS1 makes reference to the fact that all growth around Bury St Edmunds and Haverhill will protect the identity of those villages that surround the towns and strategic landscaped buffers will be identified and where necessary used to ensure that the settlements do not become part of the larger urban area. A local resident takes the view that the proposed development is contrary to this policy given that the application site lies on land between Kedington and the land designated for development at Haverhill. The application site occupies a very small area in the context of the land between Kedington and Haverhill. The water treatment works is not being considered as an extension to the proposed development at Haverhill and lies quite separate from that development. The construction of a water treatment works in this area will not, on its own, result in the significant urbanisation of the immediate locality and as such is not considered to be contrary to this element of Policy CS1.
28. Policy CS2 relates to sustainable development and emphasises the need to protect and enhance natural resources. As discussed below, the proposed

development will have an adverse impact on the character and appearance of the immediate area and this will need to be balanced with the need for the development. Policy CS2 also makes reference to the fact that when considering the sustainable design of the built environment it is necessary to provide the infrastructure and services required to serve development.

29. Anglian Water's Planning Statement explains that as a result of many years of agricultural use within the ground water catchment supply area, low level concentrations of pesticides are building up in local ground water sources. Although these levels are not significant, the Drinking Water Inspectorate is encouraging work to be undertaken to maintain drinking water quality standards over the long term.
30. Currently, drinking water in the area is supplied by Great Wratting Water Treatment Works and stored at Boyton Hall Reservoir ready for supply. As part of the programme of improvement works being carried out by Anglian Water, this proposed water treatment works will be located adjacent to the existing water abstraction borehole at Kedington. A pumping station, housed in a small kiosk is also required at the existing borehole site and this has already been constructed under permitted development rights.
31. The separate pipe laying project referred to above will include the construction of two c2.4km parallel water mains between the new works at Kedington and Boyton Hall Water Reservoir. The mains are required for the blending and distribution of treated water from Boyton Hall Reservoir, which will feed into the Haverhill and Hundon areas.
32. The project will improve water quality for over 30,000 people in Haverhill. By providing an independent source of potable water it will provide additional resilience to the network. The overall solution using outputs from both Kedington and Great Wratting works will make sustainable use of the local water sources, and ensure current and future supply demands are met.
33. Anglian Water has been asked whether the development is directly connected to the large scale development planned for Haverhill and it has advised that it is not. It considers that the development is necessary to ensure that a safe water supply can be maintained to existing residents and that this proposal would have come forward irrespective of the development at Haverhill.
34. Policy DM1 relates to the presumption in favour of sustainable development and reflects the overarching objective of the National Planning Policy Framework (NPPF) in this respect. Policy DM1 specifically states that where there no policies relevant to an application or relevant policies are out of date at the time of making a decision then the LPA will grant permission unless material considerations indicate otherwise, taking into account whether:  
  
*'Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the Framework indicate that development should be restricted'.*
35. The site does not lie in an area designated for protection as set out in the NPPF, such as Greenbelt and sites of biodiversity or geological value. The

site is however located on land designated as countryside for the purposes of assessing it against the adopted development plan. The site is located within the parish of Little Wrattling and the cluster of dwellings and buildings known as Little Wrattling does not have a settlement boundary. The site is located approximately 0.5km from the northern edge of the settlement boundary drawn around Kedington.

36. Policy DM5 states that areas designated as countryside will be protected from unsustainable development. The Policy goes on to set out the circumstances in which a new or extended building will be permitted, in accordance with other policies within the development plan. The proposed water treatment works does not meet any of the exceptions to development set out in Policy DM5 and would not be considered a proposal for economic growth as referred to within the policy.
37. As previously stated the proposal is for infrastructure required to meet the water supply needs of existing and future populations. Whilst the Core Strategy 2010 and Joint Development Management Policies Document 2015 do not contain policies that specifically relate to such applications, Rural Vision 2031 does make reference to infrastructure and services. Chapter 14 sets out the aspirations for how rural St Edmundsbury will look and feel in 2031 in terms of infrastructure. Reference to infrastructure within the document includes that provided by third parties, required directly to service existing and proposed development (excluding roads and travel networks that are considered separately).
38. Rural Vision 2031 contains a number of aspirations in respect of the provision of infrastructure and services and Aspiration 17 states '*Water supplies are of good quality, readily available and used wisely*'. The document goes on to state that '*St Edmundsbury is in the driest region of the country and obtains its water from boreholes. Responsibility rests with Anglian Water who says that (subject to supply development schemes and demand management) there is sufficient water resource capacity to accommodate growth to 2031.*' In order to achieve this aspiration the action stated is '*Support Anglian Water's programme of managing water and reducing mains leakage.*'
39. Paragraph 149 of the NPPF makes reference to the need for plans to take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes.
40. This application has been submitted by Anglian Water in accordance with its programme of managing water and is therefore directly related to Aspiration 17 in this regard. This does not mean that the Council will support schemes that have an unacceptable adverse impact elsewhere and in accordance with Policy DM1 the remainder of this report considers whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

#### Impact on character and appearance of the area

41. One of the core principles in the National Planning Policy Framework is that planning should recognise the intrinsic character and beauty of the countryside. Local Plans should include strategic policies for the



conservation and enhancement of the natural environment, including landscape. This includes designated landscapes but also the wider countryside.

42. Core Strategy Policies CS2 and CS3 seek to protect, conserve and (where possible) enhance the quality, character and local distinctiveness of the landscape. Policy DM13 of the Joint Development Management Policies Document seeks to protect the landscape character (including sensitive landscapes) from the potentially adverse impacts of development. The policy seeks proportionate consideration of landscape impacts and calls for the submission of new landscaping where appropriate. It also calls for landscape mitigation and compensation measures so there is no net loss of characteristic features.
43. The application site is located within the South Suffolk and North Essex Clayland National Character Area where the landscape is characterised by its undulating chalky boulder clay plateau that is dissected by numerous river valleys. Here the agricultural landscape is predominantly arable with a wooded appearance. Field patterns are irregular despite rationalisation with much ancient countryside surviving.
44. On a more local level the Suffolk Landscape Character Assessment places the application site within the landscape character type Rolling Estate Farmlands, where the characteristics of the landscape are described in similar terms to the National Character Area assessment.
45. The site occupies the corner of an arable field with the land to the south and west rising up and typical of the undulating landscape in the surrounding area. The site of the proposed water treatment works is devoid of any built-form or significant vegetation and the existing borehole buildings are situated to immediately north of the proposed works. The site is bounded by the A143 to the north-west and the B1061 to the north-east. A meat processing plant occupies land to the north of the site and there are a number of disused buildings located to the east of the B1061, immediately opposite the site. These buildings are partially screened by existing mature vegetation along the edge of the roadside.
46. The site may occupy the corner of an agricultural field but the wider context of the area is one of a semi-industrial/urban landscape with the existing industrial buildings featuring prominently in the landscape, dissected by the A143 that links the towns of Haverhill and Bury St Edmunds.
47. A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application. This considers the effects of the proposal on the landscape character and highlights the likely visual receptors, in the form of local residents, users of public rights of way in the area and people travelling along the roads in the immediate locality. A Zone of Theoretical Visibility has been generated to show the theoretical extent of the surrounding area from which views to the proposed development at eye level may be possible.
48. A number of components of the water treatment works are several metres tall with the filtration tanks extending to 7.8m high. The water settlement tanks are 5.9m high, the balance tanks and dechlorination chamber is 4.9m high and the pump room is 4.4m high. The remaining buildings are under

4.0m. The LVIA describes the proposed development as being a 'visually distinguishable new element at the A143 and B1061 junction'.

49. A 3m high weldmesh fence with 0.9m of flat wrap security wire above is proposed inside the earth bund. The security gates will be constructed in the same way. Anglian Water has stated that the security fence is required under S208 of the Water Industry Act 1991 and the Security and Emergency Measures Direction 1998. On the edge of the site a 1.2m high timber post and rail fence is proposed.
50. Given the undulating nature of the area the proposed water treatment works will feature in certain views from all directions but primarily in views from the east. The undeveloped nature of the application site is such that the proposed development will have a significant adverse impact on the character of the site itself and its immediate locality. However, when considered against the context of the National Character Area the change to the wider area is considered to be much smaller and although there would be adverse effects on a local level the scheme would not result in a significant adverse effect on the existing quality of the wider character area.
51. The LVIA considers that the proposal would result in a medium magnitude of change to the Suffolk Landscape Character, which would be adverse in nature as the result of loss of part of an arable field. Existing built form, topography or vegetation will partially conceal the lower parts of the development from view, however, receptors along Old Haverhill Road, including local residents, will have close range views of the upper parts of the water settlement tanks and filtration plant. Similarly, those travelling along the A143 will have glimpsed views of the works between vegetation. Those approaching the site from Kedington will gain views of the works, including the earth bunds and soft landscaping with built-form rising above. Users of the footpath to the west of Kedington will also experience views of the tops of the installations, particularly in winter.
52. The LVIA assesses the effects of the proposal from several viewpoints in the area, with minor to moderate adverse effects experienced from all points, particularly within 1km of the site.
53. The applicant has sought to minimise the visual impact of the proposal by levelling the land in the centre of the site to accommodate the buildings and access road and using the excess soil to create a 2.5m high earth bund around the perimeter of the site.
54. The applicant has also submitted a Landscape Planting plan that includes new tree planting, new native hedge planting together with wildflower seeded areas and amenity grass seeding areas. The bunded areas will be treated with the wildflower and grass seeded areas with the trees and hedging towards the periphery of the site.
55. A temporary construction compound will be located adjacent to the borehole site. This area will be reinstated on completion of the works. Its impact on the landscape will therefore be temporary and subject to compliance with the submitted Construction and Site Management Plan it is considered that the impact of the compound on the character of the area will be minimal.

56. In accordance with Policy DM13 the applicant has had regard to the character of the landscape as identified In the Suffolk Landscape Character assessment. As stated above the proposal will have a significant impact at a very local level but will not fundamentally change or harm the wider landscape character of the area. Various visual receptors will experience the water treatment works in views across the landscape and the harm caused does weigh against the proposal. The landscape mitigation measures proposed will assist to assimilate the development into its surroundings to a certain degree but the scale of the built-form proposed is such that the development cannot be fully screened.
57. Policy DM13 requires that any harm to landscape features must not significantly and demonstrably outweigh the benefit of the proposal. As stated above, it is considered that the visual effects of the proposed water treatment works will result in some harm and this must therefore weigh against the proposal.

#### Consideration of alternative sites

58. Core Strategy Policy CS1 states that opportunities to use previously developed land and buildings for new development will be maximised through a sequential approach to the identification of development locations in settlements. Given that this Policy relates to the Spatial Strategy for St Edmundsbury it is considered that this statement is primarily aimed at identifying strategic sites for residential and employment development and is not a strict requirement for all forms of development.
59. Notwithstanding the above, Anglian Water has set out its rationale behind the choice of application site and it has taken a sequential based approach to reaching this decision. Anglian Water has stated that constraints such as land availability (finding a landowner willing to sell), land profile/topography, environmental/ecological constraints, visual impact, the location of the existing borehole and utility connectivity have influenced the location of the site.
60. A number of alternative sites have been considered and discounted by Anglian Water for a variety of reasons. Anglian Water has been in contact with the owner of the industrial premises opposite the site and explored various potential locations for the water treatment works. The LPA has been informed that the landowner was not willing to sell the amount of land required to accommodate the water treatment works and whilst it may have been desirable to utilise this existing brownfield site, it is not within the gift of Anglian Water to do so.
61. Anglian Water has responded to a representation received from a local resident suggesting a number of alternative sites. A number of these sites are located within the flood plain for the River Stour and would not therefore be appropriate for a water treatment works. Other sites are too small or the proximity to local residents was undesirable. One site suggested may lead to concerns over increase in traffic through Great Wratting village and the proximity of occupied properties.
62. The profile and topography of the application site allows Anglian Water to optimise site-hydraulics with the benefit of reducing power consumption. In addition, the re-use of material on site provides visual screening as well as

a robust sustainable solution. Consideration has also been given to traffic implications on the community during construction and operation. The application site can be accessed from the B1061 directly, whereas other options required trafficking near or through built up areas.

63. It is considered that Anglian Water has gone some way to demonstrate why this site has been chosen and sufficient explanation as to why alternative sites have been discounted has been provided.

#### Highway safety

64. The NPPF requires development proposals to ensure that safe and suitable access to the site can be achieved for all users. Policy DM2 reinforces this and requires applicants to produce designs, in accordance with standards, that maintain or enhance the safety of the highway network.
65. A new access to the water treatment works is proposed off the B1061. It is likely that the existing access to the borehole will be utilised during construction and a temporary crossing over a ditch between the site of the water treatment works and the construction compound will be required.
67. Once completed Anglian Water anticipates that vehicle movements will be small in number. Various deliveries will take place including fuel, orthophosphoric acid and sodium-hypochlorite and the scheme includes space for vehicles to pull off the highway in order to open the security gates.
68. During construction there will be a greater number of vehicle movements to and from the site and SCC Highways has confirmed its agreement to a Constriction and Site Management Plan submitted by Anglian Water in order to manage this process.
69. Subject to appropriate conditions regarding the timing of the access infrastructure on site SCC Highways raise no objections to the proposals and it is considered that the development will not have an adverse impact on the local road network or on highway safety.
70. An application for a temporary speed limit reduction on the A143 during the construction period will be made by Anglian Water. This is separate to the planning process and as the granting of a traffic order is outside the control of the LPA it cannot be conditioned.

#### Ecology

71. Policies DM10, DM11 and DM12 focus on the impact of development on sites of biodiversity and geodiversity importance, protected species and the mitigation, enhancement, management and monitoring of biodiversity. These policies reinforce the requirements of Policy CS2 and confirm that the local planning authority will have regard to the expert conservation advice provided by bodies such as natural England.
72. An Ecological Appraisal has been submitted with the application. An Extended Phase 1 Habitat survey was included within the appraisal and this identified arable fields, hard standing, semi-improved grassland, dry ditch

and specifies poor hedgerow on site. It also identified the potential suitability of habitat for birds, badgers, foraging/commuting bats, reptiles and great crested newts.

73. The proposal will result in the loss of this habitat, however, given that the site occupies a relatively small part of the surrounding arable field it is considered that this will not result in significant adverse effects. Scattered trees to the north-east of the site may have potential to be used by bats for roosting, however, they are a sufficient distance from the site not to directly affect bats, subject to appropriate lighting on site. Clearance of the site should be undertaken in accordance with the best practice outlined in the Ecological Appraisal in order to ensure nesting birds and any badgers and hedgehogs in the area are not adversely affected. The Ecological Appraisal also rules out any adverse effects on Great Crested Newts and reptiles subject to the precautionary mitigation measures outlined in the Appraisal being followed.
74. The applicant intends to plant native and local hedgerow species on the site once works are complete and this is considered to result in minor local biodiversity gain.

#### Ground conditions and contamination

75. The Environment Agency commented on the request for an Environmental Impact Assessment Screening Opinion made by the applicant prior to the submission of this application. The Environment Agency requested a Phase 1 Desk study together with a hydrological risk assessment.
76. The applicant submitted a Geo-environmental desk study during the course of the application, which has been reviewed by the Environment Agency. The report concludes that any risks to human health and controlled waters can be managed through the construction process.
77. As the controlling body for water abstraction it is considered that Anglian Water will take all the necessary precautions to ensure that risks to human health and controlled water are minimised. The Environment Agency has not recommended any investigative work or planning conditions. However, it is considered that a planning condition requiring any unexpected contamination to be reported to the local planning authority is an appropriate precautionary measure.

#### Residential amenity

78. Policy DM2 requires development proposals to ensure that they do not adversely affect residential amenity.
79. The closest residential dwellings are those on Green Row and the dwelling known as The Folly to the north-west of the site and Stone Cottage, to the south-east of the site towards the village of Kedington.
80. All of the plant to be contained within the proposed water treatment works will generate noise and a Noise Assessment Report has been submitted with the application to address this. Public Health & Housing have reviewed the Report, which was based on all plant operating simultaneously, as a worst case scenario, with and without the standby generator in operation. The

standby generator will be tested for 2 hours during the daytime on a monthly basis but will only operate in the event of a power cut.

81. The report concludes that, excluding the operation of the standby generator, the remaining plant items would generate noise levels that should result in daytime, evening and night-time internal noise levels that are below the WHO guidelines with windows open.
82. There is an adverse impact at The Folly and Green Row properties during the evening with the rating level being 1dB above the background level but this is not considered to be significant. During the night-time, the rating level has been calculated as 4dB above the background noise level at The Folly and Green Row, which, whilst this impact is approaching adverse but not significant, the operation of the plant may still be audible at the nearest residential properties and may give rise to some lack of amenity.
83. With the standby generator in operation, whilst the calculated rating level would indicate a low impact at the nearest residential property during the daytime, the rating level during the evening and night-time will be 6dB and 9dB respectively above the background noise levels at The Folly and Green Row and 1dB and 2dB above the background levels at Stone Cottage, at around 150m to the south of the application site. The operation of the plant, with the generator in operation, during the night-time, may therefore give rise to some lack of amenity but the internal noise levels, with windows open, will still be below the recommended WHO guideline values.
84. Public Health and Housing do not object to the proposal, however, due to the low background noise levels at the nearest residential properties to the application site, particularly during the night-time, the operation of the plant may give rise to some lack of amenity.
85. During the construction of the proposed water works there is potential for some noise and disturbance to be generated. The applicant has already submitted a Construction and Site Management Plan to address construction activities and issues such as construction hours etc. Compliance with this Plan can be secured by way of a planning condition.

#### Historic environment

86. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;  
*In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA)... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
87. The terrace of dwellings known as 1-6 Green Row are grade II listed as is Stone Cottage to the south-east of the site. Further away from the site, to the east, lies the Scheduled Monument known as *Interrupted ditch system W of Hall Farm*. Historic England have been consulted on the proposal and raise no objections. Verbal advice has been sought from the Council's

Conservation Officer who also raises no objections to the proposal and is satisfied that the application site does not form part of the setting of the listed buildings or the scheduled ancient monument and on this basis no harm to these heritage assets is caused.

88. Suffolk County Council Archaeological Service has concluded that there would be no significant impact on known archaeological sites or areas with archaeological potential. There is no objection to development from the Service and no archaeological mitigation is required.

#### Other matters

89. The site is located in Flood Zone 1, this being one of the reasons behind the choice of site. SCC Floods and Water team has advised that it does not need to be involved in the design of the drainage system. At the request of SCC Highways a drainage strategy has been submitted and a planning condition is proposed requiring this strategy to be implemented prior to the water treatment works coming into use.
90. Cadent has responded to the consultation exercise carried out by the LPA and has highlighted the presence of a high or intermediate pressure gas pipeline and associated equipment within the vicinity of the site. Anglian Water refers to this in their submission, indicating that they are aware of it. Anglian Water will need to ensure that appropriate consents are in place prior to any development taking place on site. The presence of the pipeline would not warrant refusal of the application
91. The application site is located on grade 2 agricultural land. However the works are positioned on the corner of the field where access can be gained immediately from the highway, minimising the amount of land required for the proposal. Whilst the proposal will result in the loss of agricultural land it is considered to be very minor in nature given the amount of best and most versatile agricultural land within the Borough and the presence of the water treatment works is unlikely to have any impact on the agricultural industry.

#### **Planning balance and conclusion:**

92. The site is located outside the settlement boundary on land designated as countryside for planning purposes. The proposal for a water treatment works does not neatly fit into any development plan policy, however the Rural Vision 2031 is clear that the local authority will support Anglian Water's programme of managing water. Policy DM1 requires proposals where there are no policies relevant to the application to be considered in terms of whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
93. Anglian Water has clearly set out the need for the new water treatment works in its submission and its rationale behind its choice of site next to an existing borehole. In order to build resilience and capacity into the system the new works are required to ensure water supplies are maintained in the future for the benefit of local residents. The benefits of the scheme therefore attract very significant weight in favour of the proposal.

94. It is accepted that the proposed water treatment works will change the landscape character of the application site. On a local level these changes will be significant, however, the applicant is committed to minimising these effects through the use of hard and soft landscaping. The adverse effects of the proposal on the landscape do however attract moderate weight against the proposal.
95. The Noise Assessment Report submitted with the application identifies that there may be some loss of residential amenity to existing residents when the water treatment works is in operation. However, the noise levels omitted remain below WHO guidelines and the Public Health & Housing Team therefore raise no objections to the proposal. The generator on site will only be used in the event of a power failure and it is considered that any noise created will be short-lived and have only a minor impact on amenity. Given the conclusions of the Public Health & Housing Team it is considered that any loss of amenity attracts limited weight against the proposal.
96. Matters in relation to highway safety, ecology and biodiversity and drainage can be addressed by planning condition. The biodiversity enhancements proposed site attract limited weight in favour of the proposal.
97. On balance it is considered that the benefits attached to this proposal outweigh the identified adverse effects on the landscape and any minor adverse effect on residential amenity. The application is therefore recommended for approval.

**Recommendation:**

98. 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:

<b>Reference No:</b>	<b>Plan Type</b>	<b>Date Received</b>
SS-PLG-0001_4P	Location Plan	05.10.2018
SS-PLG-0003_3P	Layout	05.10.2018
SS-PLG-0004_1P	Proposed Elevations	05.10.2018
SS-PLG-0005_1P	Proposed Elevations	05.10.2018
SS-PLG-0006_1P	Fence Plan	05.10.2018
SS-PLG-0007_1P	Visibility splays	05.10.2018
SS-PLG-0008_1P	PLAN	05.10.2018
SS-PLG-0009_1P	Bunding Details	05.10.2018
SS-PLG-0030_1P	PLAN	05.10.2018
SS-PLG-0010_1P	PLAN	05.10.2018
SS-PLG-0020_1P	PLAN	05.10.2018
SS-PLG-0040_1P	PLAN	05.10.2018
SS-PLG-0060_1P	PLAN	05.10.2018
SS-PLG-0065_1P	PLAN	05.10.2018



SS-PLG-0070_1P	PLAN	05.10.2018
SS-PLG-0080_1P	PLAN	05.10.2018
SS-PLG-0090_1P	Welfare Building	05.10.2018
SS-LAY-2005 1P	Other	18.01.2019
Construction and Site Management Plan	Other	18.01.2019
JMK 10201-RPS-Figure 01.01 Rev1	Landscape plan	05.10.2018
WAT-06742-KEHRWW-SS-LAY-2005	Other	18.01.2018
Drainage Strategy	Drainage Strategy	19.12.2018

Reason: To define the scope and extent of this permission.

- 3 The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. WAT-06742-KEHRWW-SS-PLG-0007 and made available for use prior to the water treatment works coming into operational use. Thereafter the access shall be retained in the specified form.  
Reason: To ensure that the access is designed and constructed to an appropriate specification and made available for use at an appropriate time, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.
- 4 Before the access is first used visibility splays shall be provided as shown on Drawing No. WAT-06742-KEHRWW-SS-PLG-0007 and thereafter retained in the specified form. 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 access have sufficient visibility to enter the public highway safely and vehicles on the public highway have sufficient warning of a vehicle emerging, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.
- 5 Gates shall be set back a minimum distance of 10 metres from the edge carriageway and shall open only into the site and not over any area of the highway.  
Reason: In the interest of highway safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.
- 6 The development shall be carried out strictly in accordance with the Construction and Site Management Plan submitted on 18 January 2018. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with

such complaints at the site office throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas, in the interest of highway safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 7 Prior to the water treatment works coming into use a layby shall be provided on the frontage of the site in accordance with details which previously shall have been submitted to and approved in writing by the Local Planning Authority. The lay-by shall be retained thereafter in the approved form.

Reason: To enable vehicles visiting the property to park clear of the carriageway in the interest of highway safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 8 Prior to the water treatment works coming into use the drainage scheme detailed in the 'Permanent Site Drainage' document submitted on 19 December 2018 shall be implemented in full in accordance with the agreed details.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and to prevent hazards caused by flowing water or ice on the highway and to ensure that the proposed development can be adequately drained, in accordance with policies DM2 and DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies

- 9 Prior to the water treatment works coming into operational use details showing an adequate vehicle turning space at the proposed substation within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be retained thereafter and used for no other purpose.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 10 The hours of site clearance, preparation and construction activities, including deliveries to the site and the removal of excavated materials and waste from the site, shall be carried out between the hours of 08:00 to 18:00 hours on Mondays to Fridays and between the hours of 08:00 to 13:00 on Saturdays and at no time on Sundays, Bank or Public Holidays without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 11 Any waste material arising from the site preparation and construction works shall not be burnt on site but shall be kept securely in containers for removal to prevent escape into the environment.

Reason: To ensure that the development will not have a negative impact on ground and surface water and to protect the amenity of adjacent areas, in accordance with policies DM6 and DM32 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 14 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 12 With the exception of the lighting details contained within the Planning, Design and Access Statement, no security lights or floodlights shall be erected on site without the submission of details to, and written approval from, the Local Planning Authority.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

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

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

- 14 All planting comprised in the approved details of landscaping – Drawing No. JMK10201-RPS-Figure 01.01 Rev1 - shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

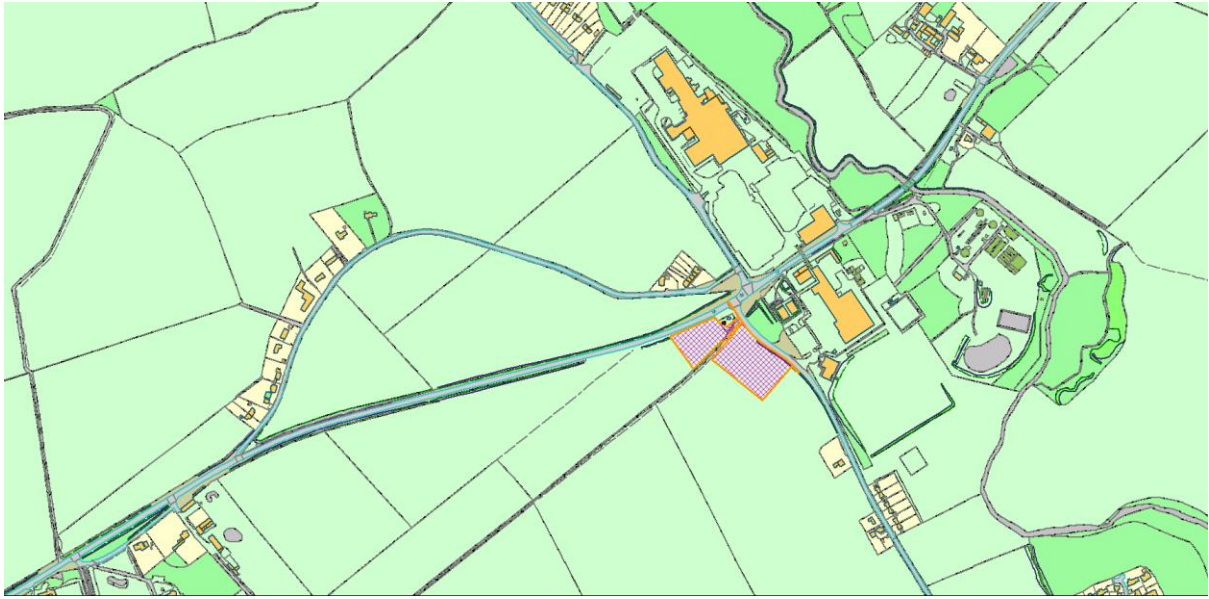
Reason: To enhance the appearance of the development and ensure a satisfactory environment, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 15 All ecological measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal Report dated 28 March 2018 prepared by Mott Macdonald as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policy DM12 of the West Suffolk

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/2013/FUL](#)



DC/18/2013/FUL – Water Treatment Works, Little Kedington



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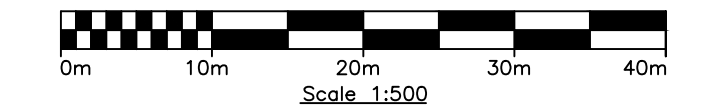
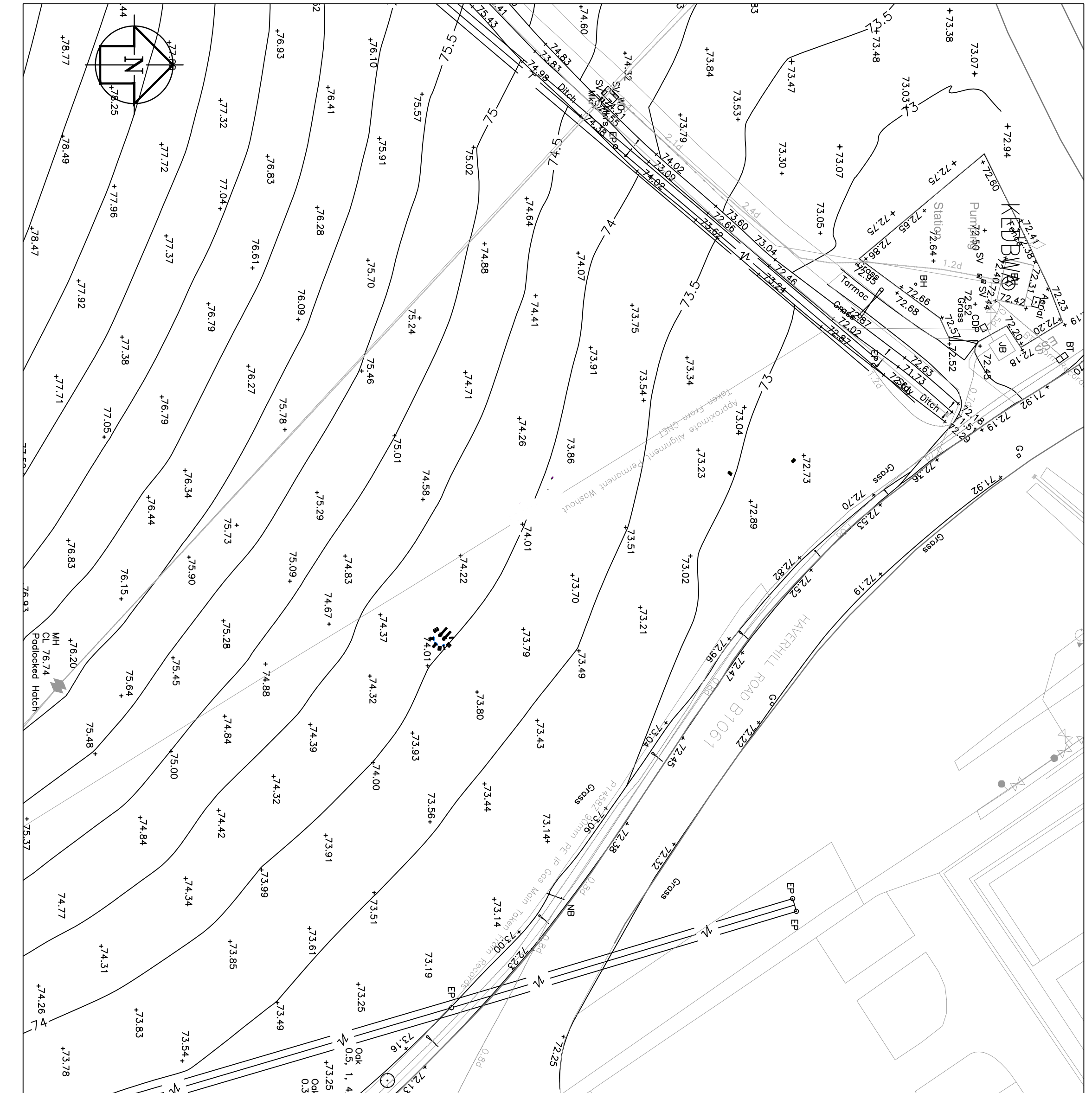


**GENERAL NOTES**

- ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE.
- ALL LEVELS IN METRES RELATIVE TO ORDNANCE DATUM NEWLYN.

**REFERENCE DRAWINGS**

KEDINGTON SITE LOCATION PLAN	WAT-06742-KEHRWW-SS-PLG-0001
KEDINGTON LAND ACQUISITION PLAN	WAT-06742-KEHRWW-SS-PLG-0002
KEDINGTON SITE LAYOUT	WAT-06742-KEHRWW-SS-PLG-0003
KEDINGTON OVERALL SITE ELEVATIONS	WAT-06742-KEHRWW-SS-PLG-0004
KEDINGTON OVERALL SITE ELEVATIONS	WAT-06742-KEHRWW-SS-PLG-0005
KEDINGTON FENCING AND SCREENING DETAILS	WAT-06742-KEHRWW-SS-PLG-0006
KEDINGTON VISIBILITY SPLAYS & ROAD DETAILS	WAT-06742-KEHRWW-SS-PLG-0007
KEDINGTON TEMPORARY DITCH CROSSING	WAT-06742-KEHRWW-SS-PLG-0008
KEDINGTON BUND DETAILS	WAT-06742-KEHRWW-SS-PLG-0009
KEDINGTON FILTER PLANT	WAT-06742-KEHRWW-SS-PLG-0010
KEDINGTON DIRTY WASH WATER TANKS	WAT-06742-KEHRWW-SS-PLG-0020
KEDINGTON CONTACT & BALANCE TANKS	WAT-06742-KEHRWW-SS-PLG-0030
KEDINGTON HYPO & ORTHO DOSING KIOSKS	WAT-06742-KEHRWW-SS-PLG-0040
KEDINGTON SWITCH ROOM KIOSK	WAT-06742-KEHRWW-SS-PLG-0060
KEDINGTON SURGE VESSEL	WAT-06742-KEHRWW-SS-PLG-0065
KEDINGTON PUMP BUILDING & SAMPLING KIOSK	WAT-06742-KEHRWW-SS-PLG-0070
KEDINGTON STANDBY GENERATOR BUILDING	WAT-06742-KEHRWW-SS-PLG-0080
KEDINGTON WELFARE BUILDING	WAT-06742-KEHRWW-SS-PLG-0090
KEDINGTON DNO & HUNDON PS KIOSKS	WAT-06742-KEDWA-SS-PLG-0010



REV	DATE	DETAILS	STAT	BY	CHK	APP
3	02.10.18	ISSUED FOR PLANNING	P	DLJ	AR	ML
2	13.08.18	ISSUED FOR PRE-PLANNING CONSULTATION	P	TP	DA	AM
1	10.01.18	ISSUED FOR PRE-PLANNING CONSULTATION	P	TP	DB	ML

This plan is provided by Anglian Water pursuant to its obligations under the Water Industry Act 1989 (section 198 or 199). It must be used in conjunction with any search results attached. The information on this plan is based on data currently recorded but the position may be updated as appropriate. Service pipes, private sewers and drains are generally not shown. Users of this map are strongly advised to commission their own survey of the area shown on the plan before carrying out any works. The actual position of all apparatus MUST be established by trial holes. No liability whatsoever, including liability for negligence, is accepted by Anglian Water for any error or inaccuracy or omission, including the failure to accurately record, or record of all, the location of any water main, discharge pipe, sewer or drain or disposal main or any item of apparatus, including the failure to accurately record. The plan is produced by Anglian Water Services Limited, from Ordnance Survey Crown Copyright, NI 2006/02. This map is to be used for the purposes of viewing the location of Anglian Water plant only. Any other use of the map data or further copies are not permitted. This notice is not intended to exclude or restrict liability for death or personal injury resulting from negligence.

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Thorpe Wood House, Thorpe Wood, Peterborough,  
Cambridgeshire, PE3 6WF  
Tel: 01733 414100 Fax: 01733 414111

PROJECT TITLE  
**KEDINGTON WTW**

DRAWING TITLE  
**PLANNING DRAWING  
SITE LAYOUT**

DES'D: TP	DATE: 10.01.18	DRAWN: TP	DATE: 10.01.18	CHK'D: DB	DATE: 10.01.18	APP'D: ML	DATE: 10.01.18
A1 SCALE: 1:500		REFERENCED DRAWINGS:					
DRAWING No. <b>WAT-06742-KEHRWW-SS-PLG-0003</b>							REV. <b>3</b>
							STAT. <b>P</b>



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*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/19/015

## Development Control Committee 7 February 2019

### Planning Application DC/18/0068/FUL - 26 Angel Hill, Bury St Edmunds

<b>Date Registered:</b>	25.01.2018	<b>Expiry Date:</b>	22.03.2018 EoT until 08.02.2019
<b>Case Officer:</b>	Marianna Hall	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Bury St Edmunds Town Council	<b>Ward:</b>	Abbeygate
<b>Proposal:</b>	Planning Application - (i) Ground floor retail unit; (ii) 4 no. flats on first and second floor (following demolition of existing building). As amended by plans and documents received on 14 August 2018 removing garden areas.		
<b>Site:</b>	26 Angel Hill, Bury St Edmunds		
<b>Applicant:</b>	Mr J Thake		

**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:

Marianna Hall / Dave Beighton

Email: [marianna.hall@westsuffolk.gov.uk](mailto:marianna.hall@westsuffolk.gov.uk) / [dave.beighton@westsuffolk.gov.uk](mailto:dave.beighton@westsuffolk.gov.uk)

Telephone: 01284 757351 / 01638 719470

## **Background:**

**This application was deferred at Development Control Committee in January 2019. The Committee resolved to instruct Officers to seek amendments to the scheme. In summary, these amendments were threefold. Firstly, to investigate the potential for the bin storage area to be incorporated within the building. Secondly, to investigate the potential for a screen to better protect amenity. Thirdly, to investigate the potential to rearrange the layout of the rear most second floor flat, in order to improve the relationship to offsite property.**

**The application was originally called to the Development Control Committee by Councillor Jo Rayner (Ward Member: Abbeygate). The Town Council also objects to the application and the officer recommendation is one of approval. As Chair of the Development Control Committee, Councillor Jim Thorndyke has expressed his view that the application should be presented directly to the Development Control Committee, rather than the Delegation Panel, and this is a position agreed by David Collinson as Assistant Director (Planning and Regulatory Services).**

**A site visit took place on Thursday 20 December 2018.**

**The report presented before Members in January 2019 is included as Working Paper 1. Members are directed towards this report, which is to be read in conjunction with this update paper.**

## **Proposal:**

1. Since the Development Control Committee in January Officers have been engaged in further discussions with the applicant. This resulted in the submission of further amended plans, upon which consultation has taken place.
2. In summary, these amendments include the following –
  - The removal of the enclosed and covered timber bin storage area and the provision instead of a blockwork storage area incorporated within the building, with a flat roof and external materials to match the proposed building.
  - The provision of an obscure glazed screen on the flat roof of the Cycle King retail area, close to the boundary with the private garden of the flat associated with The One Bull public house. The screen is 1.8m in height and proposed to be constructed using metal poles supporting obscured glazing.
  - Revisions to the floor plan of the rear facing second floor flat, so that the living areas are moved away from the boundary with the garden of The One Bull flat.

## **Consultations (on revised plans):**

3. Town Council
  - The Town Council have no objection to the revised plans based on information received, and subject to Conservation Area issues and Article Four issues.

4. Historic England

- No objections to the amended plans. Historic England note that the previously agreed details of rear wall ventilation, amended foundation design and removal of the first floor roof terrace remain part of these drawings.

5. Conservation Officer

- No objections following clarification on the materials for the screen.

**Representations:**

6. A 14 day reconsultation period has been undertaken, with the following additional comments received –

- One letter of representation has been received on behalf of the owners of The One Bull Public House, which makes the following comments –

*The amendments to the above planning application being the enclosure to the bin store, the redesign of flat 3 and the introduction of a privacy screen will overcome our objections if the details are properly conditioned. We understand that the bin store will be rendered and constructed in the same material as the flats. This should be required in a planning condition.*

*A planning condition should be used to require that the privacy screen will be erected before the occupation of the flats and should be retained thereafter. Details of the construction/materials of the screen should be included in a condition. We understand that it is to be of etched privacy glass and steel. The height of the screen should be retained in relation to the height of the flats windows in case the roof levels of the ground floor change.*

**Officer Comment:**

7. Comment is only made here in relation to the amendments received since the January 2019 Development Control Committee meeting. Members should consider this report in conjunction with the report at Working Paper 1, which sets out consideration in relation to wider matters.
8. The proposed bin store is shown with a parapet and rendered walls to match the rest of the building. This would blend in well and would not be a prominent part of the building in views from the Abbey Gardens. The screen is proposed to be of glass with an etched-type finish for privacy, at a height of 1.8m. It is a short section which would be positioned to finish well before the Abbey wall. It would be a lightweight feature which would similarly be a discrete element in the general views of the rear of the property.
9. There is therefore no objection raised from a heritage perspective to the enclosed bin store or glazed screen between 26 Angel Hill and The One Bull garden. This is subject to the materials of the screen being obscure glazed with matt metal supports, as per the submitted revised plans, and

also subject to the height being maintained relative to the garden area of The One Bull flat. This will be controlled through the use of the standard 'compliance with plans' condition below albeit a condition requiring the screen to be installed prior to occupation and thereafter retained is considered reasonable. Members will note that this is included as an additional condition below.

10. Members will note that Officers previously felt that the proposal would have an acceptable impact upon amenity. The view of Officers is that this proposal does not make it worse. The bin storage element of the building is modest and will not have any materially adverse effects upon amenity, and the screen will further protect, rather than detract from, the amenities of nearby residents.
11. The changes to the internal layout of the second floor rear flat are considered to have no material adverse effects upon amenity, noting the conclusions previously drawn by Officers in relation to this.
12. Members will note the views of the Principal Conservation Officer, as well as the comments of third parties. No material issues are raised in any third party responses that warrant detailed assessment in this report.

### **Conclusions:**

13. The scheme would provide a replacement retail unit and additional housing on a currently vacant, brownfield site in a highly sustainable location within the town centre. Having regard to the appearance and condition of the building that formerly occupied the site, the redevelopment proposed would furthermore significantly improve the street scene to the benefit of the character and appearance of the area, including the conservation area. The development is considered to be in keeping with its surroundings and would not harm the settings of adjacent listed buildings or the adjacent scheduled monument. The proposals are not considered to have an unacceptable impact upon the amenities of neighbouring properties and would provide a good standard of amenity for future occupiers of the development. Whilst the development does not propose any on-site car parking, the site is within the town centre of Bury St Edmunds with services and amenities readily accessible by means other than the private car. The adjacent highway is also controlled by parking restrictions, which together with the highly sustainable location of the development and the type of accommodation proposed, reduces the likelihood of adverse issues arising as a result of the development to an acceptable degree. 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. As such a recommendation of approval is appropriate.

### **Recommendation:**

14. 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*

- 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 (*approved plans and documents to be listed*).

*Reason: To define the scope and extent of this permission.*

- 3) No development shall take place within site until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018).*

- 4) No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 3 and the provision made for analysis, publication and dissemination of results and archive deposition.

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018).*

- 5) Details of the foundations, to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ. The foundations shall be constructed in accordance with the details as may be approved 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 DM20 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018).*

- 6) Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

*Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).*

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

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

- 8) The site demolition, preparation and construction works shall only 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.*

- 9) No development above ground floor level shall take place until details of the bin store and associated enclosure to serve the flats have been submitted to and approved in writing by the Local Planning Authority. The bin store and associated enclosure shall be provided in accordance with the approved details prior to any of the flats being first occupied and shall be thereafter retained as approved and used for no other purpose.

*Reason: To protect the amenity of the area and to ensure that refuse and recycling bins are not stored on the highway causing obstruction and*

*dangers for other users.*

- 10) The windows serving the bedrooms of the flats hereby permitted shall be fixed shut with acoustic vents provided in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Any such windows as may be installed shall thereafter be retained as so installed.  
*Reason: To protect the amenity of future occupants in respect of noise levels.*
- 11) No work of construction above slab level shall commence until samples of the external materials and surface finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.  
*Reason: To ensure the appearance of the development is satisfactory.*
- 12) The external brickwork shall be laid in Flemish Bond.  
*Reason: To ensure the appearance of the development is satisfactory.*
- 13) No works involving the installation of the front entrance door to the flats shall take place until an elevation to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new external door and surrounds to be used (including details of panels and glazing where relevant) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.  
*Reason: To ensure the appearance of the development is satisfactory.*
- 14) The flats shall not be occupied until the cycle storage shown on drawing nos. F982/10 and F/982/14F has been provided. The cycle storage shall be retained thereafter as approved.  
*Reason: To ensure that sufficient space for cycle storage is provided and maintained.*
- 15) The dwellings hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.  
*Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.*
- 16) The ground floor bin storage area for the retail unit shown on drawing F982/14 Revision F shall be provided prior to the first retail use of the ground floor, and thereafter retained.  
*Reason: In the interests of providing sufficient space for the storage of bins, in the interests of amenity and highway safety.*
- 17) There shall be no occupation of any of the flats hereby permitted unless and until the glazed screen shown on drawings F982 15G, F982 17F and F982 20A has been provided in accordance with the details shown on these drawings, with a finished height at least one metre taller than the parapet wall between the application site and the One Bull Public House.

Thereafter, the screen shall be retained as so installed.

Reason: in the interests of the residential amenities of nearby dwellings in accordance with the provisions of Policy DM2 of the Joint Development Management Policies Local Plan.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/0068/FUL](#)





St Edmundsbury  
BOROUGH COUNCIL

DEV/SE/19/003

## **WORKING PAPER 1**

# Development Control Committee 3 January 2019

### **Planning Application DC/18/0068/FUL – 26 Angel Hill, Bury St Edmunds**

**Date Registered:** 25.01.2018      **Expiry Date:** 22.03.2018  
EoT until 11.01.2019

**Case Officer:** Marianna Hall      **Recommendation:** Approve Application

**Parish:** Bury St Edmunds      **Ward:** Abbeygate

**Proposal:** Planning Application - (i) Ground floor retail unit; (ii) 4 no. flats on first and second floor (following demolition of existing building). As amended by plans and documents received on 14 August 2018 removing garden areas.

**Site:** 26 Angel Hill, Bury St Edmunds

**Applicant:** Mr J Thake

**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:

Marianna Hall

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## **Background:**

**This application has been called-in by Councillor Jo Rayner as one of the Abbeygate Ward Members. The Town Council also objects to the application and the Officer recommendation is one of APPROVAL.**

**As Chairman of the Development Control Committee, Councillor Jim Thorndyke has expressed his view that the application should be presented directly to the Development Control Committee, rather than the Delegation Panel, and this is a position agreed by David Collinson as Assistant Director (Planning & Regulatory Services).**

**A site visit will take place on Thursday 20 December 2018.**

## **Proposal:**

1. Planning permission is sought for the erection of a part two-storey and part three-storey building comprising a retail unit on the ground floor and 4 no. flats on the first and second floors. The retail unit, Cycle King, that previously occupied the site was damaged in a fire in September of 2017 and was later demolished. The proposals seek to replace the retail space that has been lost and to build above to provide residential accommodation in the form of 3 no. one-bedroom flats and 1 no. two-bedroom flats.
2. The building would be finished in gault brickwork to the first and second floors with block columns and glazing to the ground floor. Timber sliding sash windows are proposed and the roofs tiled to match adjacent buildings, concealed behind parapet walls. The building would front onto Angel Hill and no on-site car parking is proposed.
3. The application has been subject to several amendments since its original submission. The communal gardens originally proposed at first floor level to serve the flats have been removed from the scheme. The layout has also been revised in terms of the proposed bin store at first floor level and the provision of cycle storage at ground floor level within the lobby area for the flats. An appropriate maintenance gap has been introduced between the ground floor retail unit and the historic Abbey wall behind, with ventilation also provided to ensure that this space is breathable. The shopfront design has been revised in response to feedback from the Conservation Officer and the Bury St Edmunds Society. Additional information has in addition been provided during the course of the application including an Environmental Noise Assessment and updated Archaeological Investigation.

## **Application Supporting Material:**

1. The information submitted with the application comprises:
  - Application Form
  - Plans
  - Design & Access Statement Incorporating Heritage Statement
  - Historic Photograph
  - Archaeological Evaluation
  - Material Schedule
  - Phase 1 Geo-Environmental Desk Study Report
  - Environmental Noise Assessment & Supplement re: Live Music Events

### Site Details:

2. The site is located between The One Bull public house and Crescent House on Angel Hill in the Town Centre of Bury St Edmunds and comprises the former site of Cycle King - a cycle sales and repair business. Both The One Bull and Crescent House are Grade II listed buildings and the properties opposite the site are also listed. The site backs onto the Abbey Gardens, with the adjacent precinct wall being Grade I listed and forming part of the Bury St Edmund's Abbey Scheduled Monument. The Abbey Gardens is also a Grade II listed Historic Park and Garden, a site of Nature Conservation Interest, and is designated as Recreational Open Space within the local plan. The site is within the Town Centre Conservation Area which is subject to an Article 4 Direction, and is also within the defined Housing Settlement Boundary for Bury St Edmunds.
3. The former Cycle King shop that occupied the site has been demolished and removed from the site. There is currently a timber hoarding across the site frontage.

### Planning History:

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision Date</b>
E/83/3426/A	Provision of non-illuminated fascia signs	Application Refused	29.12.1983
E/83/2628/A	Proposed display of 4 no. posters on internal window faces obj. reply recd. WITHDRAWN - September 1983	Application Withdrawn	20.09.1983
E/82/1123/A	Provision of display posters on shop windows	Application Refused	03.03.1982
E/81/2702/A	PROVISION OF NON ILLUMINATED SHOP SIGN	Application Granted	16.09.1981
E/81/2575/P	REPLACEMENT OF SHOP FRONT	Application Granted	05.10.1981
E/81/2351/P	CHANGE OF USE TO MOTOR ACCESSORIES RETAIL SHOP	Application Granted	14.08.1981
E/81/2111/P	CHANGE OF USE FROM CAR HIRE DEPOT TO CAR SALES SHOW ROOM	Application Granted	16.06.1981
E/81/2013/P	CHANGE OF USE FROM CAR SHOWROOM TO	Application Granted	16.06.1981

PREMISES FOR RETAIL  
SALES OF CYCLES

**Consultations:**

4. Town Council

Comments 15.02.2018:

- Objection on the grounds of loss of privacy, overdevelopment and health and safety.

Comments 07.06.2018:

- Our health and safety concerns have been addressed however we are obliged to sustain the objection on ground of privacy and overdevelopment.

Comments 13.09.2018:

- Objection on grounds of loss of amenity and the health and safety implications of bin storage being on the first floor.

5. Highways

Comments 09.02.2018:

- Conditions recommended regarding provision of bin and cycle storage.
- The absence of car parking spaces is mitigated by the sustainable town centre location.

Comments 14.06.2018:

- Conditions recommended regarding provision of bin and cycle storage.
- The absence of car parking spaces is mitigated by the sustainable town centre location.

Comments 14.09.2018:

- Conditions recommended still stand but should refer to the latest drawings.

6. Public Health & Housing

Comments 22.02.2018:

- No objection.
- Conditions recommended regarding construction hours and burning of waste.
- There is a risk of noise from the neighbouring public house and traffic noise from Angel Hill affecting future occupants of the development. Recommend applicant undertakes a noise assessment. Details of assessment and attenuation measures should be provided for agreement in writing by the LPA.
- May be a loss of amenity for the proposed flats due to potential cooking odours from the public house.

Comments 31.08.2018:

- Is sensible to remove the rooftop gardens as it is unlikely that reasonable noise levels can be achieved in the garden areas.
- The internal noise levels are acceptable on the basis of the various Acoustic Consultant's reports and additional information.

- It would be unreasonable if The One Bull were not allowed to open their rooflight for ventilation purposes without the need for additional mechanical ventilation.

## 7. Historic England

Comments 15.02.2018:

- Object to the application on heritage grounds.
- Red line boundary of the development includes part of the designated precinct wall. Ground floor abuts the wall and the first floor terrace overlooks the park and monument.
- Concerned about direct impact upon the wall during the demolition and construction phases which has the potential to cause a high degree of harm to its significance.
- Any works to the wall would require Scheduled Monument Consent.
- Also concerned about impact upon the significance of the wider monument through a development within its setting, and about impact of the development upon non-designated archaeology within the red line boundary.
- No in principle objection to the redevelopment of the site.
- Existing building is of some merit and is representative of its period but we accept the broad principle elements of the new design.
- Success of the scheme will be in the detailing of the new development and in particular the brickwork and materials. Considerable regard should be given to these matters in relation to the setting of the Conservation Area.
- Not clear whether the existing structure is attached to the wall and therefore what impact there would be on it during the demolition phase.
- No information provided on current condition of wall or consideration of whether repairs are necessary.
- Concerned about future maintenance and access for repair. Is important to ensure the wall can be maintained and repaired on both sides. Recommend plans are amended to include sufficient space for inspection and repair.
- Roof terrace would seem positive for the amenity of the residents but query the likely impact of this and the development as a whole upon the significance of the scheduled monument from changes to its setting, particularly in key views from the public spaces of the park and ruins.
- Development area sits just outside of the medieval precinct and there is therefore considerable potential for the recovery of archaeological remains within the footprint of the existing building.
- Impact on non-designated heritage assets would also need to be considered.
- Application fails to accord with the NPPF and insufficient information is available to determine the impact of the proposals.

Comments 14.09.2018:

- We have no outstanding issues and no objection on policy grounds.
- The revisions to the application include the introduction of a gap between the rear shop wall and the historic wall and the use of ventilation on the upper section to ensure the space is breathable.
- This will also be a Scheduled Monument Consent matter and I can confirm that we have received a corresponding SMC application.
- We note that the balustrading and first floor decking have been removed.

- Recommend that the County Archaeologist is contacted to ensure that she is happy with the revised scheme.

## 8. The Archaeological Service

Comments 23.02.2018:

- Development lies in an area of extremely high archaeological sensitivity.
- Is also a possibility that site spans the former line of the monastic precinct and an area of monastic buildings.
- Is high potential for the discovery of below-ground heritage assets of archaeological significance within this area and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- Impacts of past land use need to be understood but the proposed rebuild is highly likely to have more substantial foundations and impacts than former building on the site.
- Given high potential and lack of previous investigation it is recommended that in order to establish the full archaeological implications of this area and the suitability of the proposed design, the applicant should be required to provide for an archaeological evaluation of the site prior to the determination of the planning application.
- Note that demolition/clearance has commenced on site. Whilst this will undoubtedly facilitate safe access for archaeological investigations, there should be no disturbance below ground level until an archaeological evaluation has been undertaken.

Comments 01.10.2018:

- Conditions recommended relating to foundation design agreement and programme of archaeological work.

## 9. Conservation Officer

Comments 06.03.2018:

- Site is in a prominent position within the Conservation Area and has listed buildings adjoining to either side and a section of the Abbey wall forming the rear boundary of the site.
- Former building on the site was distinctive but did not accord with the overall character and appearance of the area. Demolition of the building would not therefore harm the character or appearance of the conservation area or the settings of the surrounding listed buildings and scheduled area of the Abbey Gardens.
- Given the sensitive location the replacement building requires very careful consideration, not only in terms of its scale and design, but also in terms of the detailing and relationships with the existing buildings and wall.
- There is evidence in the form of an old photograph of a taller building on the site and visible confirmation of this survives on the end wall of Crescent House, where the shape of the former roofline can be seen.
- New building broadly reflects the design and scale of the former building.
- No objection in principle to the proposal but following matters need to be resolved:
  - i) Proximity to and impact on the abbey wall;
  - ii) Height of the communal garden, and its relationship with The One Bull and views from the Abbey Gardens;
  - iii) Means of adjoining/abutting adjacent listed buildings;

- iv) Foundation construction;
- v) Shopfront design, which should be more traditional in appearance and split to reflect the two elements of the building in accordance with our Design Guide;
- vi) Means of disposing of rain water (locations of downpipes);
- vii) Compatibility with the operation of the adjacent public house, especially the opening hours and the position of the bin store adjacent to the pub's openable roof light.

Comments 04.10.2018:

- Revised details showing the amended shopfront, omitting the roof garden and associated fences and planting, and leaving a gap between the precinct wall and new wall overcome the majority of my previous concerns.
- Remain concerned about proximity of bin store to adjacent openable rooflight. Is unclear from the drawings if the bin store is fully enclosed including doors and a roof. Bin store should be fully enclosed for the benefit of both the continuing operation of the pub and the amenity of residents of the flats.
- Subject to the above being resolved satisfactorily I have no objection to the application subject to conditions regarding samples of materials and details of the entrance door to the flats.

#### 10. Bury St Edmunds Society

Comments 13.02.2018:

- Consider the scale of development to be appropriate for site's location.
- Believe the fascia/glazed shopfronts should not extend the full width of the building. If fascia/shopfront could be restricted to just the three-storey element the design would appear more balanced and the building would sit more comfortably in the street scene. A break in the shopfront for the two-storey element would also achieve a better transition down to The One Bull.
- Suggest the ground floor is set back from the rear boundary with the Abbey wall.
- Any upper floors to the rear should follow the general line of Crescent House.
- Support the use of complementary materials such as reclaimed gault brickwork and painted timber joinery, including for the shopfront.

Comments 23.05.2018:

- Objection.
- Commend revisions which aim to achieve a better relationship with neighbours at the rear and commend revised pattern of fenestration on the front elevation.
- Remain strongly of the view that the full width shop front and fascia will represent a major visual intrusion.

Comments 13.08.2018:

- Welcomes changes to the front façade which go a long way towards meeting our previous reservations.
- Withdraw our previous objection.
- We appreciate the applicant's willingness to address our concerns.

#### 11. Suffolk Fire & Rescue Service

Comments 12.02.2018:

- Advisory comments provided regarding access and firefighting facilities.
- No additional water supply for firefighting purposes is required in respect of this application.
- Recommend consideration is given to the provision of an automatic fire sprinkler system.

## 12.Environment Team

Comments 06.02.2018:

- Application is supported by a Phase 1 Geo-Environmental Desk Study Report which identifies the site as a former garage with possible underground fuel tanks. Report includes an intrusive investigation as an appendix which identifies made ground ranging from approximately 1.5m to 3m depth. Report concludes that there will be no risk to end users of the site due to the site being hardstanding throughout.
- Agree with the conclusions with regards to end users of the site.
- It is possible that the proposed development will require specialist foundations or deep foundations, and this may impact on the underlying principal aquifer. Conditions recommended to protect the underlying aquifer.

## 13.Strategic Housing

Comments 23.08.2018:

- No comments.

## **Representations:**

### 14.Councillor Andrew Speed

I have discussed this application at length with the planning consultant and neighbours. It must be remembered that the neighbours, David and Rox Marjoram, suffered hugely both in terms of trading losses and in the disruption to their private lives. Their family was obliged to live in temporary accommodation and they lost most of their household contents due to smoke damage. I believe the two suggestions made by Evolution Planning are reasonable and I fully support them. Can they be put to the developer? If agreed the project can commence.

### 15.Councillor Joanna Rayner

I also support the above position.

16.Representations have been received from numbers 13, 14 and 16 Angel Hill and from The One Bull making the following summarised points:

- Site is opposite our house, we fear the loss of view of important monuments due to the increase in height.
- Site was used as a garage and petrol station and there are possibly still tanks below ground.
- Request great care is taken with this rebuild and commercial activities do not take precedence over conservative reservation in particular regarding the shop front, signage and display.



- Already considerable pressure on residents' parking Zone D. Addition of further properties will increase the pressure. Are also issues with illegal parking including in the drop-off bay.
- Proposal to use Crescent House as a template for this development is welcomed, resulting building should be very compatible with its surroundings.
- External finish will be key, brickwork and paint finishes must respect the building's position.
- Query whether rear wall allows adequate access for the Abbey wall.
- The One Bull pub next to the application site was very badly damaged in the fire that started in Cycle King in October 2017. This fire badly damaged the pub and the flat occupied by David Marjoram and his family above. The pub has only recently reopened and the flat has been restored.
- Proposed roof garden for flats will overlook The One Bull roof garden and the rear windows of the flat above the pub. This should be removed from the scheme.
- Roof garden will be clearly visible from the Abbey Gardens and harm the character of this historic area.
- Roof garden has been removed but the informal use of the roof remains a potential issue. Would like to see design changes that ensure access to the roof will not be possible, e.g. a pitched roof.
- The One Bull licence allows the pub to operate until 2am on Friday and Saturday nights and until 12.30am on Thursday nights. Music is allowed up to half an hour before closing time. Any new development should not constrain what the pub is already allowed to do.
- Opening rooflights were approved in The One Bull to improve light and ventilation and are located next to the party wall with Cycle King. Rooflights are very close to the proposed flats and roof garden. Need to consider the noise that could come from the open rooflights with the full range of activities that can be carried out under the pub's licence.
- Occupant of the pub took it on as it has no homes next to it which gives more flexibility to run the pub in a viable and successful way. Introduction of housing here can give rise to conflict.
- A noise survey will not pick up the impact of the pub over a long period and will not therefore reflect all scenarios. Noise insulation qualities are also likely to be lower than a more modern building.
- Is unacceptable to deal with noise by condition. Is unrealistic to expect the occupants of the flats to keep windows closed and tolerate noise from the pub.
- The One Bull has appointed their own noise consultant. The Environmental Noise Assessment submitted makes no mention of music noise from the pub affecting the flats' external amenity space, the rooflight being open, and does not take account of the character of music noise.
- Requiring The One Bull to change its operations or to place new restrictions on its use so that the development may be permitted is entirely unreasonable and contravenes the NPPF. As the pub is a listed building in its historic use weight should be given to ensuring that the use is viable.
- Kitchen extraction system and air conditioning unit for the nearby restaurant Francela will be very close to the flats and roof terrace.
- First floor bin store will be located next to the rooflights to the pub, is unclear how this will be emptied or how smells will be controlled.

- The screen to the bin area should be made higher, at least 2 metres, to avoid overlooking of the One Bull roof garden. Bins should be stored within a building and not outside to prevent them causing a nuisance to the pub and its patrons.
- Bin store would need regular maintenance, look unsightly and could be adapted to a roof terrace in future.
- Agree that proposed frontage will improve the aesthetic of Angel Hill but feel an alternative use of the space would be more suitable.
- Rear facing windows will overlook the private roof garden for the pub's flat. A screen should be erected to the rear, projecting north from the bin area, to prevent overlooking from first floor windows. Flat 3 on the second floor should be reorganised to provide the bathroom closest to The One Bull, the window of which can then be obscure glazed.
- Do not feel the application is being considered consistently with planning application DC/16/1050/FUL in Lower Baxter Street.

**Policy:**

17. 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:

- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity
- Core Strategy Policy CS7 - Sustainable Transport
- Core Strategy Policy CS9 - Employment and the Local Economy
- Core Strategy Policy CS10 - Retail, Leisure, Cultural and Office Provision
- Vision Policy BV1 - Presumption in Favour of Sustainable Development
- Vision Policy BV2 - Housing Development within Bury St Edmunds
- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM7 Sustainable Design and Construction
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM15 Listed Buildings
- Policy DM17 Conservation Areas

- Policy DM20 Archaeology
- Policy DM22 Residential Design
- Policy DM35 Proposals for main town centre uses
- Policy DM38 Shop Fronts and Advertisements
- Policy DM46 Parking Standards

**Other Planning Policy/Guidance:**

- 18.National Planning Policy Framework (2018)
- 19.National Planning Practice Guidance
- 20.West Suffolk Shop Front and Advertisement Design Guidance (2015)
- 21.Bury St Edmunds Town Centre Masterplan (2017)
- 22.Bury St Edmunds Town Centre Conservation Area Appraisal and Management Plan (2007)
- 23.Suffolk Guidance for Parking Technical Guidance Second Edition (November 2015)

**Officer Comment:**

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

- The Revised National Planning Policy Framework (NPPF)
- Principle of Development
- Design and Impact on Character
- Heritage Impacts
- Impact on Amenity including Noise
- Highway Matters
- Contamination

**The Revised National Planning Policy Framework (NPPF)**

- 25.The NPPF was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 of the revised NPPF is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised Framework. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given.
- 26.The Policies set out within the Joint Development Management Policies Document have been assessed in detail and are considered sufficiently aligned with the provisions of the 2018 NPPF that full weight can be attached to them in the decision making process.

**Principle of Development**

27. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for St Edmundsbury comprises the Core Strategy, the three Vision 2031 Area Action Plans and the Joint Development Management Policies Document. Policies set out within the NPPF and the presumption in favour of sustainable development contained at its heart are also material considerations.
28. Core Strategy Policy CS1 confirms the towns of Bury St Edmunds and Haverhill as being the main focus for the location of new development. This is re-affirmed by Policy CS4 which sets out the settlement hierarchy for the district. Policy BV1 of the Bury St Edmunds Vision 2031 echoes national policy set out within the NPPF insofar as there is a presumption in favour of sustainable development.
29. In terms of the retail element of the scheme, this is supported by Core Strategy Policy CS10 which states that the town centres of Bury St Edmunds and Haverhill will continue to be the focus for new retail, leisure, cultural and office development. Joint Development Management Policy DM35 states that within the town centres support will be given to proposals for main town centre uses such as shopping (Use Class A1). The residential element of the proposals is supported by Vision Policy BV2 which states that within the housing settlement boundary for Bury St Edmunds, planning permission for new residential development will be granted where it is not contrary to other planning policies. Policy DM35 also supports residential uses on upper floors within the town centre.
30. The NPPF states that planning should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (para. 117). Substantial weight should be given to the value of using suitable brownfield land within settlements, such as the application site in this case, for homes and other identified needs (para. 118). Decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
  - b) local market conditions and viability;
  - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
  - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
  - e) the importance of securing well-designed, attractive and healthy places.

### **Design and Impact on Character**

31. The site occupies a visually prominent position within the town centre, fronting directly onto Angel Hill with the Abbey Gardens directly to the rear. The former Cycle King building that occupied the site was demolished following the submission of this application, and as such prior to obtaining planning permission for these works. Notwithstanding the timing of the demolition, neither Historic England nor the Council's Conservation Officer

raised any objections to the loss of the building at that time. The building was damaged in a fire in 2017 and whilst distinctive in terms of its scale and design, and of some merit in being representative of its time, it was not considered to be in keeping with the predominant character or appearance of the area. The frontage comprised a full width (3 bay) painted timber shopfront topped with a large, curved, art deco style parapet detail, built from rendered masonry over a steel beam. The construction of the building behind the façade was relatively basic and lightweight, using metal sheeting and a metal frame. The rear elevation of the structure was visible above the Abbey wall from the Abbey Gardens where it was a somewhat discordant feature. The demolition of the building was not therefore considered to harm the character or appearance of the area. The scheme now proposed seeks to both replace the ground floor retail space that was lost as a result of the fire and to utilise the space above to provide four new flats at first and second floor level.

32. Angel Hill rises from east to west and there is also a change in the scale of buildings to either side of the site, with The One Bull to the east being a two-storey building and Crescent House to the west being three-stories and in an elevated position. The scheme seeks to respond to these changes in levels and scale, proposing a two-storey element adjacent to The One Bull and a three-storey element adjacent to Crescent House. The three-storey element of the building reflects the form and scale of No. 29 Angel Hill on the southern end of Crescent House. A historic photograph dated between 1859 and 1864 has also been submitted with the application which shows that a two-storey building with a parapet roof occupied the site during that period, evidence of which is still visible on the eastern elevation of Crescent House. In terms of the detailing of the elevations the scheme seeks again to reflect that of Crescent House which it will adjoin, with gault brickwork, stone detailing, a parapet roof and timber sash windows.
33. Having regard to the form and design of the building that until recently occupied the site and to the current appearance of the site following the demolition of such, its redevelopment in the form proposed is considered to be of significant benefit to the streetscene and represents a clear improvement to the character and appearance of the area.

### **Heritage Impacts**

34. The site is within a sensitive location in terms of heritage assets, being within the Conservation Area, between The One Bull public house and Crescent House which are both Grade II listed buildings, and with the Abbey Gardens (a Scheduled Monument) and its Grade I listed precinct wall located directly behind. The site's location also means that important archaeological remains are highly likely to be present which could be affected by the development. These designated and non-designated heritage assets are afforded a high degree of protection under the NPPF and Policies DM15, DM17 and DM20. There is also a statutory duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings and their settings and to preserving or enhancing the character or appearance of conservation areas.
35. The scheme has been amended in response to comments received from Historic England, the Conservation Officer and the Bury Society and the changes made to the proposal have addressed the concerns originally

raised. The extent of the shopfront has been reduced with a break introduced between the two-storey and three-storey elements of the building in this regard, resulting in a more balanced and less visually dominant appearance. An appropriate maintenance gap has been introduced between the ground floor retail unit and the historic Abbey wall behind, with ventilation also provided to ensure that this space is breathable. Historic England has advised that they have received a corresponding Scheduled Monument Consent application for these works. In addition, the first floor roof garden originally proposed for the new flats has now been removed. This addresses the concerns previously raised by Historic England and the Conservation Officer regarding potential views of associated enclosures and domestic paraphernalia from the Abbey Gardens to the rear.

36. As noted earlier within this report, the scale of the proposed building responds appropriately to the changes in levels along Angel Hill and to differences in the scale of buildings to either side. The building's form, external materials and detailing are considered to be in keeping with Crescent House adjacent, and the proposals have been informed by historic photographs of the site and its surroundings. The site currently appears as a gap within the street scene enclosed by a hoarding following the demolition of the former retail unit on the site, and as such does not make a positive contribution to the area. Having regard also to the form, design and construction of the former retail unit that occupied the site, the proposed development represents a clear and significant improvement to the benefit of the character and appearance of the conservation area and the settings of adjacent listed buildings. The rear of the building will be visible from parts of the Abbey Gardens, as are a number of buildings along Angel Hill. Views were similarly available of the former Cycle King shop that occupied the site. Whilst the proposed building is notably larger in scale than the previous structure on the site, it is also of significantly better quality and design and will be viewed from the Abbey Gardens in context with Crescent House adjacent.
37. The proposed development lies in an area of extremely high archaeological sensitivity and an Archaeological Evaluation has been submitted in accordance with the advice of the County Archaeologist. Subject to conditions to secure an appropriate programme of archaeological work and the agreement of foundation design, including a method statement, the proposals are considered to be acceptable in this regard.
38. Concerns have been raised by The One Bull public house adjacent to the site regarding the impact of the residential accommodation proposed on the operation of this existing business. This is a heritage consideration as well as an amenity consideration as the pub is still in what is believed to be its original use, and therefore its optimum viable use as a Grade II listed building. The key considerations in this case are the impact of noise from the public house on the future occupants of the proposed flats adjacent, as this could in turn affect the operation and the viability of the pub, and the impact of the waste arrangements for the flats on the pub given the proximity of the bin store to its recently installed openable rooflight.
39. Following comments from our Public Health & Housing Team, an Environmental Noise Assessment has been provided (dated 29.06.2018) to consider the noise levels that will be experienced by the residents of the

proposed flats. Further details have also subsequently been provided regarding live music events (Supplement dated 26.07.2018) and regarding the The One Bull's rooflight (Supplement dated 09.08.2018). The owners of The One Bull have appointed their own noise consultants, Echo Acoustics, to comment on the submitted Assessments. Those comments are available to view online. The issue of noise is discussed in full within the following section of this report, and Members will note that the conclusion reached is that officers are satisfied that the noise impacts from The One Bull on the future occupants of the proposed flats will be at an acceptable level subject to mitigation measures. As such officers are of the view that the introduction of residential accommodation in this location is unlikely to have a detrimental impact on the continuing operation of the adjacent public house.

40. Concerns have also been raised regarding the proximity of the proposed bin store for the flats, which is at first floor level, to an adjacent openable rooflight at The One Bull. The rooflight was recently installed in order to provide improved light and ventilation to the pub. Whilst the bin store for the flats would be separate from the main building, accessed via an external door, the floor plan shows this as being enclosed by 2m high fencing on its eastern side adjacent to The One Bull and 1.8m high fencing on its southern side. The agent for the application has confirmed agreement to the bin store being further enclosed with a roof and doors, details of which can be secured by condition. In consultation with the Public Health & Housing Team, officers are satisfied that this will satisfactorily address concerns regarding potential odours from the bin store and that the proposals will not therefore have an adverse impact on the operation of the adjacent pub in this regard. The agent has confirmed that the waste will be collected under a private contract rather than via the Council's Waste Service.

### **Impact on Amenity including Noise**

41. The One Bull public house has associated residential accommodation at first floor level including a private roof garden, and this is the sole domestic property potentially affected by the proposals. Adjacent to the site to the west is Crescent House, the nearest part of which (No. 27 Angel Hill) has a restaurant at ground floor level. The first and second floors directly above the restaurant are understood to be commercial offices. As summarised in paragraph 19 of this report, the owners of The One Bull have raised a number of concerns regarding the impact of the proposals in terms of their residential amenity.
42. The scheme originally proposed a roof garden at first floor level for the proposed flats. This element raised a number of concerns including the impact on the adjacent Abbey Gardens in terms of views from this area. The proposed roof garden was also at a higher level relative to the existing roof garden of The One Bull flat, resulting in an unacceptable degree of overlooking of this private area. This has since been removed from the scheme. The residents of the existing flat remain concerned however regarding potential overlooking of their first floor garden area from the rear windows of the proposed flats at first and second floor level. The rear elevation of the proposed building is set in slightly from the rear elevation of The One Bull and the closest first floor window is approximately 6.5m away from the shared boundary. Between this window and The One Bull flat's garden is the proposed bin store including a 1.8m-2m high enclosure.

This particular window serves a bathroom and would therefore also be obscure glazed. The first and second floor windows on the rear elevation of the proposed building all directly face the Abbey Gardens, as opposed to towards the adjacent private garden. As such any views of this garden from the windows would be indirect and oblique, and obstructed in part by the adjacent bin store. Given this context, and noting the town centre location, officers are of the view that the amenity impacts in this case are acceptable.

43. Evolution Planning, acting on behalf of The One Bull, have suggested that further changes should be made to the scheme. These comprise the provision of a screen projecting north from the bin area to prevent overlooking from first floor windows; changes to the layout of one of the second floor flats to relocate the bathroom and its associated window; and the provision of the bin store to be within a permanent and taller structure as an extension to the main building to mitigate odours and improve its appearance. Members will note from paragraphs 17 and 18 that these suggestions are supported by both Ward Members.

44. Notwithstanding officers' view that the proposals are acceptable in their current form (subject to further details of the bin enclosure), these suggestions have been relayed to the agent. The agent has responded that the flat layouts have been arranged to give best use of the available space and that the changes proposed would be detrimental to the proposal in terms of the quality of these spaces. The provision of obscure glazing to bathroom windows is agreed. In terms of a potential screen projecting rearwards from the bin store and potential changes to the bin store itself, the agent expressed concern about the impact of such changes at this stage of the application on the timescale for its determination, noting that Cycle King are currently operating their business in temporary accommodation following the loss of the retail unit on the site. Whilst it is possible to agree minor details by condition, more significant changes to the scheme would require appropriate re-consultation including with the Town Council, The One Bull as an adjacent property, the Conservation Officer, as well as with Historic England. For this reason the agent does not propose any further changes to the scheme at this time. Notwithstanding this, and for the reasons already set out within this report, officers are of the view that the scheme is appropriate in its current form and that these changes are not therefore required to make the development acceptable.

45. As mentioned within the Heritage section of this report, an Environmental Noise Assessment has been submitted as part of the application due to the introduction of residential accommodation directly adjacent to The One Bull public house. The purpose of this is to assess whether future occupiers of the flats would be exposed to unacceptable levels of noise from the pub, which in turn could foreseeably lead to complaints that may as a direct consequence affect the operation of this established business. This is also a key point in terms of ensuring that the listed pub remains in its optimal viable use as a designated heritage asset. The Noise Assessment and supplementary information provided has been subject to extensive discussions between officers and Public Health & Housing officers as the Council's technical advisors on noise matters. The most recent consultation response confirms that the internal noise levels within the flats would be acceptable based upon the information provided. It was unlikely that reasonable noise levels could be achieved within the garden area to the proposed flats, however, this element has now been removed from the



scheme. Public Health & Housing have advised that they have no reason to doubt the calculations provided, which use typical sound levels from live music as the starting point.

46. Officers noted that the Assessments submitted have assumed that the windows and rooflight of the pub will be closed. Restrictions cannot however be placed upon The One Bull via this application regarding the opening of its windows and rooflights. Officers have therefore held further discussions with Public Health & Housing in order to clarify their position based on a 'worst case' scenario. These discussions have confirmed the following:

- The calculations based on noise from the pub going through the pub walls and through the proposed flat walls indicate that the predicted noise levels in the flats would be acceptable.
- The calculations based on the windows at the front of the pub being closed, the rooflight being closed, and the flat windows being closed with trickle vents open indicate that the predicted noise levels in the flats would be acceptable.
- The calculations based on the above scenario but with the pub's rooflight open indicate that whilst the noise levels in the flats would increase they would remain at an acceptable level.
- In the event that the pub windows and rooflight are closed but the proposed flat windows are open, the noise levels in the flats becomes borderline acceptable (25-35 dB LAeq).
- If the pub windows and the flat windows were both open then the noise levels in the flats are likely to be unacceptable.

47. Following on from the above, it has been agreed with the agent that the bedroom windows to the proposed flats are to be fixed shut with acoustic vents provided. This can be secured by condition and will ensure that the noise levels within the flats will be at an acceptable level. In reaching this conclusion officers have also had regard to the context of the site, being in a busy town centre location where background noise levels – including from traffic on Angel Hill – are higher than may otherwise be found in more suburban areas. In addition, discussions with our Building Control Team indicate that there is no reason why the scheme cannot be made to comply with the Building Regulations whilst having some fixed windows. A mechanical ventilation system may be required and the means of fire escape will need to be appropriately designed but this is not anticipated to be an issue.

48. Concerns have been raised by a resident of a property on the opposite side of Angel Hill regarding the loss of views of the Abbey Garden as a result of the development. This is not however a material planning consideration.

49. Evolution Planning on behalf of The One Bull has raised a concern that this application is not being assessed in a manner consistent with an application for development elsewhere within the town centre, reference DC/16/1050/FUL at 6 Lower Baxter Street, which was determined in 2017. That development however included the construction of a three-storey extension for flat development that backed directly onto a two-storey dwelling and its ground floor garden. The existing dwelling and garden were also at a significantly lower level than the development site. Given the back-to-back relationship between the proposed and existing buildings and the change in levels, it was considered that any windows on the elevation facing the existing dwelling would have an unacceptable impact. As a result,

screens were required to be provided on the windows to mitigate overlooking. In contrast, the proposed flats in this case do not have a back-to-back relationship with The One Bull. Instead the proposed building and The One Bull would sit side-by-side, and this is an extremely common arrangement within the built environment. In this arrangement the rear windows all face in the same direction, and any views of associated garden areas are oblique rather than direct. For these reasons, officers do not consider the two schemes to be comparable. In any event, this proposal must be considered on its own merits and officers are of the view that the amenity impacts are acceptable in this case.

50. The retail unit replaced a long standing former retail unit, within limited or no additional impacts therefore arising. Noting the location and context, no conditional control is needed in relation to hours of opening or deliveries etc. However, it is considered reasonable to require the provision of the bin storage area shown on the submitted drawings and this can be controlled via a condition.

### **Highway Matters**

51. The scheme does not include the provision of any on-site car parking. The footprint of the former retail unit on the site occupied the entire site, and is proposed to be replaced on the same footprint with the addition of the flats above. In this respect the proposals do not strictly comply with the Suffolk Parking Guidance. The Guidance states however at page 5 that *"the guidance contained within this document is only one factor to be taken into account when judging planning applications. The issue of parking provisions will be considered alongside existing local policy and all other material planning considerations. It is a matter for the local planning authorities to balance this guidance against all the other material considerations"*.
52. The guidance also states that in sustainable town centre locations a reduction to the parking guidance may be considered. In this case the site is within the town centre of Bury St Edmunds, within walking distance of a wide range of local shops and amenities. The site is therefore within a highly sustainable location. On this basis Suffolk County Council as Highway Authority has raised no objections to the proposals.
53. Given the town centre location of the development it is reasonable to assume that those looking to move into the flats would do so in the full knowledge of the absence of any on-site car parking facilities, and as such would be those who do not ordinarily rely on the use of a private car or have otherwise made arrangements for parking elsewhere. Annual season tickets for the public carparks in the town would provide possible options for those looking to retain a car, however, it is likely that the cost of this may also serve to discourage car ownership. The development will provide secure cycle storage in accordance with the standards.
54. Taking into account the wider policy context, the flexibility built into the parking guidance, the emphasis on sustainable development in the NPPF and the low likelihood of any harm to highway safety arising as a result of off-site car parking (and that other mechanisms exist to control unauthorised parking should it occur), it is considered that the weight to be attached to the conflict with the parking standards is modest in this case and would clearly not be sufficient to justify a refusal on highway grounds.

## Contamination

55. The application is supported by a Phase 1 Geo-Environmental Desk Study Report which identifies the site as a former garage with possible underground fuel tanks. The report includes an intrusive investigation which identifies made ground ranging from approximately 1.5m to 3m depth. The report concludes that there will be no risk to end users of the site due to the site being hardstanding throughout. The Environment Team agrees with the conclusions with regards to end users of the site and recommends conditions to address any potential impact of specialist or deep foundation on the underlying principal aquifer.

## Conclusions:

56. The scheme would provide a replacement retail unit and additional housing on a currently vacant, brownfield site in a highly sustainable location within the town centre. Having regard to the appearance and condition of the building that formerly occupied the site, the redevelopment proposed would furthermore significantly improve the street scene to the benefit of the character and appearance of the area, including the conservation area. The development is considered to be in keeping with its surroundings and would not harm the settings of adjacent listed buildings or the adjacent scheduled monument. The proposals are not considered to have an unacceptable impact upon the amenities of neighbouring properties and would provide a good standard of amenity for future occupiers of the development. Whilst the development does not propose any on-site car parking, the site is within the town centre of Bury St Edmunds with services and amenities readily accessible by means other than the private car. The adjacent highway is also controlled by parking restrictions, which together with the highly sustainable location of the development and the type of accommodation proposed, reduces the likelihood of adverse issues arising as a result of the development to an acceptable degree. 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. As such a recommendation of approval is appropriate.

## Recommendation:

57. 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 (*approved plans and documents to be listed*).  
*Reason: To define the scope and extent of this permission.*
- 3) No development shall take place within site until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and

approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018).*

- 4) No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 3 and the provision made for analysis, publication and dissemination of results and archive deposition.

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy DM20 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018).*

- 5) Details of the foundations, to include a detailed design and method statement, shall be submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ. The foundations shall be constructed in accordance with the details as may be approved 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 DM20 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies 2015, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2018).*

- 6) Piling or any other foundation designs and investigation boreholes using

penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

*Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 109, 120, 121 and Environment Agency Groundwater Protection: Principles and Practice (GP3).*

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

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

- 8) The site demolition, preparation and construction works shall only 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.*

- 9) No development above ground floor level shall take place until details of the bin store and associated enclosure to serve the flats have been submitted to and approved in writing by the Local Planning Authority. The bin store and associated enclosure shall be provided in accordance with the approved details prior to any of the flats being first occupied and shall be thereafter retained as approved and used for no other purpose.

*Reason: To protect the amenity of the area and to ensure that refuse and recycling bins are not stored on the highway causing obstruction and dangers for other users.*

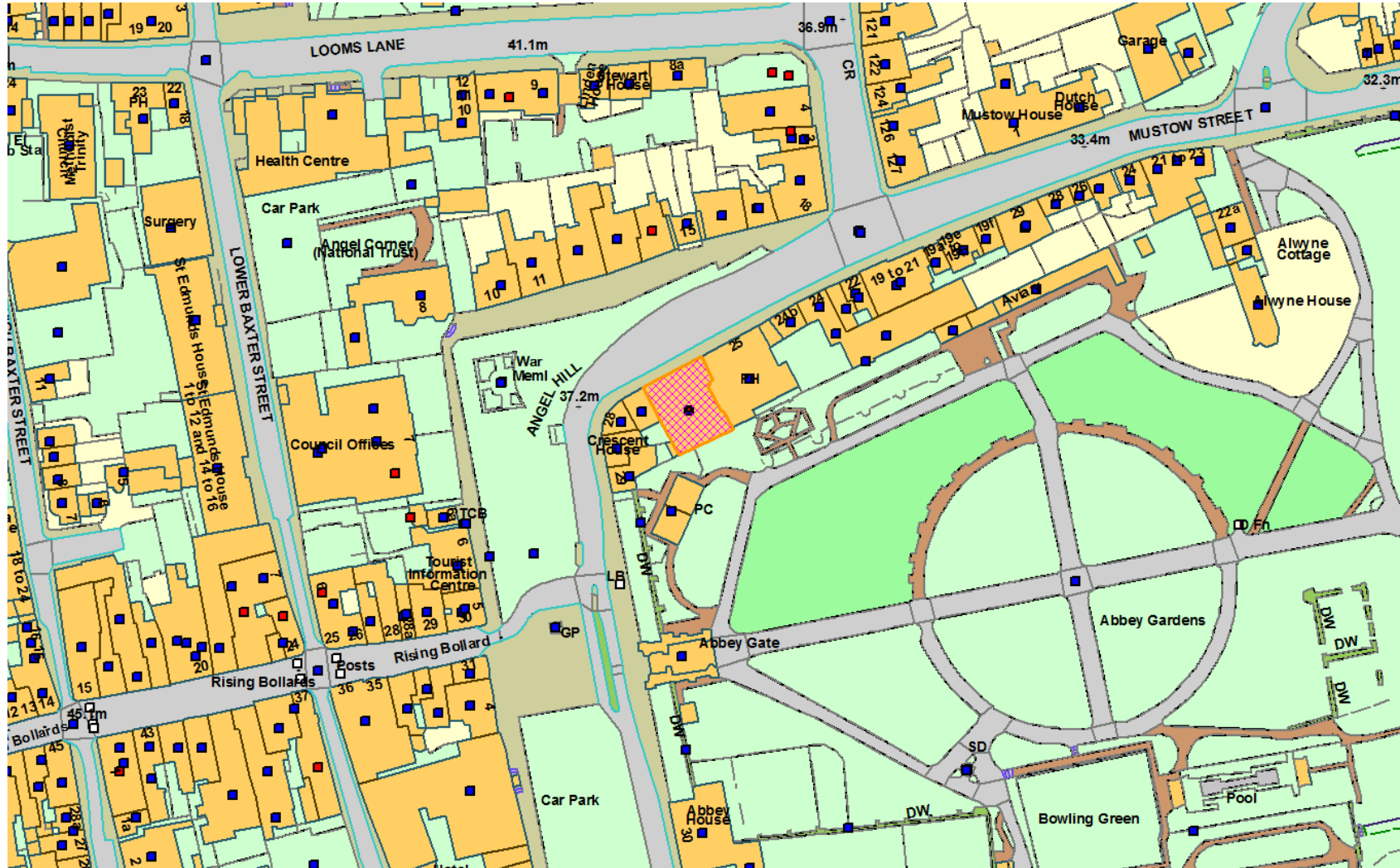
- 10) The windows serving the bedrooms of the flats hereby permitted shall be fixed shut with acoustic vents provided in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Any such windows as may be installed shall thereafter be retained as so installed.

*Reason: To protect the amenity of future occupants in respect of noise levels.*

- 11) No work of construction above slab level shall commence until samples of the external materials and surface finishes have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.  
*Reason: To ensure the appearance of the development is satisfactory.*
- 12) The external brickwork shall be laid in Flemish Bond.  
*Reason: To ensure the appearance of the development is satisfactory.*
- 13) No works involving the installation of the front entrance door to the flats shall take place until an elevation to a scale of not less than 1:10 and horizontal and vertical cross-section drawings to a scale of 1:2 fully detailing the new external door and surrounds to be used (including details of panels and glazing where relevant) have been submitted to and approved in writing by the Local Planning Authority. Unless otherwise approved in writing by the Local Planning Authority all glazing shall be face puttied. The works shall be carried out in complete accordance with the approved details.  
*Reason: To ensure the appearance of the development is satisfactory.*
- 14) The flats shall not be occupied until the cycle storage shown on drawing nos. F982/10 and F/982/14E has been provided. The cycle storage shall be retained thereafter as approved.  
*Reason: To ensure that sufficient space for cycle storage is provided and maintained.*
- 15) The dwellings hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.  
*Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.*
- 16) The ground floor bin storage area for the retail unit shown on drawing F982/14 Revision E shall be provided prior to the first retail use of the ground floor, and thereafter retained.  
*Reason: In the interests of providing sufficient space for the storage of bins, in the interests of amenity and highway safety.*

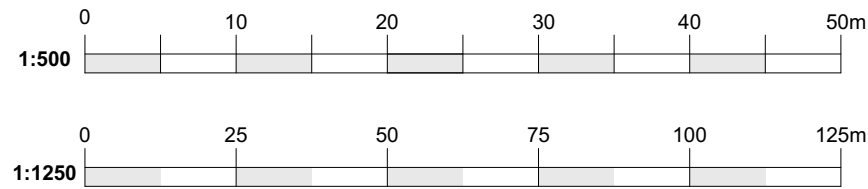
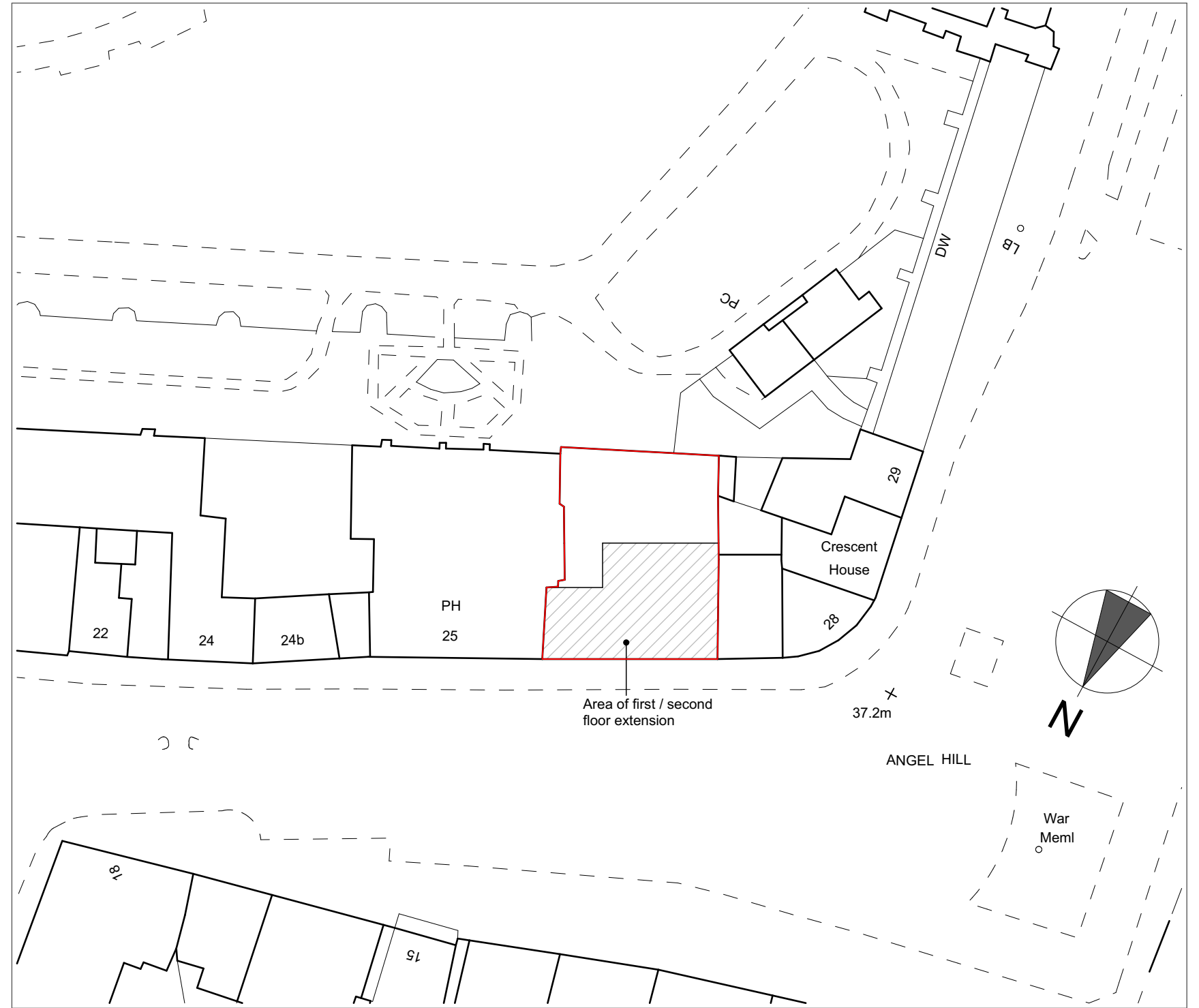
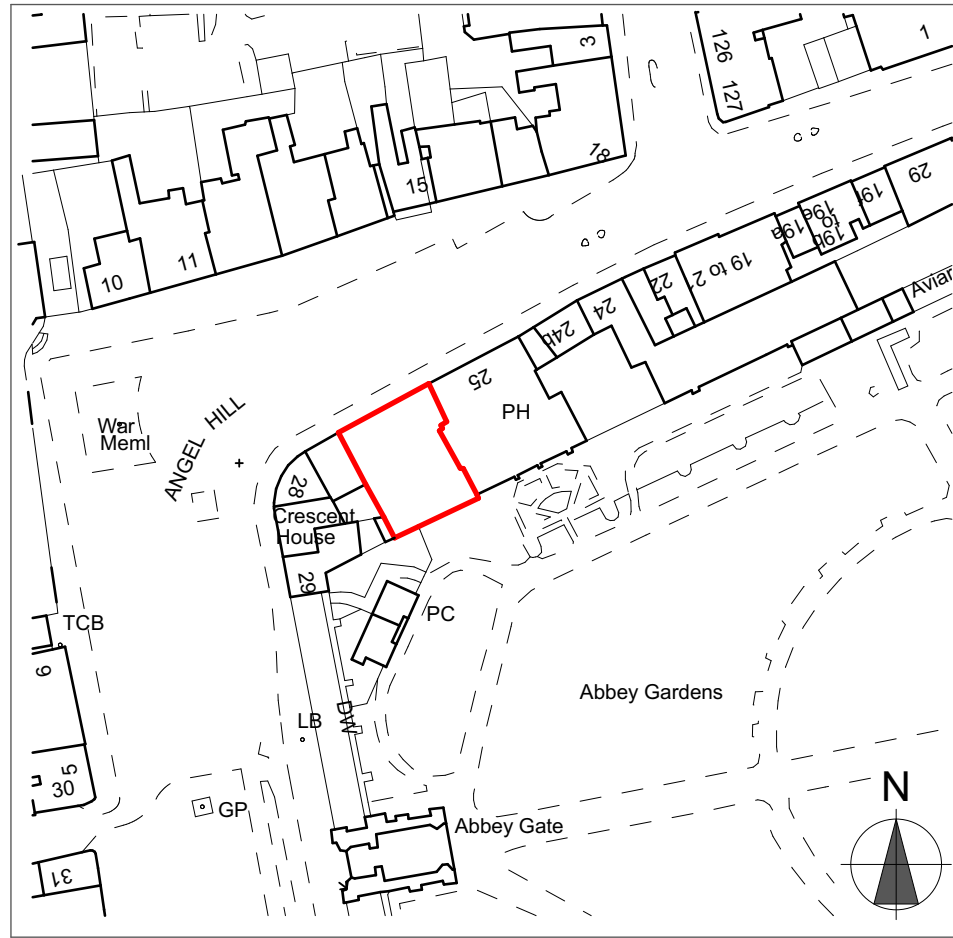
**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/0068/FUL](https://www.suffolk.gov.uk/DC/18/0068/FUL)



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The Contractor should in accordance with the Building Regulations meet the Building Inspector on site before commencement of any works. Please advise Munday & Cramer of any trees found within 40 metres of the proposed works that are not noted on the plans prior to commencement of works.

12.01.2017		-	Planning issue	© copyright	Note	All Scales relate to A3 paper size - (Do not print at fit to page)
Date	Rev	Description				

Drawing title:	SITE LOCATION PLAN	Client:	PCM GROUP
Project:	PROPOSED 1ST & 2ND FLOOR EXTENSIONS	Drawn by:	J. Atkinson
Address:	CYCLE CITY, 26 ANGEL HILL BURY ST EDMUNDS IP33 1UZ	Drawing No.	Revision
		<b>F982/01</b>	-



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*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/19/016

## Development Control Committee 7 February 2019

### Planning Application DC/18/2110/TPO – Little Owl, The Pound, Hawstead

<b>Date Registered:</b>	18.10.2018	<b>Expiry Date:</b>	13.12.2018
<b>Case Officer:</b>	Adam Yancy	<b>Recommendation:</b>	Refuse Application
<b>Parish:</b>	Hawstead	<b>Ward:</b>	Chedburgh
<b>Proposal:</b>	TPO333(2002) - Tree Preservation Order - Fell - 15no Sycamores in 5no clusters (T1 on plan and within Area A1 of Order)		
<b>Site:</b>	Little Owl, The Pound, Hawstead		
<b>Applicant:</b>	Mr Nikki Browne		

#### **Synopsis:**

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

#### **Recommendation:**

The formal decision as to whether the application will be determined at Development Control Committee or by delegated authority will be made by the Assistant Director (Planning and Regulatory Services). However, it is recommended that the Delegation Panel advise the Assistant Director (Planning and Regulatory Services) of their opinion as to whether this application should be referred to the Development Control Committee for determination or whether it should otherwise be determined using delegated powers.

#### CONTACT CASE OFFICER:

Adam Yancy  
Email: adam.yancy@westsuffolk.gov.uk  
Telephone: 01638 719264

## Background:

**This application is referred to the Development Control Committee following consideration by the Delegation Panel. It was referred to the Delegation Panel as the Officer recommendation for REFUSAL was contrary to the view of Hawstead Parish Council.**

## Proposal:

TPO consent is sought to fell 15 no Sycamores in 5 no clusters (T1 on plan and within Area A1 of Order).

## Application Supporting Material:

- Photographs
- Sketch Plan
- Application Form

## Site Details:

1. The site consists of a one and a half storey detached dwelling located in the countryside. The property is situated adjacent to the tree preservation order 333(2002) group A1 on the order.

## Planning History:

Reference	Proposal	Status	Decision Date
SE/12/0561/FUL	Planning Application - Change of use of holiday let to dwelling (Class C3)	Application Withdrawn	22.05.2012
SE/07/1108	Planning Application - (i) Change of use of building to holiday let (ii) retention of glazing and stable door at first floor and entrance door at ground floor on east elevation (iii) proposed alteration to south elevation from garage doors to windows	Application Granted	15.08.2007
SE/06/2762	Planning Application - (i) Change of use of building to Class B1 (Business) or Class A2 (Financial and Professional Services); (ii) replacement of garage doors with two windows on front elevation and (iii) retention of entrance door at ground floor and glazing and stable door at first floor	Application Refused	02.02.2007

## Consultations:

Arboricultural Officer: Object to the application.

**Representations:**

Hawstead Parish Council: The parish council considered the application and had no objection to the application on the basis that there was mitigation for the trees by replacing them with appropriate species in the same location.

Ward Member: No comments

Neighbour representation: None received.

**Planning Policy:**

National Planning Policy Framework (2018)

**Officer Comment:**

2. The issues to be considered in the determination of the application are:
  - Impact on local area
  - Reason for works
3. The trees in this application form part of an area TPO, and as a group contribute to the rural and wooded character of the local area. The trees appear to be in reasonable condition, for what would be classed woodland specimens. The reason for their removal is stated as the applicant's fear/worry that they might break or fall. However, section 6.1 of the application has not been completed, where it states "you have fears it might break or fall", and no evidence has been submitted to support this. The trees have fairly typical form for woodland specimens, in terms of slenderness, and the fear of failure appears to be based on the trees swaying in the wind. However, this would not be a justified fear, unless there was a specific defect or defects identified, or more detailed assessment of the risk (as per section 6.1). As it stands, the application appears to be based on what could be described as an unfounded fear. As such the arboricultural officer has objected to this application and this objection must be given considerable weight against the scheme.
4. The application seeks for approval of the removal of 15 Sycamore trees that are located to the West boundary of the site. The tree are visible from the public domain and contribute to the rural and wooded character of the local area. As per the arboricultural officer comments, the applicants reasons for wishing to fell the tree because of a fear/worry that they might break or fall has no evidence to support such a claim. The arboricultural officer has visited the site and states that the trees appear to be in good condition for a woodland species and the fear of failure seems to be based on the movement of the trees in the wind. This is not seen as a justified reason for the felling of the trees and therefore cannot be supported, particularly noting the amenity value otherwise of this group of trees.

**Conclusion:**

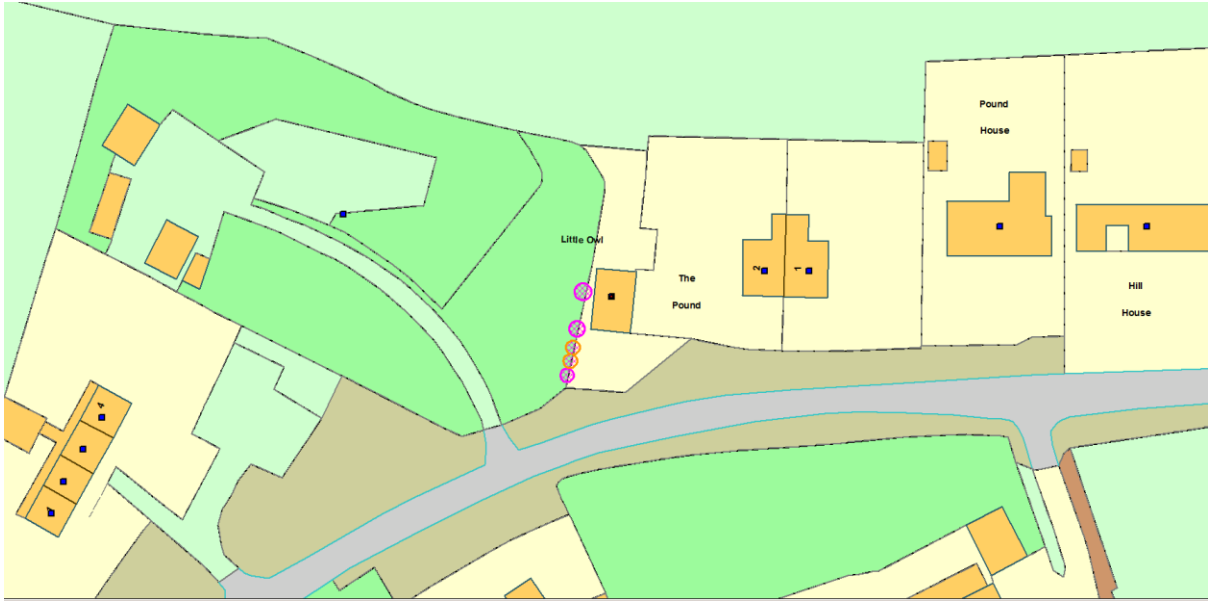
5. In conclusion, the proposal to remove these trees is considered to be unacceptable.

**Recommendation:**

6. It is recommended that tree preservation order consent be **REFUSED** for the following reason:
  1. The group of Sycamore trees contribute to the rural and wooded character of the local area and appear in reasonable condition, for what would be classed woodland specimens, and the removal of the trees would have an adverse impact on the amenity of the surrounding and woodland area. The reasons stated for the works are a fear of the failure of the trees, however, no evidence has been submitted to support this claim and therefore, in the circumstances, it is not considered a justified fear and would certainly not outweigh the adverse visual impact that the removal of the trees would otherwise have upon the amenity of the area.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/2110/TPO](#)



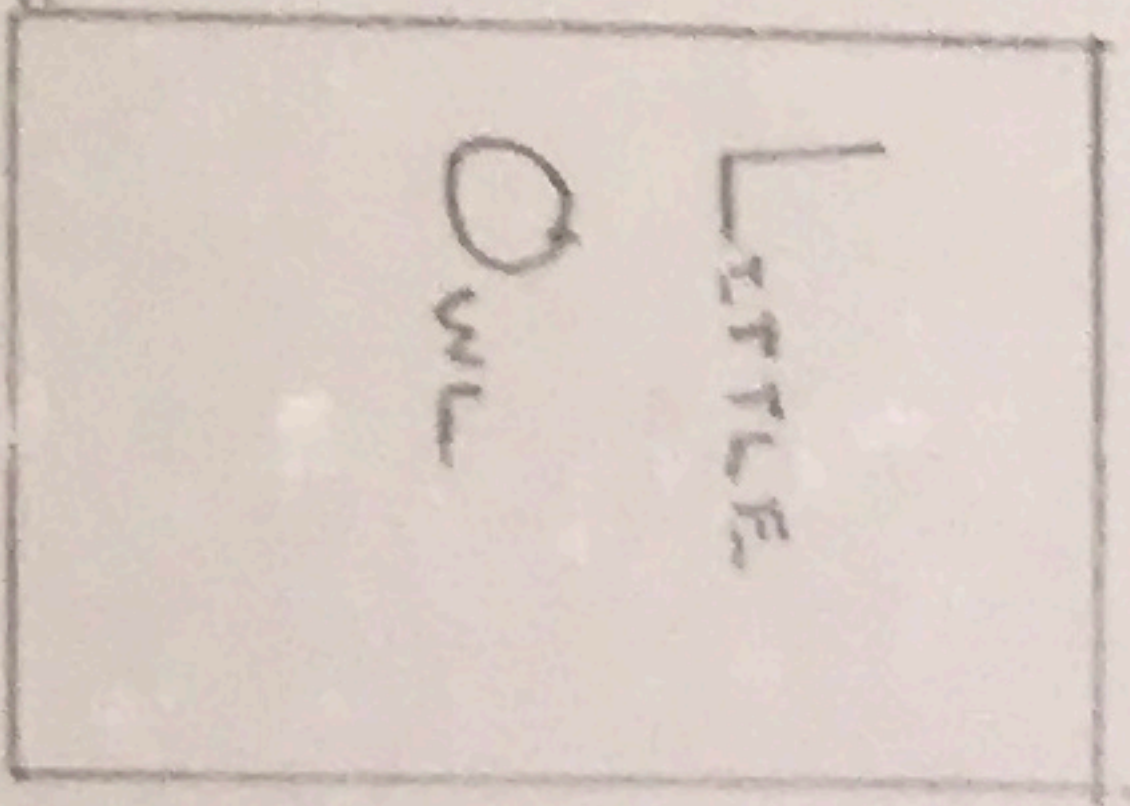
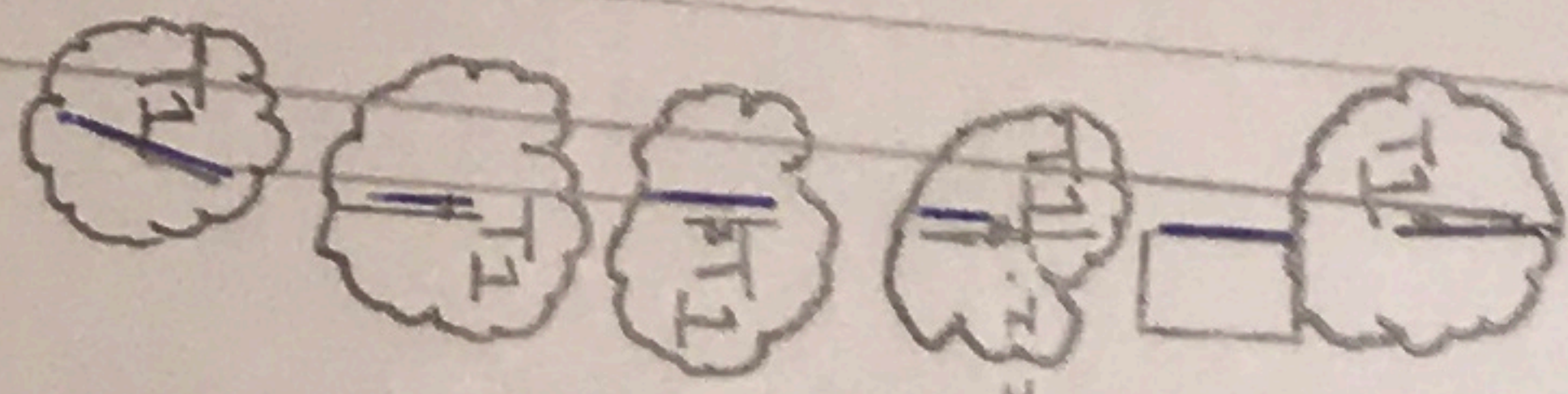
DC/18/2110/TPO – Little Owl, The Pound, Hawstead



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333(2002)  
TREE NUMBER: A1



LITTLE OWL,  
THE POND,  
HAUSTEAD,  
IR29 SNS



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*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/19/017

## Development Control Committee 7 February 2019

### Planning Application DC/18/2136/FUL – Willow Cottage, Tan Office Lane, Chevington

<b>Date Registered:</b>	14.11.2018	<b>Expiry Date:</b>	09.01.2019
<b>Case Officer:</b>	Kerri Cooper	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Chevington	<b>Ward:</b>	Chedburgh
<b>Proposal:</b>	Planning Application - (i) Construction of 7 pen cattery and (ii) conversion of existing cart lodge/garage to provide a reception area with additional 2 cat pens		
<b>Site:</b>	Willow Cottage, Tan Office Lane, , Chevington		
<b>Applicant:</b>	Mr Jason Hale		

#### **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](mailto:kerri.cooper@westsuffolk.gov.uk)  
Telephone: 01284 757341

**Background:**

**The application is before Members of Development Control Committee as the applicant is related to a staff member.**

**Proposal:**

1. Planning permission is sought for the construction of a 7no. pen cattery in the residential garden of Willow Cottage. Furthermore, permission is sought for the change of use of existing garage to form reception area and 2no. additional pens.

**Application Supporting Material:**

2. Plans and documents listed in full in the recommendations section under condition 2.

**Site Details:**

3. The application site comprises a two storey, detached dwelling situated in a generous sized plot. The host dwelling and immediate curtilage is location in the Housing Settlement Boundary, with the wider curtilage and garden area located within the Countryside.
4. An access is situated off Tan Office Lane which serves the host dwelling. A further access is situated off Depden Lane which serves the stables in the south western corner of the site associated with Willow Cottage.

**Planning History:**

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision Date</b>
SE/11/0517	Planning Application - Erection of 2 bay attached garage	Application Granted	06.06.2011
SE/07/0477	Planning Application - Erection of detached four bay stable building	Application Granted	04.05.2007
SE/06/1368	Planning Application - Change of use of grazing land to garden	Application Granted	05.04.2006
SE/02/2698/P	Submission of Details - Erection of detached dwellinghouse and construction of vehicular access	Application Granted	04.09.2002

## **Consultations:**

5. Public Health and Housing – No objection, subject to conditions.
6. Environment and Transport, Highways – No objection.
7. All consultations can be viewed online in full.

## **Representations:**

8. Parish Council - Chevington Parish Council have concerns with regards to the narrowness of the lane and extra cars that will use this lane for the cattery and parking problems that could contribute to the existing situation. Will there be time restrictions? No other objections to the scheme.
9. Ward Member - No comments received.
10. Neighbours - 2no. objections have been received from the owner/occupier of Tan Office Farm and 32 Depden Lane, which are summarised as follows:
  - The business will add to the current congestion;
  - Pavements and verges are used to park cars;
  - Cattery customers will have difficulty in parking and turning;
  - Further expansion in the future will be too much for the village lane
  - Potential noise generated late at night
11. All representations can be viewed online in full.

**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:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM5 Development in the Countryside
- Policy DM13 Landscape Features
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained annexes and Development within the Curtilage
- Policy DM46 Parking Standards
- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS13 - Rural Areas
- Vision Policy RV1 - Presumption in favour of Sustainable Development
- Vision Policy RV3 - Housing settlement boundaries

## **Other Planning Policy:**

- National Planning Policy Framework 2018

## **Officer Comment:**

12. The issues to be considered in the determination of the application are:
- Principle of Development
  - Impact on Visual Amenity and Character of the Area
  - Impact on Neighbour Amenity
  - Impact on Highway Safety
  - Other Matters

### Principle of Development

13. The National Planning Policy Framework (NPPF) states that planning policies and decisions should enable a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside.
14. Policy DM5 of the Joint Development Management Policies Document states that proposals of economic growth and expansion of all types of business and enterprise that recognises the intrinsic character and beauty of the countryside will be permitted where: (i) it will not result in the irreversible loss of best and most versatile agricultural land (grades 1, 2 and 3a); (ii) there will be no significant detrimental impact on the historic environment, character and visual amenity of the landscape or nature conservation and biodiversity interests; and (iii) there will be no significant adverse impact on the local highway network.
15. The proposed development comprises the construction of a 7no. pen cattery in the residential garden of Willow Cottage and the change of use of existing garage to form reception area and 2no. additional pens. The cattery business is to be run solely by the owners and occupiers of Willow Cottage.
16. Whilst the principle of a small rural business is acceptable, further consideration of matters of detail and impact also go to the heart of the issue of principle.

### Impact on Visual Amenity and Character of the Area

17. Policy DM2 (Creating Places - Development Principles and Local Distinctiveness) requires that proposals for new development recognise and address the key features, characteristics and special qualities of the area and maintain or create a sense of place and local character. Proposals should not adversely impact significant street patterns or open spaces, and not site development in such a way that it would adversely affect the amenity of areas. Development should respect the character, scale, density and massing of the locality.

18. 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.
19. The 7no. pen cattery is to be located along the eastern boundary of the site and measures approximately 16metres in width, 4.9metres in depth and a maximum height of 4metres. The proposed building is of a large footprint and is located along the frontage of the site. The rear of the cattery building will face onto Tan Office Lane. A grass verge and ditch is located between the application site and the road, with trees located within the ditch. The boundary treatment around the site comprises hedging and wood post and rail fencing. The proposed cattery building will be visible in some views along Tan Office Lane. However, given the domestic appearance and single storey scale of the building, with the provision of additional soft landscaping being incorporated (recommended condition) along the boundary of the site where the building sits, it is not considered that impact to the street scene will be one which is harmful.

#### Impact on Neighbour Amenity

20. The plot in which Willow Cottage is situated in, is located on the corner of Tan Office Lane and Depden Lane. The nearest residential property, which is adjacent to the west of the site is Meadow Cottage. There are 7no. properties on the adjacent side of the road, directly opposite the application site.
21. The existing attached garage is located on the eastern side of the host dwelling and the new cattery building is to be sited in close proximity to this. The nature of the business is modest, with a maximum of 9no. cats at one time. Conditions are recommended by both Public Health and Housing and Officers' regarding hours of visiting and cats' use of the external areas to ensure the amenity of the surrounding properties are protected. Whilst a concern has been raised by a local resident regarding noise, it is considered that this, as well as odour can be adequately controlled via conditions and the otherwise modest cattery is located a considerable distance away from the neighbouring properties for it to not result in a detrimental impact to the residential amenity currently enjoyed.

#### Impact on Highway Safety

22. The existing access which serves the host dwelling off Tan Office Lane will be the access which public and customer use to drop off/pick up their cat(s). The main area of concern by 2no. local residents and the Parish Council is the impact on parking and traffic congestion along Tan Office Lane.
23. At present there are 5no. on-site parking spaces which serve the host dwelling. 3no. spaces are to be retained for the host dwelling and 2no. spaces are to become visitor spaces in association with the cattery. A condition is recommended to ensure that any visitors/customers picking up or dropping off do not come outside of the hours of 08:00-20:00.
24. The Highway Authority considers that the modest increase in vehicle movements will not result in an unacceptable impact to highway safety. In addition, sufficient on-site parking is to be provided for both the

owners/occupiers of the host dwelling and the public/customers for pick up and drop off.

### Other Matters

25. There have been concerns raised about the future expansion of the cattery business and the impact this would have in the local area. If, in the future the applicant/owner/occupier of Willow Cottage wishes to expand the business further and provide additional pens or buildings, this would be subject to a further planning application and would be required to be fully assessed in the way in which this application, and any application is.

### **Conclusion:**

26. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

### **Recommendation:**

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

- 1 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:

<b>Reference No:</b>	<b>Plan Type</b>	<b>Date Received</b>
(-)	Location Plan	23.10.2018
(-)	Block Plan	23.10.2018
cattery	Proposed Floor Plans	23.10.2018
front - cattery	Proposed Elevations	23.10.2018
garage	Existing Floor Plans	07.11.2018
garage	Existing Elevations	07.11.2018
side - garage	Proposed Elevations	14.11.2018
garage	Proposed Floor Plans	14.11.2018
front - garage	Proposed Elevations	23.10.2018
rear - garage	Proposed Elevations	23.10.2018
rear - cattery	Proposed Elevations	23.10.2018
garage	Visuals	23.10.2018
side - cattery	Proposed Elevations	23.10.2018
side - cattery	Proposed Elevations	23.10.2018
cattery	Visuals	23.10.2018
(-)	Design and Access Statement	23.10.2018
(-)	Application form	23.10.2018

Reason: To define the scope and extent of this permission.

- 3 No development above ground level shall take place until a scheme of soft



landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement 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. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: To enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 All cats shall be shut in the sleeping areas outlined on the proposed floor plans between the hours of 2000-0800.

Reason: To ensure the appropriate use of the site and to protect the amenities of occupiers of properties in the locality.

- 5 No external lighting shall be provided on the application site unless details thereof have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 No part of the development hereby permitted shall be used for the boarding of cats until full details of a scheme for the storage and disposal of all animal waste, including soiled bedding, arising from the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the development first being brought into use. Thereafter, all waste materials shall continue to be stored and disposed of in accordance with the approved details.

Reason: To ensure that the development will not have a negative impact on ground and surface water and to protect the amenity of adjacent areas.

- 7 Demolition or construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015,

Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 8 The use hereby permitted shall only be undertaken by the owner and resident of the dwelling shown as 'Willow Cottage' as shown on the land edged in red on the submitted Location Plan.

Reason: In the interest of residential amenity and to safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 9 No members of the public/customers are permitted on the site in connection with this use hereby permitted between the hours of 20:00-08:00 on any day.

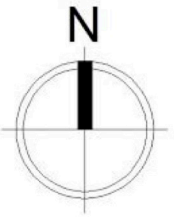
Reason: To ensure the appropriate use of the site and to protect the amenities of occupiers of properties in the locality.

### **13.0 Documents:**

- 13.1 All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/2136/FUL](#)



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Meadow Cottage

Existing Driveway

TAN OFFICE LANE

Willow Cottage

Proposed Garage  
Change Of Use

Proposed Cattery Building

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*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/19/018

## Development Control Committee 7 February 2019

### Planning Application DC/18/2460/FUL – Menta Business Centre, 21 - 27 Hollands Road, Haverhill

<b>Date Registered:</b>	06.12.2018	<b>Expiry Date:</b>	31.01.2019 (EOT 11 <sup>th</sup> February)
<b>Case Officer:</b>	Savannah Cobbold	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Haverhill Town Council (EMAIL)	<b>Ward:</b>	Haverhill South
<b>Proposal:</b>	Planning Application - Single storey side extension to provide new reception area and 2 no. additional lettable rooms. (ii) convert 2 no. existing units into 2 no. conference rooms (iii) rearrange the internal circulation to provide level access and (iv) rearrange existing car parking and provide new footpaths		
<b>Site:</b>	Menta Business Centre, 21 - 27 Hollands Road, Haverhill		
<b>Applicant:</b>	Mr Mark Walsh		

#### **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 Development Control Committee as the applicant is an employee of St Edmundsbury Borough Council.**

**The application is recommended for approval, and the Town Council raise no objections to the scheme.**

## Proposal:

1. The application seeks planning permission for the construction of a single storey side extension in order to provide a new reception area and two additional lettable rooms. It also seeks permission to convert two of the existing units into further conference rooms and rearrange the existing car park and provide new footpaths around the extension.
2. The proposed extension will extend approximately 7.3 metres from the side elevation of the host building, measure 20.6 metres in length and 3.9 metres in overall height, incorporating a flat roof.

## Application Supporting Material:

- Application form
- Ecology survey
- Flood map
- Visuals
- Proposed layout
- Location plan
- Proposed site layout plan
- Existing and proposed elevations
- Roof plan
- Existing block plan
- Existing elevations
- Planting proposal
- Planning statement
- Tree survey
- Planting schedule

## Site Details:

3. The application site is located within an established industrial estate within a General and Rural Employment Area. The site currently comprises a large building and associated car parking, known as Menta Business Centre, who provide business advice and business skills training for start-up businesses with opportunities to lease small business units. Given the location of the building, neighbouring units are also industrial in appearance and generally single storey in nature.

## Planning History:

Reference	Proposal	Status	Decision Date
DC/18/2460/FUL	Planning Application - Single storey side extension to provide new reception area and 2 no.	Pending Decision	



additional lettable rooms.  
(ii) convert 2 no. existing units into 2 no. conference rooms (iii) rearrange the internal circulation to provide level access and (iv) rearrange existing car parking and provide new footpaths

### **Consultations:**

Highways: No objections subject to a condition relating to retaining space for the parking and manoeuvring of vehicles.

Tree Officer:

Ecology and Landscapes Officer: No objections.

Suffolk Fire and Rescue: Set out standard notes.

### **Representations:**

Town Council: The Town Council fully support this application, however due to the loss of car parking spaces, the Town Council request that the applicant ensures employees and visitors do not park on the public highway which may cause additional obstruction and blind spots.

The Town Council note and agree with the comments made by the neighbour regarding security overnight.

Neighbours: A total of one representation was received from the owner/occupier of 9 Hollands Road.

- Gates to the car park need to be made secure. They are regularly left open overnight and people access outside water taps and even sleep overnight in the car park on a regular basis.
- If the car park is left as it is people will access it to use the electric charging points.
- The ideal solution would be to install electric gates that automatically close in the evenings and can be opened by code or key fob by residents of the units. This would eliminate the need for everyone to try and guess who has to lock the gates in the evening as no one is sure who is still in the building.

**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:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places, Development Principles and Local Distinctiveness
- Policy DM46 Parking Standards
- Core Strategy Policy SCS3 Design Quality and Local Distinctiveness
- Policy HV9 General Employment Areas – Haverhill

## **Other Planning Policy:**

National Planning Policy Framework (2018)

## **Officer Comment:**

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

- Revised NPPF
- Principle of development
- Impact on residential amenity
- Impact on street scene/character of the area
- Design and form
- Highways
- Impact on trees/biodiversity
- Other matters

### Revised NPPF

4. The NPPF was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework, the greater weight that may be given. The Policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provisions of the 2018 NPPF that full weight can be attached to them in the decision making process.

### Principle of development

5. Development at an existing commercial site is acceptable as a matter of principle provided that the proposal respects the character and appearance of the immediate and surrounding area, and providing that there is not an adverse impact upon residential amenity, highway safety or important trees within the street scene. Along with CS3, DM2 requires development to conserve and, where possible, enhance the character and local distinctiveness of the area.
6. The application site is contained within the General Employment Area and Policy HV9 within the Haverhill Vision 2031 Document states that proposals for industrial and business development within the use classes B1, B2 and B8 for Haverhill Industrial Estate will be permitted providing that space requirements, parking, access, travel and general environmental considerations can be met. The building appears to be within the use class B1 and the information submitted with the application confirms that all requirements of this policy are met. Therefore it is considered acceptable within the General Employment Area.

### Impact on residential amenity

7. The proposed development is considered to have no adverse impact upon the residential amenity of occupants of nearby properties given the location or the building. The nearest residential properties are towards the east of

the site and located approximately 180 metres away from the site, with other various industrial units screening Menta Business Centre. The proposed development is also located towards west of the site. Taking this into consideration, no unacceptable impact is considered to arise upon these properties located towards the east of the site. Whilst there are residential properties towards the north of the site, these are majorly screened by the industrial units towards the north of Menta Business Centre.

#### Impact on street scene/character of the area

8. The proposed extension is located towards the front of the business centre and therefore will be visible from Hollands Road. No significant impact is considered to arise upon the street scene given that the extension is of single storey nature, incorporating a flat roof. Industrial units in and around this area of Hollands Road are of similar appearance and hold no real architectural detail. Therefore, the proposed development is considered to be in-keeping with the immediate and surrounding area. The single storey side extension is modest in scale, compared to the host building and will sit comfortably below the ridge height of the host building.

#### Design and form

9. The proposed single storey side extension is considered to be of an appropriate scale, form and design as to respect the host dwelling. The extension is of single storey nature and incorporates a flat roof, meaning it sits lower than the ridge height of the existing building. The building is located within an existing industrial estate where buildings are generally of single storey nature, with flat or very shallow pitched roofs.

#### Highways

10. Whilst it is noted that the proposed development will decrease the number of car parking spaces on site, it is considered that there is adequate on-site parking. Additional cycle parking is made available and car parking spaces have been made larger in order to accommodate the current parking guidance. The site plan shows that there is a total of 42 spaces dedicated to Menta Business Centre and the total maximum required by County Transport Guidance is 37 parking spaces. Given that there are 42 available spaces, parking provision is considered ample of the scheme. This is also confirmed following a consultation response from Suffolk County Highways. The Highways Authority also recommend a condition relating to retaining the space shown on the proposed site plan for parking and manoeuvring of vehicles. This condition is considered reasonable to ensure that sufficient space for the on-site parking of vehicles is provided and maintained. This is therefore compliant with Policy DM46, Parking Standards.

#### Trees/biodiversity

11. An ecological survey has been submitted to accompany the application and makes reference to potential bat roosts within the trees to be removed. The findings come back negative and the report notes that the site is assessed

as being of negligible value. The Ecology Officer is satisfied with these findings and holds no objections to the scheme.

12. The Tree Officer visited the site on 16<sup>th</sup> January and raised concern regarding the proposed tree removal as part of this application, and noting that the submitted report did not reflect the amenity afforded to the locality by trees T2, T3 and T4. The three Whitebeam are large, mature street trees and are prominent within the vicinity. These provide considerable amenity value through their verdant character in an otherwise visually stark and utilitarian area which generally has few other trees. The trees subject to removal are in good condition and display no significant defects that would lead the Tree Officer to believe that their remaining longevity would be less than 40+ years. It is therefore believed that it is more appropriate to categorise them as A2, in accordance with BS 5837:2012 – trees of high quality with an estimated remaining life expectancy of at least 40 years.

13. The principle of the development is considered acceptable, however in its original form, an objection was held by the Tree Officer due to the proposed tree removal and the subsequent adverse impact on local amenity. The removal of the Whitebeam would be highly undesirable, but the retention of the most prominent specimen T4 closer to the frontage would adequately lessen the impact to an acceptable level. It is understood that the excavations within the root protection areas of T2-T4 are the principal reason for tree removal. However there are a number of arboriculturally sensitive methodologies for works within RPAs that allow tree retention where there is an overriding justification for planning permission being granted. It is considered that relatively minor amendments to the scheme would allow for the retention of this tree. The numerous benefits afforded by trees increases as they mature, therefore mature trees of significant amenity should be retained where possible and compensation through replanting should only be considered where retention is not possible. Taking the above into consideration, amended plans were requested to enable the retention of T4 and it was reiterated to the agent that the scheme would only be supportable, subject to the retention of this tree.

14. In response the applicant has confirmed that they agree to the principle of these changes, and further amended plans are expected that would address the concerns set out above. At the time of writing these are outstanding but this matter will be updated, either in the late papers or verbally at the meeting, as appropriate.

#### Other matters

15. A total of one representation was received from 9 Hollands Road. The representation states that the car park gates are regularly left open overnight and people access outside water taps and sleep overnight in the car park on a regular basis. If the car parking is left open as it is, people will access it to use the electric charging points. They recommend that the ideal solution would be to install electric gates that automatically close in the evenings and can be opened by code or key fob by residents of the units. This would eliminate the need for everyone to try and guess who has to lock the gates in the evening as no one is sure who is still in the building. The Town Council also note and agree with these comments. The issue of car parking gates is not a planning matter and does not hold weight in the

determination of this application. Instead, this would be a matter that should be addressed by the applicant and neighbouring unit.

16. The Town Council support this application, however due to the loss of car parking spaces, they request that the applicant ensures employees and visitors do not park on the public highway which may cause additional obstruction and blind spots. Whilst it is noted that parking is being reduced on site as a result of the extension, the site plan submitted confirms that there is more than satisfactory car parking spaces made available within the car park.

### **Conclusion:**

17. 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.

18. The scheme is recommended for approval on the basis that amended plans are received, showing the retention of T4 and the provision of a revised replacement soft landscaping scheme. This matter will be updated through the late papers process or verbally at DCC, as appropriate.

### **Recommendation:**

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

1. **Time limit** - The development hereby permitted shall be begun not later than 3 years from the date of this permission.
2. **Compliance with plans** - The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:
3. **Materials as detailed** - The development hereby permitted shall be constructed entirely of the materials detailed on the submitted plan – application form
4. **Parking/manoeuvring to be provided** - Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. 10894 11 for the purpose of loading, unloading, manoeuvring and parking of vehicles has been provided. Thereafter the area(s) shall be retained and used for no other purpose.
5. **Submission of arboricultural method statement** - Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:
  - i) Measures for the protection of those trees and hedges on the application site that are to be retained,
  - ii) 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,
- iii) 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 agreed in writing by the Local Planning Authority.

6. **Provision of replacement soft landscaping in accordance with the submitted details** - All planting comprised in the approved details shown on **drawing no. XXX** of landscaping shall be carried out in the first planting season following the commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

#### **Documents:**

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

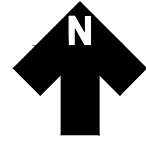
<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PJBEF4PD02M00>





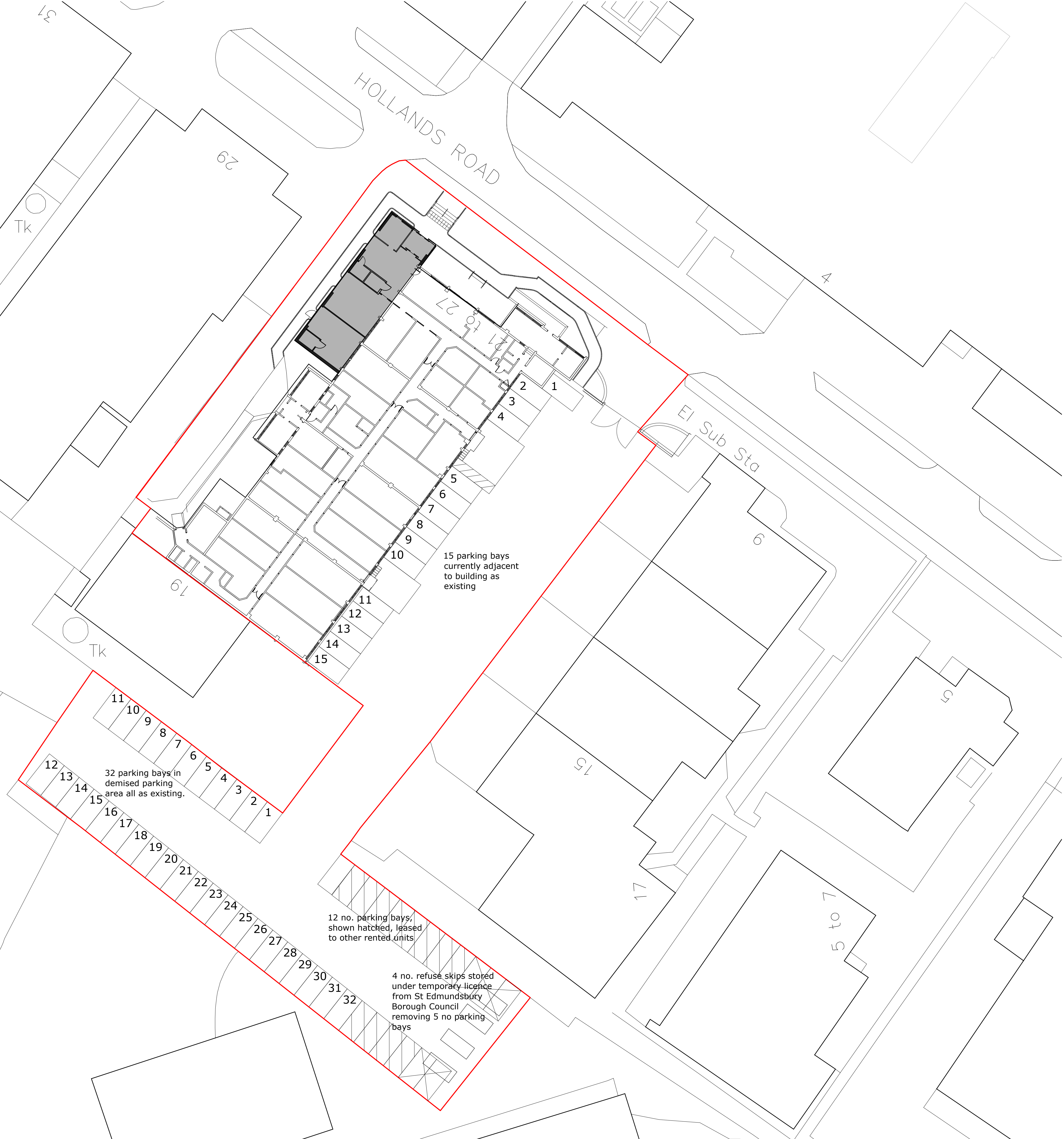
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Forest Heath - St Edmundsbury		
<b>West Suffolk</b> working together		
<b>WEST SUFFOLK PROPERTY SERVICES</b>		
Assistant Director Operations	Mark Walsh	
West Suffolk House	Tel: 01284 763233	
Western Way,	Fax: 01284 757386	
Bury St. Edmunds	E-Mail: property.services@westsuffolk.gov.uk	
Suffolk, IP33 3YU		
Project: <b>Proposed Extension Hollands Business Centre Haverhill, Suffolk</b>		
Title: <b>Proposed Site Layout Plan</b>		
Scale: <b>1:250</b>	Drawing Size: <b>A1</b>	
Date: <b>June 2018</b>	Drawn By: <b>DG</b>	Appr By:
File No.: <b>10894</b>	Drawing No.: <b>11</b>	Revision:

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