

Development Control Committee

Title:	Agenda
Date:	Wednesday 5 June 2019
Time:	10.00am
Venue:	Conference Chamber West Suffolk House Western Way Bury St Edmunds IP33 3YU
Full Members (16)	<p style="text-align: right;">Chair</p> <p style="text-align: right;">To be appointed by the Development Control Committee on 5 June 2019.</p> <p style="text-align: right;">Vice Chair</p> <p><u>Conservative Members</u> (9)</p> <p><u>Spectrum Members</u> (3)</p> <p><u>Independent Members</u> (3)</p> <p><u>Labour Members</u> (1)</p> <p>Membership of the Development Control Committee to be confirmed following the Annual Council meeting on 22 May 2019.</p>
Substitutes: (8)	<p><u>Conservative Members</u> (4)</p> <p><u>Spectrum Members</u> (2)</p> <p><u>Independent Members</u> (1)</p> <p><u>Labour Members</u> (1)</p> <p>Substitute members of the Development Control Committee to be confirmed following the Annual Council meeting on 22 May 2019.</p>
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Quorum:	Six Members

SITE VISITS WILL BE HELD ON MONDAY 3 JUNE 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/19/0479/FUL - Land East of Chivers Road, Haverhill, CB9 9DS**
Planning Application - 26no. dwellings and associated works including parking, vehicular access and landscaping
Site visit to be held at 10.15am
- 2. Planning Application DC/18/2483/FUL - Land Adjacent to Culford Terrace, Mill Road, Bury St Edmunds, IP33 3DB**
Planning Application - 3no. dwellings and repositioning of parking area
Site visit to be held at 11.05am

The coach will then return to West Suffolk House to allow for a short comfort break (approximately 11.30-11.45am) before re-embarking and travelling to the following sites:

- 3. Planning Application DC/19/0258/OUT - Land SW of The Bull, The Street, Troston, IP31 1EW**
Outline Planning Application (Means of Access to be considered) - 4no. dwellings with garaging and creation of new vehicular access
Site visit to be held at 12noon
- 4. Planning Application DC/19/0046/FUL - Rear of 7 The Street, Hepworth, IP22 2PS**
Planning Application - 1no dwelling
Site visit to be held at 12.30pm

On conclusion of the site visits, the coach will return to West Suffolk House by the approximate time of 1.15pm.

Committee administrator:

Helen Hardinge

Democratic Services Officer

Tel: 01638 719363

Email: helen.hardinge@westsuffolk.gov.uk

**DEVELOPMENT CONTROL COMMITTEE:
AGENDA NOTES**

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

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

Material Planning Considerations

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

Local Plans covering West Suffolk Council	
Joint Development Management Policies 2015	
Forest Heath Local Plan	St Edmundsbury Local Plan
Forest Heath Local Plan 1995 Saved Policies	St Edmundsbury Core Strategy 2010
Forest Heath Core Strategy 2010 as amended by the High Court Order (2011)	Vision 2031 adopted 2014 <ul style="list-style-type: none"> - Bury St Edmunds - Haverhill - Rural
<i>Emerging Local Plan</i>	
Core Strategy Single Issue Review of Policy CS7	
Site Specific Allocations	
Note: The adopted Local Plans for St Edmundsbury and Forest Heath (and all related policy documents, including guidance and SPDs) will continue to apply to those parts of West Suffolk Council area until a new Local Plan for West Suffolk is adopted.	

- 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 Council's website.

**DEVELOPMENT CONTROL COMMITTEE:
DECISION MAKING PROTOCOL**

The Development Control Committee usually sits once a month. The meeting is open to the general public and there are opportunities for members of the public to speak to the Committee prior to the debate.

Decision Making Protocol

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

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a Member wishes to alter a recommendation:
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to;
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory);
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee.
- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Assistant

Director (Planning and Regulatory) and the Assistant Director (Human Resources, Legal and Democratic) (or Officers attending Committee on their behalf);

- A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
 - An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
 - In making a decision to overturn a recommendation, Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
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- Member Training
 - In order to ensure robust decision-making all members of Development Control Committee are required to attend Development Control training.

Notes

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

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

Agenda

Procedural Matters

Part 1 – Public

Page No

1. **Election of Chair 2019/2020**
2. **Election of Vice Chair(s) 2019/2020**
3. **Apologies for Absence**
4. **Substitutes**
Any Member who is substituting for another Member should so indicate, together with the name of the relevant absent Member.
5. **Committee Procedure Documents** **1 - 18**
Report No: **DEV/WS/19/001**
6. **Planning Application DC/19/0479/FUL - Land East of Chivers Road, Haverhill** **19 - 42**
Report No: **DEV/WS/19/002**

Planning Application -26no. dwellings and associated works including parking, vehicular access and landscaping
7. **Planning Application DC/18/1498/FUL - Boyton Meadows, Anne Sucklings Lane, Little Wratting** **43 - 82**
Report No: **DEV/WS/19/003**

Planning Application - 38no. dwellings and associated access works
8. **Planning Application DC/18/2483/FUL - Land Adjacent to Culford Terrace, Mill Road, Bury St Edmunds** **83 - 96**
Report No: **DEV/WS/19/004**

Planning Application - 3no. dwellings and repositioning of parking area
9. **Planning Application DC/19/0258/OUT - Land SW of The Bull, The Street, Troston** **97 - 112**
Report No: **DEV/WS/19/005**

Outline Planning Application (Means of Access to be considered) - 4no. dwellings with garaging and creation of new vehicular access

10. Planning Application DC/19/0046/FUL - Rear of 7 The Street, Hepworth

113 - 126

Report No: **DEV/WS/19/006**

Planning Application - 1no dwelling

Committee Procedure Documents

Report No:	DEV/WS/19/001
Report to and date/s:	Development Control Committee – 5 June 2019
Cabinet Member:	TBC
Lead Officers:	<p>David Collinson Assistant Director (Planning & Regulatory Services) Tel: 01284 757306 Email: david.collinson@westsuffolk.gov.uk</p> <p>Rachel Almond Service Manager (Planning – Development) Tel: 01638 719455 Email: rachel.almond@westsuffolk.gov.uk</p>

Decisions Plan: N/A

Wards Impacted: All

Recommendation: **It is recommended that:**

- 1. The following documents be approved:**
 - **Site Visit Protocol – Appendix A**
 - **Guide to Having Your Say on Planning Applications – Appendix B**
 - **Decision Making Protocol – Appendix C**
 - **Agenda Notes – Appendix D**

- 2. A review of the working practices of the Development Control Committee be undertaken during 2020 in consultation with the Committee Chair and Vice Chair.**

1. Key issues and reasons for recommendation(s)

1.1 Background

- 1.1.1 Forest Heath District Council and St Edmundsbury Borough Council operated a Shared Planning Service from 2012; at which point the operation of the two Committees was largely aligned to support the single way of working.
- 1.1.2 As part of the journey towards the single West Suffolk Council Members from both former Authorities gave detailed consideration to the operation of a (single) West Suffolk Development Control Committee via meetings of the Future Governance Steering Group.
- 1.1.3 The operation of the Development Control Committee has therefore been set out within the approved West Suffolk Council constitution in line with the recommendations made by the Future Governance Steering Group, and the planning service has structured working practices to support this.
- 1.1.4 The documents attached at Appendices A–D do not form part of the Council's constitution but are integral to the workings of the Committee, hence, the Future Governance Steering Group also gave consideration to the matters they concern and the versions attached reflect the Steering Group's recommendations.
- 1.1.5 To a great extent the appendices largely mirror what the separate former Authorities' Committees operated. Where there were differences between the two the Future Governance Working Group had supported what they considered to be the best working practice.

1.2 Procedural Documents

1.2.1 Site Visit Protocol (Appendix A)

The document has been rebranded to reflect the West Suffolk Council with no other amendments having been made bar the addition of the expectation that Members will use the transport provided by the Council to attend the site visits.

1.2.2 Guide to Having Your Say on Planning Applications (Appendix B)

The document has been rebranded to reflect the West Suffolk Council. The speaking arrangements at Committee slightly differed between Forest Heath and St Edmundsbury; the Future Governance Steering Group proposed the arrangements operated by St Edmundsbury for the West Suffolk Committee as this included the provision of a Ward Member and Supporter speaking slot and was therefore considered more inclusive.

1.2.3 Decision Making Protocol (Appendix C)

The document has been rebranded to reflect the West Suffolk Council with no other amendments having been made. This document is appended to every Development Control Committee agenda.

1.2.4 **Agenda Notes (Appendix D)**

The document has been rebranded to reflect the West Suffolk Council with no other amendments having been made. This document is appended to every Development Control Committee agenda.

1.3 Conclusion

- 1.3.1 It is proposed that a review of the working practices of the Development Control Committee be undertaken during 2020 in consultation with the Committee Chair and Vice Chair.
- 1.3.2 Furthermore, in light of West Suffolk Council being a new Authority it was recognised that this was an ideal opportunity for Officers to work with the newly appointed Chairs of all West Suffolk Committees to explore the ways in which the Committees can further engage with communities, and this will be picked up as part of the review of the Development Control Committee.

2. Alternative Options

- 2.1 That no review is undertaken in 2020, however, this would not be considered best practice.

3. Consultation and engagement

- 3.1 See Section 1.1 regarding the Future Governance Steering Group.

4. Risks

4.1	Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
	Review is not completed by end 2020	Low	Timetable review with Officers and Members concerned	Low

5. Implications arising from the proposal

- 5.1 None

6. Appendices

- 6.1 Site Visit Protocol – Appendix A
Guide to Having Your Say on Planning Applications – Appendix B
Decision Making Protocol – Appendix C
Agenda Notes – Appendix D

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Site Visit Protocol

Development Control Committee Members are sometimes required to inspect a site to get more understanding of a site's location, physical characteristics and relationship to neighbouring properties or land use. This helps them when making a formal decision on a development control (planning) application. This protocol sets out the normal practice for the arrangement and conduct of formal site visits by the Development Control Committee.

Requests for site visits

A site inspection will result from any one of the following:

- A request by a Councillor in writing during the time that an application is processed (ideally within the initial 21 day call-in period). Councillors will provide reasons for their request.
- The Assistant Director (Planning and Regulatory Services) or Service Manager (Planning – Development) requires one in the interests of proper decision making.
- Development Control Committee calls for a site visit following a deferral of a decision (although this should rarely be necessary given the provisions of 1 and 2).
- The Delegation Panel to agree site visits relating to matters considered by the Panel and referred to Committee.

Conduct of site visits

- Site visits are solely for the purpose of viewing the site, understanding its location and immediate environs, and discussing the facts of the application.
- Site visits will commence promptly at the time stated in the agenda papers.
- Site visits will be led by a council planning officer.
- On occasion, officers of other authorities or statutory bodies may be invited (by the Assistant Director (Planning and Regulatory Services) or Service Manager (Planning – Development)) to attend a site visit to clarify factual matters (for example Suffolk County Council as the local highway authority).
- Third parties (such as applicant, agent, media or the public) are not invited or expected to attend site visits. Members of the Committee will not directly engage any third party person present at the site visit and will address any questions to the lead Officer.
- Officers will give a brief presentation on the site, the setting of the proposed development and the specific reasons why the Committee requested a site inspection. They will also advise whether the applicant or objectors have

Document subject to approval by the Development Control Committee on 5 June 2019

requested that the Committee view the site from other locations and how that is to be dealt with.

- Councillors will ask their questions through the Chair including any requests for specific information from the applicant. All Committee Members need to ensure that they can hear the Officers' presentation and the questions and answers.
- The Chair will seek confirmation that Members are satisfied they have seen everything they need to make a decision and will draw the site inspection to a close.
- Members of the Committee should politely avoid engaging in private conversations with applicants, agents or objectors as this can give the wrong impression to others present or anyone observing the site visit.
- For the purposes of factual record, attendance at a site visit will be recorded by the lead officer.
- As the purpose of the visit is not debate but simply to establish facts about the site and its surroundings, no formal notes of a site visit will be recorded, other than attendance.
- There is no requirement for a Committee Member to indicate likely attendance at a site visit, although it could be helpful.
- There is an expectation for Committee Members to use the transport provided by the Authority to the site visits.



Guide to Having a Say on Planning Applications

1. Finding out about planning applications

The Council:

- writes directly to residential properties adjoining the site;
- in certain circumstances a site notice is displayed within the vicinity of the application site.

You can view details of all planning applications on the Council's website:
www.westsuffolk.gov.uk

You can submit any comments you wish to make about an application through the website. Access to this information is also available at the Council's main offices.

You normally have 21 days to comment on an application.

2. Ways you can take part

- Speak to the Planning Officer dealing with the application (this is always recommended and you will find their name with the application).
- Find out whether Planning Officers will make the decision to approve or refuse (determine) the application using powers delegated to them by Councillors, or whether it is to be reported to the Delegation Panel, or to the Development Control Committee for decision.
- Put your comments in writing to the Council (preferably by email but can be posted).
- You may also wish to contact your Ward Councillor(s).
- Details of where to send your comments will be with the application and you will need to refer to the relevant planning application number.

If Delegated Powers are used by Officers or the Panel to determine an application (the usual way in which decisions are made), your written comments, along with any others that are submitted will be fully considered in reaching a decision.

If the Development Control Committee will determine the application you can:

- speak to the Committee yourself (see below for more details);
- elect a spokesperson for your group to speak to the Committee;
- ask your Ward Councillor to speak on your behalf.

You can find out who your Councillor is on the Council's [website](#).

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If you have sent your comments in writing and the application is going to the Development Control Committee for a decision we will write to tell you the Committee's date and invite you to attend and speak at the meeting if you wish.

An agenda which includes the reports written by Planning Officers on each application to be considered by the Development Control Committee is publicly available five working days before the meeting. This will be available on the Council's [website](#).

You will need to tell the Committee Administrator by 12noon the working day before the meeting if you wish to speak.

You can register by:

Telephoning Democratic Services - 01284 757176 or 01638 719363

Or, send an email to democratic.services@westsuffolk.gov.uk

3. At the Committee meeting

The Planning Officer gives a short presentation outlining the development proposal, key issues and any updated information.

When called by the Chair, you or your representative will come forward to the committee table to make your statement before returning to the public seating area. Committee Members may ask a visiting speaker to clarify an issue after a statement is made.

The Chair has the discretion to vary procedures as necessary to assist the conduct of the meeting.

Order of registered speakers at meetings (3 minutes per category):

1. Objector to the application;
2. Supporter of the application (not applicant or agent);
3. Town or Parish Council;
4. Ward Member(s); and
5. Applicant or agent

The Committee will then discuss the application and make a decision.

4. Speaking at the Committee

If more than one person is registered to speak within a category (1-5 above), they will be advised to come to an agreement about sharing the time allocated, 3 minutes, between themselves. If, however, there are so many persons wishing to speak that the time cannot be reasonably apportioned between them they will be asked to choose a spokesperson amongst themselves to represent their views.

The Committee Administrator will draw up a programme of speakers and the Committee Chair will call the names when it is time to speak. Visual material or handouts are not permitted.

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5. What you can speak about

You should explain the effect the development would have on you. Your comments should be relevant to planning issues, which could include the following:

- residential amenity;
- highway safety and traffic; noise;
- disturbance;
- nuisance;
- design;
- appearance;
- layout;
- character of the area;
- historic buildings;
- trees;
- planning policy (Local Plan, Structure Plan);
- Government guidance.

Committee or delegated decisions cannot take into account non-planning issues such as private property rights, loss of a view, effect on property value, developers' motives, and so on. The wider public interest needs to be taken into account in planning decisions, along with national and local planning policies.

Do not:

- make statements of a personal or slanderous nature which could result in legal action against you;
- be abusive;
- interrupt other speakers, or the Committee debate.

The arrangements above for speaking only apply when an application is on the agenda of the Development Control Committee.

The arrangements do not apply to:

- formal consultees, such as Suffolk County Council, English Heritage, the Ramblers Association, and so on;
- applications dealt with under delegated powers or through the Delegation Panel;
- legal and enforcement issues;
- information, policy and performance reports.

You can view the detailed decision notice on the Council's [website](#).

6. Committee Meeting Locations (will be stipulated on each agenda)

West Suffolk House, West Suffolk House, Western Way, Bury St Edmunds, IP33 3YU
~OR~
District Offices, College Heath Road, Mildenhall, IP28 7EY

Or other suitable locations, where appropriate and as advised.

7. Development Control Contacts

Telephone: 01284 763233. Email: planning.help@westsuffolk.gov.uk

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 - 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

Document subject to approval by the Development Control Committee on 5 June 2019

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

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Development Control Committee 5 June 2019

Planning Application DC/19/0479/FUL – Land East of Chivers Road, Haverhill

Date Registered:	25.03.2019	Expiry Date:	3.06.2019
Case Officer:	Ed Fosker	Recommendation:	Approve Application
Parish:	Haverhill Town Council (EMAIL)	Ward:	Haverhill North
Proposal:	Planning Application -26no. dwellings and associated works including parking, vehicular access and landscaping		
Site:	Land East Of, Chivers Road, Haverhill		
Applicant:	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@westsuffolk.gov.uk

Telephone: 01638 719431

Background:

This application is brought before the Development Control Committee because Barley Homes (Group) Ltd is owned by West Suffolk Council.

A site visit is scheduled to take place on Monday 3 June 2019.

Proposal:

1. Planning permission is sought for the erection of 26no. two storey pitched roofed dwellings and associated works including parking, vehicular access and landscaping. The dwellings comprise a mix of unit sizes from two bedroom houses to four bedroom houses (11 x 2-bedroom 4 person), (14 x 3-bedroom 5 person), (1 x 4-bedroom 6 person) in the form of detached, semi-detached and terrace properties. Areas of soft landscaping and street trees are provided within the proposals, with trees and shrub planting also proposed to the eastern boundary.
2. Vehicular access to the development site will be from Chivers Road to the west through the wide grass verge between the road and site boundary, with the new site entrance positioned towards the northern end of the Chivers road frontage. The development also includes a new footpath/ cycle way to be incorporated through the centre of the site.

Site Details:

3. The application site is located on the former Castle Hill school site which predominantly constitutes playing field and is 1.1hectares in size. The school playing fields to the west of the former buildings include a frontage to Chivers Road adjoining residential development at Lavender Field. Chivers Road is a through route, linking estates north, west and south of the site. This is also a bus route. School Lane is a cul-de-sac, terminating at the Rugby club, although a footpath continues to Chimswell Way to the north. Pedestrian access is available opposite the school access running east into the housing estate beyond.
4. To the north and west the site is abutted by existing residential dwellings, to the south of the site is the current schools playing field and to the left is an open space designation. The site is surrounded with mature landscaping on the north, west and southern boundaries.

Planning History:

5. The Former Castle Hill Middle School Site Development Brief – adopted March 2019.

Consultations:

6. Highway Authority: No objection, subject to conditions, the proposed tie in of the cycle path at School Lane emerges in a section where the road is private, and thus the cycle link could not be adopted unless it joins the adopted highway.
7. Suffolk County Council Flood & Water Management: Further to initial comments with regard to:

- the provision of a wet bench within the attenuation basin
- the outfall rate of only 2l/s
- management of the basin
- the hydraulic calculations

The agent has addressed this by providing a wet bench in the attenuation basin, corrected calculations, increased the outfall rate to 3.0l/s, provided cross section of the basin on drainage strategy, exceedance route flow arrows on drainage strategy updated and visibility improved, amended the management of the basin to be the West Suffolk Parks Team, amended report and LLFA forms accordingly to account for changes to attenuation basin volume. These amendments have been re-consulted on and a response is expected shortly.

8. Environment Agency: No comments received.
9. Public Health and Housing: Do not wish to object the proposal subject to conditions to require the submission of a Construction Method Statement and to control hours of working.
10. Environment Team:
 - Contaminated Land** – No objection and no conditions are necessary.
 - Air Quality** - No objection.
11. Suffolk Wildlife Trust: having read the ecological survey reports (PEA, June 2017 and Bat Survey, September 2017, both Geosphere Environmental Ltd) and are satisfied with the findings of the consultant. Request that the recommendations made within the reports are implemented in full, via a condition of planning consent, should permission be granted.
12. Suffolk County Council Infrastructure Officer: The following section 106 contributions would be required for the proposed development:
 - Pre School contribution: **£24,999**
 - Secondary and Sixth Form contribution: **£111,682**
 - Library Contribution: **£416**
13. Strategic Housing Officer: The Strategic Housing team support the above application to provide 30% affordable housing in line with Policy CS5. The affordable housing requirement is for 7.8 dwellings, however note the applicant would like to provide 8 dwellings of affordable housing and would recommend this is secured within the S106 as opposed to a 0.8 commuted sum. It is acknowledged the applicant has met the requirements for the dwellings to meet the nationally described space standards. The required tenure mix is 80/20 in favour of affordable rent and therefore recommend securing 6 x 2 bed dwellings as affordable rent and 1 x 2 bed and 1 x 3 bed for shared ownership.
14. Suffolk County Council Archaeological Service: Having assessed this site for archaeological potential. The field appears heavily terraced as viewed on Lidar and aerial photography. It is highly likely that any archaeology would have been destroyed. Therefore do not recommend an archaeology condition for development on this site.

15. Ramblers: Whilst there are no public rights of way in the immediate vicinity of the proposed housing development, it is pleasing to note that a pedestrian/cycle link is to be provided through the overall site between Chivers Way and School Lane, (the latter following the route of Haverhill footpath 9). No objection is offered to the application.
16. Tree Officer: No objection, overall, the site has been planned in a manner that promotes a harmonious relationship between future dwellings with the retained hedgerows maintaining the existing landscape value of the site with regards to trees and hedges.
17. Leisure & Cultural Team: For the enhancement of play facilities at castle playing field a **£24,000** contribution would be required. Also if West Suffolk Council adopt the retention basin that would require a maintenance contribution based on the agreed management/maintenance plan for this feature which is currently being negotiated.

Representations:

18. Ward member – No comments received.
19. Town Council: No objection.
20. Neighbours: No comments received.

Policy:

21. On 1 April 2019 a new, single Authority; West Suffolk Council was created. The pre-existing development plans are carried forward by regulation (Local Government (Boundary Changes) Regulations 2018) and remain appropriate to the determination of applications by West Suffolk Council.
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:
23. Joint Development Management Policies Document (JDMPD):
 - 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

24. St Edmundsbury Core Strategy December 2010 (Core Strategy)

- Core Strategy Policy CS2 - Sustainable Development

- Core Strategy Policy CS3 - Design and Local Distinctiveness

- Core Strategy Policy CS5 - Affordable Housing

25. Haverhill Vision

- Vision Policy HV1 - Presumption in Favour of Sustainable Development

- Vision Policy HV2 - Housing Development within Haverhill

- The Former Castle Hill Middle School Site Development Brief (March 2019)

Other Planning Policy:

26 National Planning Policy Framework (2019) (NPPF)

Officer Comment:

27. 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
- Other Matters

Principle of Development

28. The NPPF was revised in February 2019 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 provision of the NPPF that full weight can be attached to them in the decision making process.

29. The proposal is sited within an existing housing settlement boundary close to the town centre. Policies DM1, CS2, HV1 and HV2 support sustainable development subject to the degree of conformity with other relevant policies. The siting of the development is considered appropriate given the existing facilities nearby, located close to the town centre 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.

30. The site is also allocated for residential development, under policy HV5(c) of the Haverhill Vision 2031, and the loss of the site from educational use is justified within the adopted Development Brief (March 2019), 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.

Visual Amenity - Design

31. Policy DM22 (JDMPD): Residential Design states that "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. Proposals must also fully exploit 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".
32. The adopted Development Brief for the site provides that Chivers Road and Lavender Fields should provide a reference point for design influences on the housing scheme, because of the proximity of the site to these areas of housing. The form of housing in these areas is traditional with pitched roofs and consists of standard modern building forms.
33. The design of the scheme seeks to respond to these design aspirations by comprising a traditional design with a varied colour palette. The built forms are traditional in nature, with facing brick and rendered walls and steep pitched, tiled roofs. Cast stone cills are proposed for windows on principal elevations. Brick soldier courses are indicated for all openings in masonry. Areas of coloured 'rockpanel' cladding are proposed in key locations to add interest. Flat porch roofs on steel posts are utilised and projecting oriel windows are proposed in key locations.
34. Chimney stacks are also provided in location which add interest, a number of properties have integral carports which are to be provided with steel railing gates for security. 1.8m high brick garden walls are proposed to be used between plots 24 to 25 and 25 to 26 to provide privacy to the rear gardens. Concrete block paving is proposed for all road surfaces with contrasting colour block to be used to denote parking areas. Rear garden fences are to be 1.8 metre tall close boarding.
35. The appearance of the development is therefore 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 relevant provisions of the NPPF.

Scale

36. 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 and local distinctiveness. In addition proposals should 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.
37. The surrounding area is a mix of properties which are predominantly two storey. Most buildings are of traditional design with pitched roofs. Local buildings are either detached, semi-detached or in short terraces. The scale of the proposal is considered consistent with this, being all two storey. Due to the contours around the site, the development will be at a lower level than Chivers Road and Lavender Fields. This, and the mature hedge to the road frontage, will reduce the visual impact of the development when viewed from the west and north. The existing tree and hedge belt to the south of the site are likely to screen the site when viewed from that direction.
38. 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

39. The Plots 1 and 26 form the gateway into the development and comprise detached 2 and 3 bedroom houses. Plot 1 is proposed to be dual aspect facing north and east. Plots 1 to 5 are positioned parallel to the western boundary. Given the change in levels and existing hedge, the rear of these houses will be largely screened from the road. These dwellings have reasonable sized rear gardens of at least 10 metres' depth and front the private drive to the east. Plot 2 and 3 utilise a plan type with integral car ports with accommodation above. The second parking space is provided through the car port.
40. Plots 6 to 11 are arranged in a shallow arc following the curve of the road. They all incorporate integral car ports with accommodation above. Plots 12 to 14 face the recreation ground with plot 14 being dual aspect on the corner. Plots 15 to 17 form a short terrace fronting a parking square, with plot 15 also overlooking the recreation ground. Plots 18 and 19 are dual aspect fronting both the access road and looking east/west. Plots 20,21,22,23 form a second parking square at the north of the site. The existing hedge, raised bank and poplar trees will form the termination of the vista into this private drive. The entrance to this private drive is framed by plots 19 and 24 with plots 24 also being dual aspect.
41. Plot 25 has been designed with limited windows to the rear at first floor level to avoid any overlooking to plots 22 and 23 to the rear. Plot 26 has been

orientated to help form a strong entrance to the site. This property has been orientated to minimise any potential overlooking to the north east. This dwelling will be approximately 2 metres lower than the houses in Lavender Fields to the north. The existing hedge will also help to reduce the impact on the Lavender Fields properties.

42. The eastern side of the site will have all open aspect over the recreation ground with the boundary being formed by 1.2 metre high metal railings with trees and soft landscape planting.
43. 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 in relation to design.

Impact on Highway Safety

44. 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.
45. Vehicular access to the development site is provided from Chivers Road to the west. There is a wide grass verge between the road and site boundary. There is a significant change in level between the site and the road. The new site entrance is proposed towards the northern end of the Chivers Road frontage. Although the change in level is significant in this area, the wider grass verge will allow for a more satisfactory access road layout. The proposed footpath/cycle route will follow the line of the new site access road. This will run through the centre of the site and be fully overlooked by the properties adjacent. Due to the relatively small size of the development, and limited number of vehicular movements, a shared surface highway is proposed which will be 6 metres wide plus 1 metre service margins to each side.
46. Parking is provided in line with Suffolk County Council Standards. All houses have two spaces (200%) parking provision apart from the 4 bedroom property which provides three spaces parking provision (300%) with two of these spaces being within the garage. 25% visitor parking spaces are provided in addition. The provision of parking serving the site for all dwelling types, complies with parking standards and the Highway Authority have raised no objection.
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. This site is less than a mile from the centre of Haverhill, with Chivers Road being on the bus route and bus stops within 150 metres of the site. The footpath/cycle way is incorporated through the centre of the site and will provide good access to the local footpath/cycle way network, extending through the recreation ground to School Lane to the east to provide a considerably improved route to the school than currently exists.

48. A garden shed is to be provided for each house for the storage of bikes. Refuse bins will be stored at the rear of each house and brought to the front for collection on bin day.
49. Whilst the Highway Authority has raised no objection with regard to the amount of parking provision, parking layout and access off Chivers Road, it is noted that the cycle path at School Lane emerges in a section where the road is private, and thus the cycle link could not be adopted unless it joins the adopted highway. This is no reason to preclude the granting of any planning consent, only formal adoption by Suffolk County Council, and conditions are suggested to ensure its delivery prior to first occupation.
50. 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

51. With regard to residential amenity, the existing dwellings to the north and west are well set back from the proposed site, limiting any potential overlooking concerns. The design of the site has been considered to limit overlooking on the new dwellings, the site is surrounded with mature landscaping on the north, west and southern boundaries. The trees and hedge to the south of the site will substantially screen the development from the south. The hedging and trees to the western and northern boundary are to be retained and will help screen the site from these directions. The impacts of development on the site as seen from Chivers Road will be reduced by the lower level of the site and the hedge along the boundary.
52. Given the characteristics of the site it is considered that the proposal would not 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, that the proposal is in accordance with policies DM2 and DM22.

Density

53. The site is allocated for residential development under Policy HV5 (c) of the Haverhill Vision 2031 which identifies the site for residential use for approximately 25 dwellings. This proposal is for 26 dwellings at a density of 31 dwellings per hectare within the allocated site. This would also allow the development to reflect the density of the properties in Chivers Road and Lavender Fields which is the residential development to which the housing site relates.
54. This is broadly in line with the Development Brief, which recognises that the site has steep slopes that border some of the boundaries, the accommodation of an appropriate access onto Chivers Road, maintaining the tree screens to the borders of the site all of which represent constraints to the developable land within the housing site.
55. A mix of dwellings is provided, including a range of sizes from 2-bedroom houses 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

56. 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.
57. With regards to surface water flooding on the site, the site is identified as being at low risk of surface water flooding. Infiltration testing was undertaken at four locations across the site in accordance with BRE 365:2016 'Soakaway Design'. The results showed that the site is not suitable for infiltration. As such it is proposed to implement an attenuation basin on the site in the guise of an open vegetated detention basin. The attenuation feature will have a clear 3.5m area around the basin to allow for it to be maintained.
58. Given the sites Greenfield status it is proposed to discharge surface water flows with an outfall discharge rate at of no more than 3 l/s into the drainage ditch located to the south east of the site for events up to the 1% AEP with allowance for climate change. For the dwellings on the site it is proposed that the runoff will be discharged into the underground surface water sewer system before discharging into the proposed attenuation basin.
59. For the impermeable areas it is proposed to utilize traditional sewers with drainage to direct surface water run-off from the access road, which is to be adopted by the highway authority. Private drives and roofs are to run-off to the attenuation basin located to the south east of the site. Therefore, the development will incorporate a sustainable drainage system with a sustainable technical design to minimise the use of water resources and the production of waste.
60. Officers are currently awaiting a response from Suffolk County Council Floods & Water with regard to the proposed scheme which will be presented either in a late paper or verbally at Committee along with any relevant additional conditions. Officers are satisfied that meaningful progress is being made in this regard, such that this matter being outstanding should not otherwise delay the preparation of this report. Comments received from the County Floods team appear to have been addressed in further details submitted by the applicant, which seek to provide a wet bench within the attenuation basin, alter the outfall rate from 2l/s to 3 l/s, clarify management of the basin and correct the hydraulic calculations. Officers consider it likely that this will satisfy the points raised, albeit further conditions over and above those suggested below might be necessary. This will be updated in the late papers or at the meeting as necessary.

Landscaping

61. The site is surrounded with mature landscaping on the north, west and southern boundaries. The trees and hedge to the south of the site will substantially screen the development from the south. The hedging and trees to the western and northern boundary will be retained to provide screening from these directions. Areas of soft landscaping and street trees are proposed with trees and shrub planting also provided on the eastern boundary to the recreation ground.
62. All of the trees within or adjacent to the site are located around the perimeter and are considered to be of low to moderate amenity value. The most notable arboricultural impact of the proposal is the removal of trees 7-16. These are Lombardy Poplars, and are not considered to be of any special arboricultural merit or public amenity value. The species characteristics of *Populus* renders these trees to be unsuitable for retention in such proximity to dwellings. It is therefore accepted that, as stated within the Arboricultural Report, it would be appropriate to remove trees 7-16 prior to the commencement of development. Although these trees are of limited public amenity value, they positively contribute to the landscape and will be replaced with more suitable species as detailed within the detailed site layout, with the implementation of this to be carried out in the first planting season as required by condition.
63. Overall, the site has been planned in a manner that promotes a harmonious relationship between future dwellings with the retained hedgerows maintaining the existing landscape value of the site with regards to trees and hedges with the Council's Tree officer raising no objection.
64. The proposal is considered to be in accordance with the adopted development brief for the site which recognises the importance of the bordering mature trees and hedgerows and states that "it is advantageous for the development of the housing site element that boundary trees and hedges remain and are supplemented where necessary as they will positively contribute to the setting of the housing site". Conditions are proposed to be attached to ensure that any development shall be carried out strictly in accordance with the Arboricultural implications assessment & tree protection plan report by Plandescil dated May 2019, as well as in accordance with the submitted landscaping details.

Biodiversity

65. The Geosphere Environmental Ltd ecological report states that the proposed development will not adversely affect the statutory and non-statutory designated nature conservation sites identified within 2km of the site. No habitats identified within the survey area were considered to have high ecological importance on an international, national, regional or county scale. The habitats on site are of site significance only, but their value could increase to district level dependant on further protected species surveys which are required by the conditioning of the details within the ecological report. The site is not considered suitable for Otters, Water Voles, Hazel Dormice, roosting bats or notable plants and invertebrates of significance.
66. There are features within the area to be affected by the proposed development which may provide habitat for birds and foraging bats. In particular within the hedgerows, grassland and trees which provide good foraging and commuting habitat.

67. The constraints to development will be the removal of habitats suitable for protected species. However it is considered that with the recommendations as required via condition any impact on protected species can be satisfactorily mitigated.
68. The ecological report makes a number of recommendations which form enhancement features which should be included in the scheme including:
- Any plants considered within the final development should ideally be native and considered beneficial to wildlife. Fruit/berry producing trees could be considered in order to provide a local food source for birds.
 - Log piles for invertebrates.
 - Nest boxes for common passerine birds.
 - Holes in the bottom of garden fences should be considered to provide habitat connectivity for foraging hedgehogs, (Hedgehog-friendly fence panels are readily available).
69. Suffolk Wildlife Trust have raised no objection subject to a condition to ensure the recommendations made within the reports (PEA, June 2017 and Bat Survey, September 2017, both Geosphere Environmental Ltd) are implemented in full via condition.
70. It is therefore considered that the proposed development would not 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, subject to conditions as justified above and as set out below.

Affordable Housing

71. The 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 prescribes 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.
72. The scheme in principle accords with policy CS5 to deliver 30% (7.8 dwellings) affordable housing. The Strategic Housing team support the above application to provide 30% affordable housing in line with Policy CS5. The affordable housing requirement is for 7.8 dwellings, however the applicant would like to provide 8 dwellings of affordable housing and this is to be secured within the S106 as opposed to a 0.8 commuted sum. It is acknowledged the applicant has met the requirements for the dwellings to meet the nationally described space standards. The required tenure mix is 80/20 in favour of affordable rent and therefore 6 x 2 bed dwellings as affordable rent and 1 x 2 bed and 1 x 3 bed for shared ownership are to be secured via a S106 agreement.

Developer Contributions

73. 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.
74. The following section 106 contributions would be required for the proposed development:
Pre School contribution: **£24,999**
Secondary and Sixth Form contribution: **£111,682**
Library Contribution: **£416**
- Enhancement of play facilities at castle playing field: **£24,000**
- If West Suffolk Council adopt the retention basin that would require a maintenance contribution based on the agreed management/maintenance plan for this feature which is currently being negotiated.
75. These contributions 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 other funds to enhance the play facilities at castle playing field along with the pre-school, secondary, sixth form and library contributions.

Other Matters

76. Policy DM7 provides that all proposals for new development 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).
77. 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.
78. To deal with issues of contamination, the application is supported by a Phase 1 – Desk Study and Preliminary Risk Assessment, reference 2481,SI, dated July 2017 and a Phase 2 – Ground Investigation Report, reference 2481,GI, dated September 2018, both undertaken by Geosphere Environmental Ltd.
79. The desk study does not identify any sources of potential contamination, other than “Potential Made Ground associated with raising the ground level of the site”. The ground investigation does not identify any significant areas of Made Ground that may be associated with raising of ground levels and no elevated contaminants or concentrations of ground gas are identified. The ground investigation concludes that remediation is not necessary. Officers agree that remediation is not necessary and are satisfied that there is no need for a contaminated land planning condition in this instance. However the Environment team has recommended a standard informative if any contamination is found once development commences.

80. The Environmental Protection UK document Land-Use Planning & Development Control: Planning For Air Quality (January 2017(v1.2)) recommends major developments (in terms of planning – i.e. greater than 10 dwellings or greater than 1000m² of commercial floorspace) 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.
81. Paragraph 105 of the NPPF states that 'local parking standards for residential and non-residential development, policies should take into account... e) the need to ensure an adequate provision of spaces for charging plug-in and other ultralow emission vehicles.' Paragraph 110 of the NPPF states that 'applications for development should be designed to enable charging of plug-in and other ultralow emission vehicles in safe, accessible and convenient locations.'
82. 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. Section 3.4.2 of the Suffolk Parking Standards states that "Access to charging points should be made available in every residential dwelling."
83. Therefore a condition requesting electric vehicle charge points is recommended, to enhance the local air quality through the enabling and encouraging of zero emission vehicles.

Conclusion:

84. 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 Former Castle Hill Middle School Site Development Brief having been adopted in March 2019. The proposal is considered to meet the aspirations of the development brief, Haverhill Vision 20131, comply with policy and the provisions of the National Planning Policy Framework.
85. Having regard to the Framework, Haverhill Vision, 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:

86. 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 associated with each property 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. No part of the development shall be commenced until details of the proposed vehicular access from Chivers Road (including visibility splays and works to widen the existing footway to provide a shared use path) have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to the first occupation of any dwelling within the site. Thereafter the access shall be retained in its approved form.

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

7. Before any works above ground level commence details, including surfacing, lighting, ground levels and barriers of the shared use foot and cycle path from the site to School Lane must have been submitted to and approved in writing by the Local Planning Authority. The approved shared use foot and cycle path shall be laid out and constructed in its entirety in full accordance with any agreed details prior to the first occupation of any of the dwellings

hereby approved. Thereafter the access shall be retained in its approved form. There shall be no occupation of any dwelling hereby approved unless and until the foot and cycle path has been provided in accordance with the details agreed pursuant to this condition.

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

8. Before occupation of the first 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.

9. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

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

10. 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.

11. Before first occupation the area(s) within the site shown on drawing No. 500361-IW-XX-XX-DR-A-2101-P02 for the purposes of manoeuvring and parking of vehicles shall be provided and thereafter that area(s) shall be retained and used for no other purposes.

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

12. The areas marked and indicated as open space on the approved site layout plan No. 500361-IW-XX-XX-DR-A-2102 shall have been provided and all associated landscaping works detailed in the approved landscaping scheme for the site shall be carried out in the first planting season following the commencement of the development. 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.

13. All planting comprised in the approved details of landscaping on plan No. 500361-IW-XX-XX-DR-A-2102 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.

14. The development shall be carried out strictly in accordance with the Arboricultural implications assessment & tree protection plan report by Plandescil dated May 2019.

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.

15. 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.

16. 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 PEA, June 2017 and Bat Survey, September 2017. 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.

17. 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.

18. The site preparation and construction works, including road works, shall only 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 day's 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.

19. Before first occupation of any of the dwellings hereby approved details of the treatment of the boundaries of the site and of the dwellings within the site, 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.

Documents:

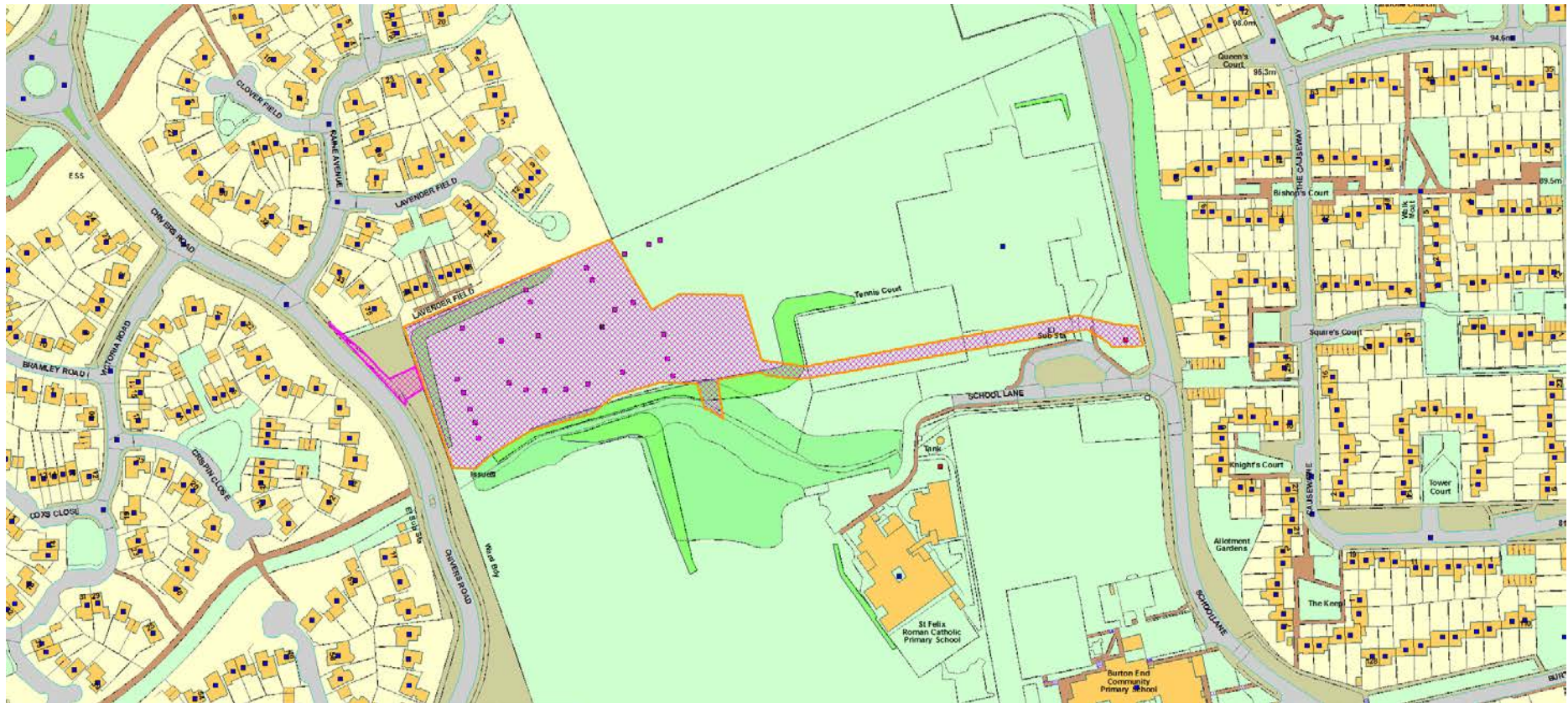
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online: <https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=POEY1GPDMM700>

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DC/19/0479/FUL – Land off Chivers Road, Haverhill

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

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P01	Planning Application Submission	28/02/19	DT	TB
Rev	Description	Date	Chk	Apr
Project No:	Scale @ A2:	Drawn By:		
500361	1:1000	TB		

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Vision, form and function

Project:
Former Castle Hill School Site
Haverhill
Suffolk

Client:
Barley Homes

Title:
Site Location Plan

Drawing Number:
500361 - IW -XX-XX-DR -A- 2000

Status:	Purpose of Issue:	Revision:
S2	Planning	P01

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Development Control Committee

5 June 2019

Planning Application DC/18/1498/FUL – Boyton Meadows, Anne Sucklings Lane, Little Wrattling

Date Registered:	15.08.2018	Expiry Date:	14.11.2018 E.O.T agreed
Case Officer:	Charlotte Waugh	Recommendation:	Approve Application
Parish:	Haverhill Town Council (EMAIL)	Ward:	Withersfield
Proposal:	Planning Application - 38no. dwellings and associated access works		
Site:	Boyton Meadows, Anne Suckling Road, Little Wrattling		
Applicant:	Clearwater Estates 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:

Charlotte Waugh
Email: charlotte.waugh@westsuffolk.gov.uk
Telephone: 01284 757349

Section A - Background:

1. This application was deferred for consideration at the St Edmundsbury Borough Council Development Control Committee meeting on 28 March 2019. Members resolved to defer the application to allow further consideration of the proposed access, which is proposed adjacent to an existing private access drive. As well as to allow further thought to the parking layout.
2. The purpose of this report is to provide an update on these issues, including an assessment of amended plans received as well as further comments received from the Highway Authority.
3. The previous Officer report for the 28 March 2019 meeting of the Development Control Committee is included as Working Paper 1 to this report. Members are directed to this paper for details of the site and development, summaries of consultation responses, Section 106 contributions and neighbour representations, and for the officer assessment of the proposal.

Proposal:

4. Please refer to Working Paper 1 for a description of the proposal.

Site Details:

5. Please refer to Working Paper 1 for a description of the site and surroundings.

Planning History:

6. Please refer to Working Paper 1 for the planning history.

Consultations:

7. Please refer to Working paper 1 for the consultation responses. In addition, the following response has been received since the previous committee meeting:

Suffolk County Council Highways (15/5/19)

With regard to the traffic numbers... this road was always designed to be a distributor road and has been built with that in mind with the required widths and visibility splays. We agree with you that this road can accommodate parking and two way traffic and that 38 dwellings is a very modest uplift.

As the accident data here does not highlight any issues with the flow of the junction and we have no reported issues on our system, along with the design of the road and the small additional numbers we would have no grounds to refuse this application on these grounds.

Obviously each application is taken on a case by case basis and if any more development was to come forward on this road and junction it would be assessed at that time to the capacity and safety.

However at this time, this junction is acceptable for this level of development.

Representations

8. Please refer to Working paper 1 for a summary of letters of representation.

Policy:

9. Please refer to Working paper 1 for a list of the relevant policies and guidance that have been taken into account in the consideration of the application.

10. On 1 April 2019 a new single Authority; West Suffolk Council was created. The pre-existing development plans are carried forward by regulation (Local Government (Boundary Changes) Regulations 2018) and remain appropriate to the determination of applications by West Suffolk Council.

Officer Comment:

11. Please see Working paper 1 for the officer assessment of the proposals.

Section B - Update:

Access

12. Members raised concern as to the position of the proposed access point given that it would run adjacent to that existing. The existing access is a private road and permission would be needed by external parties in order to use it. Whilst one of these parties suggested use of this route as an alternative, this option has been explored but is not considered available due to land ownership issues. The Highway Authority is satisfied with the proposed access point and the detailed design prepared which also includes a pedestrian footway. The agent prepared an alternative plan which demonstrated how use of the existing access could work and this would result in the removal of trees and hedging which the proposed scheme seeks to avoid, as well as introducing a more intimate relationship with the Willows given the proximity of the roadway and lack of landscaping between. Nonetheless, this option is not achievable given the differences in land ownership.

13. In addition, Ann Suckling Road was designed and built at such a width to accommodate future development and traffic. Indeed the North West Haverhill Masterplan identifies Ann Suckling Road as a principle road connection. The highway is wide enough to allow on-street parking as well as two way traffic and as such, no concerns are raised to this access route.

14. As Local Planning Authority it is necessary to consider and determine the application submitted and in this case, no objections are raised to the proposed scheme on highway grounds.

Parking layout

15. The scheme put before members included both allocated and non-allocated car parking, a mixture encouraged in the County Council Parking Guidance. This raised a degree of concern amongst members, particularly the lack of dedicated parking spaces for residents occupying the crescent and has sought to be addressed by the applicant. An amended plan has been submitted which shows a modest shift to the development layout and includes a lay-by to the rear of the crescent. This will accommodate 8 vehicles and retains the footway. Whilst it's unlikely that these spaces will be allocated it's a sensible change which provides more parking closer to the crescent. The introduction of these additional spaces provides an opportunity to rationalise the remaining parking layout enhancing the overall appearance of the scheme with greater areas of landscaping. The scheme still contains 79 spaces overall, which includes 25% visitor spaces and is in accordance with the adopted parking standards.

Other changes

16. Minor alterations have also been made to address comments made by members, such as the erection of fencing around the ponds, lighting bollards to the northern footpath and the inclusion of windows on side elevations of dwellings to increase natural surveillance of the footpath and parking areas. Furthermore, waste guidance confirms that bins and recycling will be collected from the development, despite it being a private road. Whilst when considered in isolation these changes are minimal, the combination will contribute to creating a safer environment for residents and users.

Section C – Conclusions:

17. Whilst Officers considered that the original proposal was acceptable and policy compliant, the amendments sought by the Development Control Committee and provided by the applicant have improved the scheme. The layout offers greater parking choice, increased security and the opportunity for enhanced landscaping.

18. For the reasons outlined above and also set out within the original report to Development Control Committee, Officers consider the application to be appropriate in terms of its layout, appearance and scale. The development would not give rise to any unacceptable adverse effects on amenity or biodiversity and includes 30% affordable housing as well as education, preschool and library contributions.

19. In conclusion, subject to the use of conditions and a signed 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.

Recommendation:

20. It is recommended that planning permission be **APPROVED** subject to the completion and signing of a section 106 agreement which details the affordable housing and County Council contributions as outlined within Working paper 1 as well as 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:

Reference No:	Plan Type	Date Received
(-)	Location Plan	01.08.2018
(-)	Tree Protection Plan	01.08.2018
MMX 219/1	Tree Survey	01.08.2018
J 3010-01	Existing Site Plan	10.08.2018
J 3010-06 Rev B	Floor Plans and Elevations	02.05.2019
J 3010-08	Floor Plans and Elevations	14.08.2018

J 3010-09 Rev A	Floor Plans and Elevations	02.05.2019
J 3010-10 Rev B	Elevations	02.05.2019
J 3010-12	Floor Plans and Elevations	14.08.2018
J 3010-07	Floor Plans and Elevations	15.08.2018
2192-FRA+DS Rev C	Flood Risk Assessment	13.02.2019
2192-03 Rev G	Drainage Plans	14.03.2019
2007/144	Archaeological report	01.12.2007
1413,DS/LF,PD/01-09-15/v1	Land Contamination Assessment	01.09.2015
J 3010-11 rev A	Floor Plans	16.01.2019
1 of 2	Proposed Block Plan	10.12.2018
2 of 2	Proposed Block Plan	02.05.2019
J 3010-02 rev A	Proposed Block Plan	10.12.2018
J 3010-04 rev A	Garage Plans & Elevations	04.03.2019
J 3010-05 rev A	Floor Plans and Elevations	04.03.2019
78118 V2	Ecological Survey	16.01.2019
78118 V1	Bat Report	16.01.2019
78118 V1	Reptile report	16.01.2019

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

- 3 No development above slab level shall take place until samples of the proposed external materials 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.

- 4 No development shall take place on 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:
- The programme and methodology of site investigation and recording.
 - The programme for post investigation assessment.
 - Provision to be made for analysis of the site investigation and recording.
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - Provision to be made for archive deposition of the analysis and records of the site investigation.
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - Timetable for the site investigation to 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

West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies. 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.

- 5 No building shall be occupied or otherwise used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 4 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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 West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 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.

- 7 Before any development work 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.

All works shall be undertaken in accordance with the approved details during the construction period.

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.

- 8 Prior to commencement of development 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,
- 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), a 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.

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. 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.

- 9 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing by the Local Planning Authority.

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. 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.

10. Prior to their 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 paragraphs 105 and 110 and the Suffolk Parking Standards.

- 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 applicant shall submit a detailed design based on the Drainage Strategy by MTC Engineering (Drawing ref:- 2192-03 Rev G and dated 14/03/2019) and will demonstrate that surface water run-off generated by the development will be limited to Q_{bar} or 2l/s/ha (whichever is higher) up to and including the critical 100 year+CC storm.

Reasons:-

- 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.

- 12 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.

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

- 14 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.

- 15 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 prevent environmental and amenity problems arising from flooding.

- 16 Prior to the development hereby permitted being first occupied, the proposed access onto Ann Suckling Road shall be properly surfaced with a bound material for a minimum distance of 10m metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

- 17 The vehicular access hereby permitted shall be a minimum width of 4.8 m with a footway with a minimum width of 1.8 metres for the entire length of the access.

Reason: To ensure vehicles can enter and leave the site in a safe manner and to protect the safety of pedestrians.

- 18 No development above ground level shall take place until details of the areas to be provided for the secure storage of cycles are 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.

Reason: To enable the secure storage of cycles in the interests of encouraging sustainable transport options.

- 19 No development above ground level shall take place until details of the areas to be provided for storage and presentation of Refuse/Recycling bins are 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 or presented on the highway causing obstruction and dangers for other users.

- 20 No development above ground level shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway,

in accordance with policy DM2 and DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 9 and 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 21 Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, lighting, visibility splays, 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. This condition requires matters to be agreed prior to commencement to ensure the agreed layout can be accommodated within the site.

- 22 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 the planning authority for approval a minimum of 28 days before any deliveries of materials commence or any site work starts.

The plan shall include, but not be limited to:

- Routes for delivery vehicles to and from the site
- Access to the site for construction and delivery vehicles
- Means to ensure the highway is kept free of water, mud and other construction debris
- Parking and turning for construction and delivery traffic

No HGV or construction 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 and construction traffic in sensitive areas. This condition requires matters to be agreed prior to commencement to ensure the development does not cause unnecessary disturbance during the construction phase.

- 23 Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension). Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

- 24 There shall be no occupation of the development hereby permitted unless and until the pedestrian and cycle link to the northern boundary, as shown on drawing 'Block Plan 1 of 2' has been provided. Thereafter, the pedestrian and cycle link as so provided shall be retained for pedestrian and cycle use.

Reason: To ensure a safe pedestrian access into, out of and through the site to allow safe access to public transport and facilities within the wider area in the interest of encouraging the use of sustainable transport options.

- 25 There shall be no occupation of the development hereby permitted unless and until a footway connection and crossing point has been provided at and across Ann Suckling Road, in accordance with location and design / specification details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a safe pedestrian access into, out of and through the site to allow safe access to public transport and facilities within the wider area in the interest of encouraging the use of sustainable transport options.

- 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 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.

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.

- 28 The dwelling(s) 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.

- 29 Prior to commencement of development a scheme for the provision of fire hydrants within the application site shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: To ensure the adequate supply of water for firefighting and community safety, in accordance with policy DM2 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.

- 30 All recommendations and ecological mitigation measures contained in the following reports:
Preliminary Ecological Appraisal by MIKA Ecology dated 18th December 2018
Reptile Survey by MIKA Ecology dated 18th December 2018
Bat Inspection Survey by MIKA Ecology dated 18th December 2018
shall be adhered to in their entirety through out the construction period.

Reason: To ensure that the land is used in such a manner as to improve its ecological and nature conservation value, 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.

- 31 Prior to occupation details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with 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.

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=PCQDBZPD03E00>

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WORKING PAPER 1

Development Control Committee 28 March 2019

Planning Application DC/18/1498/FUL – Boyton Meadows, Anne Suckling Road, Little Wrattling

Date Registered: 15.08.2018

Expiry Date: 14.11.2018

Case Officer: Charlotte Waugh

Recommendation: Approve Application

Parish: Haverhill Town
Council

Ward: Withersfield

Proposal: Planning Application - 38no. dwellings and associated access works

Site: Boyton Meadows, Anne Suckling Road, Little Wrattling

Applicant: Clearwater Estates 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:

Charlotte Waugh

Email: charlotte.waugh@westsuffolk.gov.uk

Telephone: 01284 757349

Background:

The application comes before the Development Control Committee as Haverhill Town Council object and this is a major application recommended for APPROVAL, subject to the completion of a s106.

Proposal:

1. This application seeks full planning permission for 38 dwellings on land within the curtilage of Boyton Hall. A new access is proposed off Ann Suckling Road. The development comprises of a mix of 2, 3 and 4 bedroom dwellings. As originally submitted the mix was proposed as follows:
4 x 2 bed apartments (flats over garages)
15 x 2 bed houses
17 x 3 bed houses
2 x 4 bed houses
2. The application has been amended to revise the site layout, but the mix remains the same as above. 30% of these dwellings will be affordable.

Application Supporting Material:

3. Location plan
Masterplan
Block plan
Proposed plans for all plots
Tree protection plan
Tree survey
Archaeological report
Design and access statement
Extended phase 1 habitat survey
Transport Statement
Flood risk assessment and surface water drainage strategy

Site Details:

4. The 1.2 hectare site is located to the north of Ann Suckling Road which is the main access serving the Boyton Hall estate. To the south of the site is Boyton Hall. The site is surrounded by the 43 hectare Masterplan for North West Haverhill albeit not included within it. This Masterplan area was allocated in the 2016 Replacement St. Edmundsbury Local Plan and includes circa 1,150 dwellings, a new Primary School, a local centre and associated open space and provision for 'executive housing'. The Masterplan has been adopted and a subsequent Outline Application has been approved by the Local Authority for the remainder of the Masterplan site with detailed planning granted for an area to the East. The site is entirely within the Housing Settlement Boundary.

Planning History:

5. [DC/16/1441/OUT](#) - Outline Planning Application (Means of Access to be considered) - Residential development for 37 units – Withdrawn 17.11.2016

Consultations:

6. SCC Archaeology (16/8/18) – No objection subject to conditions to secure archaeological investigation and completion of the post investigation assessment.

7. Public Health & Housing (16/8/18) – No objection subject to conditions to secure restriction on construction hours and construction and site management programme
8. Environment team (17/8/18) – No objection subject to the standard land contamination condition and electric vehicle charge point condition are attached should permission be granted.
9. Suffolk Fire & Rescue (22/8/18) – No objection subject to a condition which requires the provision of fire hydrant(s) within the site.
10. Suffolk County Council Developer Contributions Manager (23/8/18) – No objection subject to s106 to secure the following:
 - a. Education - £149,443
 - b. Pre-school - £41,665
 - c. Libraries - £608
 (31/01/19) – Updated Education figure - £239,666
11. Parks Infrastructure Manager (23/08/18) – *'A strong linking corridor should be provided that forms the primary open space provision on this site that should link the existing development to the south of this site through this development directly to the crossing point being provided on the Primary Movement Corridor (PMC) as part of the adjacent development. This would then provide a safe link for young people from a part of Haverhill that has little to no open space/play provision to the new provision being provided on the NW Haverhill development.'*
12. Suffolk County Council Flood & Water team (30/8/18) – Holding objection – insufficient information.
(29/11/2018) – No further objections, subject to conditions to secure a detailed surface water drainage strategy, details of SUDs to be submitted and agreed and details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction.
13. Suffolk County Council Highways (03/09/18) – Holding objection, raising a number of matters which require further clarification.
(21/2/19) – Recommend conditions should permission be granted to secure access surfacing, minimum access and footway width, cycle storage, bin storage and presentation, means to prevent discharge of surface water onto the highway, details of estate roads and footpaths, footway link to northern site boundary, footway connection and crossing point on Ann Sucking Road, Construction and Deliveries Management Plan, manoeuvring and parking and visibility.
14. Suffolk Wildlife Trust (04/09/18) – Object as insufficient information regarding protected species.
Awaiting re-consultation response after the submission of additional surveys.
15. Police (5/9/18) – Made a number of recommendations to improve safety around the site.
16. Conservation Officer (16/11/18) – No comment

17. Anglian Water (10/12/18) -

Waste water treatment – available capacity

Used Water network - unclear what the foul drainage strategy is at this time including the discharge regime and connecting manhole, this will be required in order to conduct an accurate impact assessment of the network. We therefore request a condition requiring phasing plan and/or on-site drainage strategy

Surface water disposal – defer to Lead Local Flood Authority

18. Strategic Housing

(13/12/18) – does not accord with CS5 to deliver 30% affordable housing. 11 dwellings should be secured as affordable with a commuted sum for 0.4 dwellings. Tenure required would be 80% affordable rent and 20% shared ownership as defined in the SPD.

(19/2/19) – agreed 7 affordable rented and 4 low cost home ownership to be provided as discounted market sale in line with the new products within the NPPF.

19. Tree Officer – visited the site to confirm the quality of the trees likely to be affected by the development and raised no concerns.

Representations:

20. Haverhill Town Council (30.08.18): Object on the following grounds:

- Inaccurate content of the application – Old Masterplan for the NW development has been used which gives a misleading impression of the site in relation to adjoining development.
- Highways – the site is served by a long single access road with no alternative access in case of emergencies. This also will add to the weight of traffic attempting to exit Ann Suckling Road onto the A143 Haverhill Road. A traffic assessment should be made of the impact on this junction. Visibility splays appear to cross with those of the adjoining access road to another part of the same site.
- Parking – The number of parking spaces claimed by the applicant are not evident on the plans. In any case some appear unrelated to any particular property and it is not clear if there is a free-for-all or allocated parking.
- The Design & Access Statement supporting the application speaks eloquently of the need for low density executive homes. Yet the application density and housing mix being proposed doesn't match that description, with just two relatively small, linked 4 bed properties.
- Security – The Police should be asked to specifically comment on how this layout, particular for parking, meets their secure by design guidance.
- Bio-diversity – No report is provided and it appears a healthy tree with a TPO is to be felled.
- Sewerage – As the adjacent site provoked works by Anglian Water to prevent sewerage spilling out onto the Wrattling Road, Anglian Water should be asked to comment on whether the infrastructure is sufficient in this area.
- Archaeology – adjacent sites had surveys, but no such report is provided.

21. Letters of representation have been received, raising the following comments and concerns (The Willows, Boyton Hall Farm, Chapel Farm Cottage):

- Development is too overcrowded
- Loss of privacy
- Increase in noise, dust and air pollution
- New access will be unsafe
- Density too high and houses too small
- Pond will attract children and become unsafe unless preventative measures are put in place
- Amenity land (south of pond) will attract anti-social behaviour
- Not enough larger properties
- Poorly located and insufficient parking
- Insufficient visitor parking
- How will car charging points be accommodated?

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:

Joint Development Management Policies Document (adopted February 2015):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM2: Creating Places – Development Principles and Local Distinctiveness
- Policy DM3: Masterplans
- Policy DM6: Flooding and Sustainable Drainage
- Policy DM7: Sustainable Design and Construction
- Policy DM10: Impact of Development on Sites of Biodiversity and Geodiversity Importance
- Policy DM11: Protected Species
- Policy DM12: Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13: Landscape Features
- Policy DM14: Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM20: Archaeology
- Policy DM44: Rights of Way
- Policy DM45: Transport Assessment and Travel Plans
- Policy DM46: Parking Standards

Haverhill Vision 2031 (adopted September 2014):

- Vision Policy HV1 - Presumption in Favour of Sustainable Development
- Vision Policy HV2 - Housing Development within Haverhill
- Vision Policy HV3 – Strategic Site – North-west Haverhill

St Edmundsbury Core Strategy (adopted December 2010):

- Policy CS1 – St Edmundsbury Spatial Strategy
- Policy CS2 – Sustainable Development
- Policy CS3 – Design and Local Distinctiveness
- Policy CS7 – Sustainable Transport
- Policy CS12 – Haverhill Strategic Growth
- Policy CS14 – Community Infrastructure Capacity and Tariffs

Other Planning Policy:

23. National Planning Policy Framework (2019)
National Planning Practice Guidance

Forest Heath District Council and St Edmundsbury Borough Council Joint Affordable Housing Supplementary Planning Document (2013)

The NPPF was revised in February 2019 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.

Officer Comment:

24. The issues to be considered in the determination of the application are:
- Principle of Development
 - Design and appearance
 - Impact on residential amenity
 - Impact on listed building
 - Landscape and Ecology matters
 - Highway matters
 - Contamination, Air Quality and Sustainability
 - Archaeology
 - Affordable Housing and S106 contributions
 - Other matters

Principle of development

25. 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.
26. The application site is located within the housing settlement boundary of Haverhill, the second largest town within St Edmundsbury Borough where Core Strategy Policies CS1 and CS4 focus large scale growth. Furthermore, Policy HV2 of the Haverhill Vision 2031 (2014) allows for new residential development within the settlement boundary.
27. 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.

Design and appearance

28. Core Strategy Policy CS3 and Joint Development management policies DM2 and DM22 require all development to fully consider the context in which it sits, contribute to a sense of local distinctiveness and compliment the natural landscape and built form that surrounds it. Chapter 12 (Achieving well-designed places) of 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 NPPF 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.
29. Whilst the masterplan for the wider area includes a mix of uses, at present the site surroundings are entirely residential and incorporate a variety of styles, size and appearance of dwellings. Development in the area is continually evolving with several new dwellings either being built at present or having had planning permission granted. As such, there is no clear pattern of development to the area.
30. The site is set back from Ann Suckling Road and is obscured from public view. Trees line the site boundary in front of Boyton Hall as well as cluster towards the middle of the site adjacent to this dwelling, some of these are covered by a tree preservation order (TPO). The Local Authority Tree Officer has inspected those on site and raised no objection to the submitted plans. However, tree protection measures will be required for some trees to ensure their retention during the construction period and a full landscaping plan will be required.
31. The development has been designed to retain the rural appearance of the area with a meandering access road which skirts adjacent to retained trees and arrives at the dwellings adjacent to an existing pond and facing a crescent of houses. This crescent contains 12 dwellings over 2½ floors and features a central carriage arch with clock tower above. This central section provides articulation to this terrace and creates a striking focal point for the development. The green space in front of this terrace as well as that opposite ensure the approach to the site keeps a rural and verdant nature.
32. The remaining dwellings are a maximum of two storey and feature traditional detailing such as pitched roofs, chimneys and dormer windows. They are well articulated and appear attractive. Sufficient private amenity space is provided to serve the dwellings and national space standards are met. Given that an area of open space as well as pedestrian and cycle paths are proposed along the northern boundary (outside of this site but identified in the masterplan), the dwellings at the top of the site have been orientated to front this area. This provides a pleasant outlook for occupants as well as providing natural surveillance to this route.
33. The applicant has suggested a material palette comprising soft red and buff/grey bricks and render with pantiles, plain tiles and natural slate. A mix of such materials is likely to be acceptable given the variety in the locality

and to provide some contrast between dwellings but a condition will ensure samples of materials and their use to be confirmed prior to use.

34. The inclusion of open space and play facilities was considered within this application, but given its fairly modest scale and position close to proposed sports pitches and other formal play equipment to the north of the site it was thought more appropriate to design a link to this area. This will enable occupants the opportunity to easily access more meaningful open space and cycle routes as well as provide a link through the development to this area for existing residents to the south of the development.
35. The Police Design Out Crime officer has looked at the plans and made comments in relation to their layout and how safe this is considered. Whilst having a single access and exit point as used in this case and is preferred by the police, they have raised concern in relation to the northern pedestrian link, the position of rear parking areas and the undercroft walkway through the crescent. Planning aims and those of the Design Out Crime Officers often conflict and a balance needs to be sought in terms of creating a safe layout but also ensuring that the site is well connected to adjacent development. Whilst planning policies seek to encourage permeability between sites these access routes can also be seen as escape routes for opportunists. To combat this it is necessary to ensure that these routes are well lit and open with no landscaping or features to promote loitering which Officers are content can be achieved in this case.
36. With regard to parking positions, the plans were amended to remove parking spaces from in front of dwellings to improve the appearance of the area which had the potential to be car dominated. The walkway between the crescent was designed in response to comments made by the Flood and Water Engineer who wished to see a break in built form in this location given its position at a slightly lower gradient than the top of the site. Notwithstanding this, it is considered to be an attractive and practical feature of the development. With appropriate lighting and careful landscaping it is considered that the parking areas, crescent undercroft and northern link can be made to feel safe and unthreatening.

Impact on residential amenity

37. 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 with planning policies and decisions promoting health, well-being and a high standard of amenity for existing and future users.
38. To the South of the site is Boyton Hall itself, along with two other substantial properties, Boyton Hall Farm and Chapel Farm Cottage which is Grade II listed as well as the recently completed The Willows. Planning permission has been granted for two other properties fronting Ann Suckling Road and an application is currently under consideration for a two storey dwelling directly to the south of plots 3,4,5 and 6. The relationship between these dwellings will need to be considered when determining this application. However, outline planning permission has already been granted for two properties here and as such, the principle has already been established.

Outline permission allowed two 4 bedroom dwellings, one single storey (which will be adjacent to the garage block) and one two storey but all matters were reserved. A row of trees are proposed on this boundary and this will help to mitigate any overlooking that might occur and consequently this is likely to be an acceptable relationship.

39. It is considered that a sufficient distance occurs between the existing dwellings and those proposed (both within the remit of the extant outline and within the present full application for a single dwelling off site presently being considered albeit still under negotiation) for these proposed dwellings to not to be affected by overshadowing, loss of light or privacy. A new access road is proposed adjacent to that existing and this will be visible to the occupants of The Willows, albeit an area of hedging exists and is to be retained which will provide a degree of screening. Nonetheless, vehicle and pedestrian movements in and out of the site will be apparent. Whilst this may generate a degree of disturbance it is not considered sufficient to warrant refusing the application.

Impact on Listed Building

40. It is necessary to consider the impact of the development upon Chapel Farm Cottage given its Grade II listed status. DM15 states that development affecting the setting of a listed building will be permitted where it is not detrimental to a buildings character, historic features and is of an appropriate scale, form, height, massing and design.
41. Built as a pair of cottages it was converted to a single dwelling in the mid 19th century. Elevations are red brick, flint and ashlar with timber framing on the rear (south) elevation. Whilst the dwelling looks towards the application site it is approximately 60 metres from the boundary and views will be interrupted by the two dwellings mentioned above which already benefit from outline permission. Chapel Farm Cottage retains a substantial rear garden which abuts Ann Suckling Road. Given the distance between the application site and the listed building, the built form proposed between, as well as the scale and form of the development itself, it is not considered that this scheme will adversely affect the setting of the listed building.

Landscape and Ecology matters

42. The application is accompanied by a tree survey and protection plan. It highlights the trees within the site and their quality. Whilst several trees are proposed for removal these are each category C or U trees, two of which, an Ash and Cherry are due for removal given their condition regardless of the proposed development. The front boundary of the site is predominantly leylandii, some of which will be lost to allow sufficient visibility splays, given that this is a non-native species of low ecological value no objections are raised in this regard. The Tree Officer has inspected the trees on site and is content with their loss. Whilst an indicative landscaping plan has been submitted a condition is recommended to ensure a full landscaping strategy is submitted and approved.
43. Ecological surveys have been submitted in the form of a Phase 1 habitat survey, Protected Species scoping survey, preliminary ecological appraisal, a reptile survey and a bat survey. These conclude that the site has high potential to accommodate birds, bats and hedgehogs but is unlikely to

contain great crested newts, reptiles or badgers. The bat survey states that several species of bat are present in the wider area and four of the trees on site have the potential to accommodate bats at a high level, those with the most potential are located to the South East of the site in front of Boyton Hall and unlikely to be directly affected by the development. Whilst the majority of trees within the site are proposed to be retained recommendations are made to protect the species on site, such as clearance works to take place outside of breeding bird season. With these mitigation measures and the inclusion of ecological enhancements Officers are satisfied that the development will not adversely affect protected species.

44. Within 2km of the site is one statutorily designated site, a local nature reserve – Haverhill railway walks which is an unused railway line which provides a valuable wildlife corridor. In addition there are six non statutorily designated sites – County Wildlife Sites. The Ecological Appraisal concludes that the proposed development indicates that there will be limited opportunities for the development to have any significant direct impacts on the designated sites above. This is due to the nature of the development, and the distance of the Site from designated sites in the local area.

Highway matters

45. Policy DM2 of the Joint Development Management Policies Document requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network, along with Policy DM46 which promotes more sustainable forms of transport.

46. A new vehicular and pedestrian access is proposed off Ann Suckling Road which will serve the new development as well as Boyton Hall. Whilst neighbours have raised concern that it's too close to the existing access, the Highway Authority is satisfied with its position and visibility.

47. 79 car parking spaces have been provided within the development which meets Suffolk County Councils adopted standards, this comprises 1.5 spaces per two bedroom dwelling, two spaces per three bedroom dwelling and three spaces per four bedroom dwelling as well as visitor spaces. These are not all allocated but Highway Officers raise no objections in this regard given that sufficient provision is provided.

48. The Highway Authority have requested a footway connection and crossing point from the development across Ann Sucking Road the details of which will be agreed via condition. This will ensure that the northern pedestrian link can also be utilised by existing residents to the south of the site as well as ensuring that occupants of the new development can safely access the town centre.

49. The applicants intend to retain the highway as private road. This is not a planning consideration, nonetheless, the Highway Authority is satisfied with the layout provided and will ensure that details submitted under condition, which include, surfacing, lighting, cycle storage, bin storage, gradients, visibility, HGV movements and surface water drainage are satisfactory.

Contamination, Air Quality and Sustainability

50. The application is supported by a Phase 1 – Desk Study and Preliminary Risk Assessment, undertaken by Geosphere Environmental Ltd. The report recommends that further investigation is undertaken and the Environment Team agrees with this conclusion, accordingly a condition has been recommended to ensure this occurs prior to the commencement of development.
51. 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.
52. 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."
53. It is noted that the applicant confirms that they will be providing vehicle electric charging points and a condition will ensure that these are provided and retained.
54. 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.
55. 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).
56. Given the provisions of Policy DM7 of the Joint Development Management Policies Document which 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.

Archaeology

57. In 2007 the site underwent an archaeological investigation with evidence found suggesting substantial medieval settlement in the area as well as pre-

medieval occupation. As such, there is high potential for the discovery of below ground heritage assets of archaeological importance and the County Archaeologist has requested that further investigation takes place prior to the commencement of development. Conditions have been recommended in this regard to secure a programme of archaeological work and the submission of a post-investigation assessment.

Affordable Housing and S106 Contributions

58. 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.'

59. Suffolk County Council as the education authority has identified a shortfall in the number of available early years, primary and secondary school places and requests a financial contribution of £41,650 for pre-school and £239,666 for education facilities. A contribution towards the library provision within the area is also requested giving a total of £281,939.

60. In line with the economic and social dimensional roles of sustainable development, which inter alia seek to provide a supply of housing to meet the needs of the present and future generations, Core Strategy Policy CS5 requires developers to integrate land for affordable homes within sites where housing is proposed, to ensure that affordable housing is provided and comes forward in parallel with market homes. In this case the target is 30% affordable housing and conditions or legal obligations will be used to ensure that affordable housing is secured and retained for those in housing need.

61. Forest Heath District Council & St Edmundsbury Borough Council Joint Affordable Housing Supplementary Planning Document (published Oct 2013) provides supplementary guidance to support the affordable housing policies in the adopted Development Plan. Although the preferred option is for affordable housing to be provided on-site the SPD does allow for off-site provision and payments in lieu of on-site affordable housing in exceptional circumstances, where it can be robustly justified.

62. The applicant is willing to provide the requested Section 106 contributions as well as affordable housing which will be seven affordable rent and four low cost homes in accordance with policy CS5 and the affordable housing supplementary planning guidance. At present the section 106 agreement has not been completed and as such, the recommendation is subject to the completion and signing of this legal document by all parties. However, given the willingness of the applicant to provide that requested the application complies with the relevant policies in this regard.

Conclusion:

63. The scheme has been amended during the application period to take into account concerns raised regarding layout. As a result of this it is considered that the final scheme represents a satisfactory development incorporating a

range of dwelling types as well as appropriate parking and landscaping. 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.

64. In conclusion, subject to the use of conditions and a signed 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.

Recommendation:

65. It is recommended that planning permission be **APPROVED** subject to the completion and signing of a section 106 agreement which details the affordable housing and County Council contributions as outlined above as well as the following conditions:

- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

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

Reference No:	Plan Type	Date Received
(-)	Location Plan	01.08.2018
(-)	Tree Protection Plan	01.08.2018
MMX 219/1	Tree Survey	01.08.2018
J 3010-01	Existing Site Plan	10.08.2018
J 3010-08	Floor Plans and Elevations	14.08.2018
J 3010-09	Floor Plans and Elevations	14.08.2018
J 3010-12	Floor Plans and Elevations	14.08.2018
J 3010-07	Floor Plans and Elevations	15.08.2018
1 of 2	Proposed Block Plan	10.12.2018
2 of 2	Proposed Block Plan	10.12.2018
J 3010-02 rev A	Proposed Block Plan	10.12.2018
J 3010-03 rev A	Floor Plans and Elevations	04.03.2019
J 3010-04 rev A	Garage Plans & Elevations	04.03.2019
J 3010-05 rev A	Floor Plans and Elevations	04.03.2019
J 3010-06 rev A	Floor Plans and Elevations	04.03.2019
78118 V2	Ecological Survey	16.01.2019
78118 V1	Bat Report	16.01.2019
78118 V1	Reptile report	16.01.2019
2192-FRA+DS Rev C	Flood Risk Assessment	13.02.2019

2192-03 Rev F	Drainage Plans	11.03.2019
2007/144	Archaeological report	01.12.2007
1413,DS/LF,PD/01-09-15/v1	Land Contamination Assessment	01.09.2015
J 3010-11 rev A	Floor Plans	16.01.2019
J 3010-10 rev A	Elevations	16.01.2019

- 3 No development above slab level shall take place until samples of the proposed external materials 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.

- 4 No development shall take place on 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:
- The programme and methodology of site investigation and recording.
 - The programme for post investigation assessment.
 - Provision to be made for analysis of the site investigation and recording.
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - Provision to be made for archive deposition of the analysis and records of the site investigation.
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - Timetable for the site investigation to 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 West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies. 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.

- 5 No building shall be occupied or otherwise used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 4 and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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 West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 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.

- 7 Before any development work 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.

All works shall be undertaken in accordance with the approved details during the construction period.

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.

- 8 Prior to commencement of development 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,
 - 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), a 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.

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. 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.

- 9 Prior to their 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 paragraphs 105 and 110 and the Suffolk Parking Standards.

- 10 No development shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Drainage Strategy (FRADS) by MTC Engineering, ref. 2192- FRA & DS - REV A and dated Nov 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. Details to be submitted include:-
1. Dimensioned drawings showing all aspects of the surface water drainage system (including an impermeable area plan).
 2. Section details of open attenuation areas shall also be submitted showing water levels and benching if water is greater than 600mm deep.
 3. Modelling or similar method shall be submitted to demonstrate that the surface water discharge to the receiving connection will be restricted to 5l/s for all events up to the critical 1 in 100yr +CC rainfall event.
 4. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100yr rainfall event including climate change.
 5. Modelling of the pipe network in the 1 in 30yr rainfall event to show no above ground flooding.
 6. Modelling of the volumes of any above ground flooding from the pipe network in a 100yr + climate change rainfall event, along with topographic plans showing where water will flow and be stored to ensure there is no flooding to buildings on the site and there is no flooding in the immediate area due to offsite flows. These flow paths will demonstrate that the risks to people are kept to a minimum.
 7. 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
 8. 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.

9. 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.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development, in accordance with policies DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure the development does not cause increased flood risk.

- 11 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. This condition requires matters to be agreed prior to commencement to ensure the development does not cause increased flood risk.

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

- 13 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 prevent environmental and amenity problems arising from flooding.

- 14 Prior to the development hereby permitted being first occupied, the proposed access onto Ann Suckling Road shall be properly surfaced with a bound material for a minimum distance of 10m metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To secure appropriate improvements to the vehicular access in the interests of highway safety.

- 15 The vehicular access hereby permitted shall be a minimum width of 4.8 m with a footway with a minimum width of 1.8 metres for the entire length of the access.

Reason: To ensure vehicles can enter and leave the site in a safe manner and to protect the safety of pedestrians.

- 16 No development above ground level shall take place until details of the areas to be provided for the secure storage of cycles are 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.

Reason: To enable the secure storage of cycles in the interests of encouraging sustainable transport options.

- 17 No development above ground level shall take place until details of the areas to be provided for storage and presentation of Refuse/Recycling bins are 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 or presented on the highway causing obstruction and dangers for other users.

- 18 No development above ground level shall take place until details have been submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway, in accordance with policy DM2 and DM6 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 9 and 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 19 Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, lighting, visibility splays, 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. This condition requires matters to be agreed prior to

commencement to ensure the agreed layout can be accommodated within the site.

- 20 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 the planning authority for approval a minimum of 28 days before any deliveries of materials commence or any site work starts.

The plan shall include, but not be limited to:

- Routes for delivery vehicles to and from the site
- Access to the site for construction and delivery vehicles
- Means to ensure the highway is kept free of water, mud and other construction debris
- Parking and turning for construction and delivery traffic

No HGV or construction 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 and construction traffic in sensitive areas. This condition requires matters to be agreed prior to commencement to ensure the development does not cause unnecessary disturbance during the construction phase.

- 21 Before the development is commenced details of the areas to be provided for the loading, unloading, manoeuvring and parking of vehicles 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.

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

- 22 Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension). Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

- 23 There shall be no occupation of the development hereby permitted unless

and until the pedestrian and cycle link to the northern boundary, as shown on drawing 'Block Plan 1 of 2' has been provided. Thereafter, the pedestrian and cycle link as so provided shall be retained for pedestrian and cycle use.

Reason: To ensure a safe pedestrian access into, out of and through the site to allow safe access to public transport and facilities within the wider area in the interest of encouraging the use of sustainable transport options.

- 24 There shall be no occupation of the development hereby permitted unless and until a footway connection and crossing point has been provided at and across Ann Suckling Road, in accordance with location and design / specification details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a safe pedestrian access into, out of and through the site to allow safe access to public transport and facilities within the wider area in the interest of encouraging the use of sustainable transport options.

- 25 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.

- 26 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.

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.

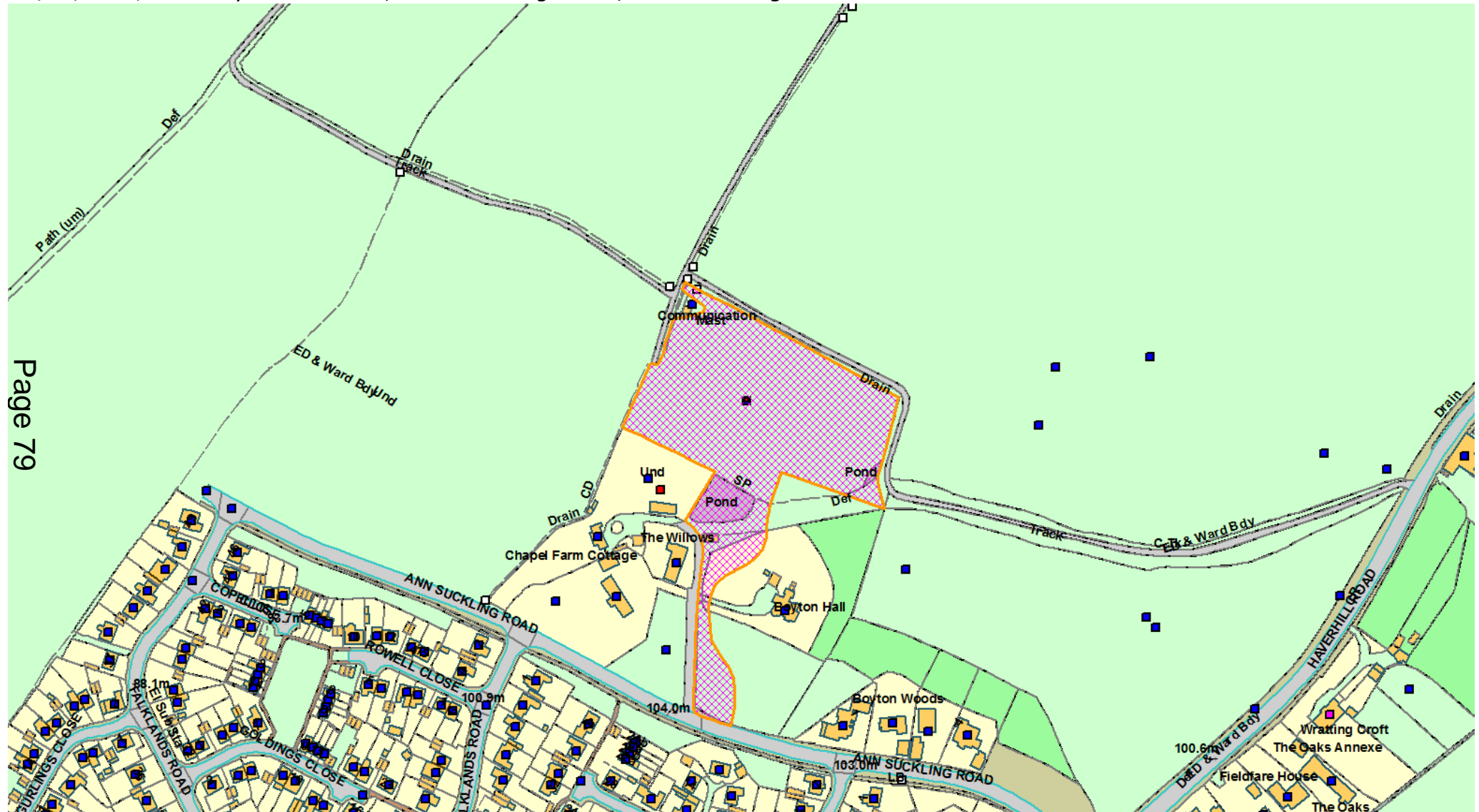
- 27 The dwelling(s) hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.

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.

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=summary&keyVal=PCQDBZPD03E00>

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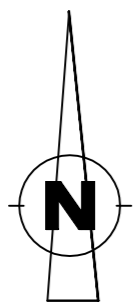
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PROPOSED
RESIDENTIAL DEVELOPMENT
AT
BOYTON MEADOWS.
Block Plan.

Development consists of;

- 4 No. 2 Bedroom Apartments F.O.G's
- 15 No. 2 Bedroom Houses.
- 17 No. 3 Bedroom Houses
- 2 No. 4 Bedroom Houses.

38 No. Dwellings TOTAL.



Revision.	
Date.	
Project.	Proposed Residential development at Boyton Meadows, Boyton Hall, Ann Suckling Road, Haverhill, Suffolk.
Description.	Block Plan.
Client.	Clearwater Estates Ltd.
Claywall Architectural.	
Architectural and Planning Consultant.	
Claywall Bridge Studio, 62, North Street, Steeple Bumpstead, Suffolk, CB9 7DP, 01440 730437, colin.clark458@gmail.com	
Drawing No.	J 3010 - 02
Sheet size: A1	Date: July 2018.
Scale:	1/500

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Development Control Committee

5 June 2019

Planning Application DC/18/2483/FUL – Land Adjacent to Culford Terrace, Mill Road, Bury St Edmunds

Date Registered:	12.12.2018	Expiry Date:	06.02.2019
Case Officer:	Charlotte Waugh	Recommendation:	Approve Application
Parish:	Bury St Edmunds Town Council (EMAIL)	Ward:	Abbeygate
Proposal:	Planning Application - 3no. dwellings and repositioning of parking area		
Site:	Land Adjacent to Culford Terrace, Mill Road, Bury St Edmunds		
Applicant:	Orwell Housing Association		

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:

Charlotte Waugh

Email: charlotte.waugh@westsuffolk.gov.uk

Telephone: 01284 757349

Background:

The application is referred to Development Control Committee following consideration by the Delegation Panel. The Town Council object and the recommendation is for approval.

Proposal:

1. The application seeks consent for a terrace of three two bedroom dwellings which will be owned by Orwell Housing Association and be occupied as affordable rent. Each dwelling will be served by a single parking space to the front of the site which is accessed off Mill Road South.
2. An area of land to the north of the development site is included within the red line and will retain its use for residents parking.

Application Supporting Material:

3.
 - Location Plan
 - Existing and proposed site plans
 - Proposed elevations and floor plans
 - Planning Statement
 - Tree survey and Arboricultural Impact Assessment
 - Land Contamination Assessment
 - Land ownership details

Site Details:

4. At present the site is used for informal parking by local residents and is partially screened from the highway by a red brick wall, which projects back into the site on either side of the access. An area to the rear of the site is currently within the garden of no. 41 and contains an outbuilding, the common boundary formed by a close boarded fence. A Sycamore tree sits on the north east corner of the site, with an Elder to the rear and an area of Dogwood/elder adjacent.
5. The scheme slopes down by approximately 0.9 metres from north to south. Mill Road South is a no-through road with the majority of dwellings in the area being terraced. On-street parking is provided on the East side of the road with a residents parking permit scheme in place.
6. The site is within the Housing Settlement Boundary.

Planning History:

7. None

Consultations:

8.

Highway Authority	No objection subject to conditions
Environment Team	No objections subject to conditions requiring land contamination investigations and the inclusion of electric vehicle charge points
Strategic Housing	The Strategic Housing Team supports the above application in principle as we have a growing need for more affordable housing

Public Health and Housing

No objection

Representations:

9. Bury Town Council - Object to this application – based on new information - on a) lack of parking provision, and b) loss of amenity, on the basis that existing parking provision is being lost.

10.12 representations have been received making the following summarised comments:

- Parking is already at a premium on Mill Road South – loss of further parking space through this development
- Currently difficulties with access, including for emergency vehicles which will be exacerbated
- Construction work will have a considerable impact on traffic
- Northern area of site was converted to parking for residents of 15-21 Mill Road South in 1995/6 when on-street parking was removed. These residents need to retain their right to park here.
- Area is over-developed
- What plans are in place to limit noise and disruption to residents?
- Noise and air pollution from construction
- Design of new houses does not match anything in the area

Policy:

11. On 1 April 2019 a new, single Authority; West Suffolk Council was created. The pre-existing development plans are carried forward by regulation (Local Government (Boundary Changes) Regulations 2018) and remain appropriate to the determination of applications by West Suffolk Council.

12. 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:

St Edmundsbury Core Strategy December 2010

- Policy CS1 (Spatial Strategy)
- Policy CS2 (Sustainable Development)
- Policy CS3 (Design and Local Distinctiveness)
- Policy CS4 (Settlement Hierarchy)

Joint Development Management Policies 2015

- Policy DM1 (Presumption in favour of sustainable development)
- Policy DM2 (Design and local distinctiveness)
- Policy DM6 (Flooding and sustainable drainage)
- Policy DM7 (Sustainable design and construction)
- Policy DM14 (Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards)
- Policy DM22 (Residential design)
- Policy DM46 (Parking Standards)

Bury Vision 2031:

- Policy BV1 (Presumption in Favour of Sustainable development)
- Policy BV2 (Housing development within Bury)

Other Planning Policy:

13.National Planning Policy Framework (2019) (NPPF/Framework)

14.National Planning Practice Guidance

15.The NPPF was revised in February 2019 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 NPPF that full weight can be attached to them in the decision making process.

Officer Comment:

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

- Principle of Development
- Visual Amenity
- Highway Issues
- Impact on Residential Amenity
- Land contamination and Air Quality

Principle of Development

17.The application site is located within the housing settlement boundary of Bury St. Edmunds, the largest town within West Suffolk where Core Strategy Policies CS1 and CS4 focus large scale growth. Furthermore, Policy BV2 of the Bury Vision 2031 (2014) allows for new residential development within the settlement boundary. Therefore, the principle of residential use is considered to be in accordance with these policies.

Visual Amenity

18.Core Strategy Policy CS3 and Joint Development management policies DM2 and DM22 require all development to fully consider the context in which it sits, contribute to a sense of local distinctiveness and compliment the natural landscape and built form that surrounds it.

19.The surrounding area is characterised by terraced dwellings, two storey in height and modest in scale. Whilst some sit on the back edge of the pavement others are positioned further back into the site. Mostly constructed of red brick the terrace opposite, which is orientated at a right angle to the highway is rendered with the pair of dwellings to the north built in buff bricks as proposed in this case. Whilst the blue brick detailing on the plinth and around the front door is not traditional, many of the dwellings feature porches and with no specific style dominating the area, the design is thought to complement the existing variety of dwellings in the locality. In terms of scale, the properties respect the dwelling and plot size of the surrounding area and accord with the surrounding pattern of development.

20. An arboricultural survey accompanies the development and provides an assessment of the trees on site. A large sycamore exists in the northern corner of the site and whilst the survey acknowledges that it is of poor quality (category C) it will be retained with a crown reduction. A smaller Elder is present at the rear of the site and is proposed for removal along with an area of Dogwood and Elder. These features are categorised C and U respectively and as such, their removal is considered acceptable. Other trees are located on the front boundary of the northern parcel of land which will remain unaffected by the proposed development, general works however are recommended for their health. The survey contains measures to protect these trees during the course of construction and these measures will be conditioned on any approval. The retention of these trees is considered to enhance the appearance of the area and development.
21. Overall, the scale, position and appearance of the scheme is considered to take account of surrounding development and respect the wider area in accordance with policies DM2, DM22 and CS3.

Highway Issues

22. Policy DM2 of the Joint Development Management Policies Document requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network, along with Policy DM45 which ensures that development provides for the provision of parking to serve new development.
23. At present the site is laid to hard standing and accommodates informal vehicular parking. Removal of this area for residential development will therefore result in a loss of parking space for local residents which is in high demand. The applicant also owns a parcel of land to the north (included within the red line) which will be available for parking, albeit residents claim that this area was reserved for those at 15-21 Mill Road South when yellow lines were introduced in the mid 1990's. There is no record of this area being specifically reserved for these residents and the site has been within the ownership of the applicant since 1994 who have no knowledge of this arrangement. On this basis, it cannot be considered that this piece of land is restricted to use by certain dwellings. 19 surrounding dwellings are owned by Orwell Housing and are served by 26 parking spaces, 11 proposed on this northern parcel of land and the remainder is formal parking in and around the dwellings. (This number does not include on-street parking which is also available on Mill Road South.) This is considered to represent an acceptable ratio given the size of the dwellings and proximity to the town centre.
24. A block paved parking area is proposed to serve each dwelling accommodating a single vehicle. Given that the dwellings are two bedroom and the site is located very close to the town centre where other sustainable modes of transport are accessible, the Highway Authority is satisfied with this provision. It is acknowledged that the highway is narrow but it is considered that sufficient space is available to manoeuvre in and out of these spaces. On this basis, it is considered that this development provides sufficient parking to serve itself and will not have a significant adverse impact on local residents.

Impact on Residential Amenity

25. 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.
26. The site borders no. 11 to the South and no. 41 to the rear. An existing footpath exists adjacent to no. 11 and will be retained by the development. By reason of the position of the proposed dwelling opposite no. 11, its orientation and lack of adjacent windows it is not considered that this development will have an adverse impact on its occupants by reason of loss of light, overshadowing or loss of privacy. In terms of no. 41 to the rear, part of the side garden serving this property has been given over to the development and as such their rear garden will now border residential gardens. The dwellings are positioned to the East of no. 41 and given the distance are unlikely to cause significant overshadowing. They do however contain windows on the rear at first floor level, 1 serving a bedroom and 1 a bathroom (which will be obscure glazed) on each dwelling. Dwellings 2 and 3 particularly will have more opportunity to overlook the adjacent residential garden. The distance from the proposed elevations to the common boundary with no. 41 measures between 8.9 metres (unit 1) and 6.8 metres (unit 3). This relationship is likely to result in some loss of amenity to the existing occupants, albeit the dwellings are located in a fairly tight knit area of town where there is a degree of mutual overlooking to nearly all the terraced dwellings in this area. On this basis, this development will not introduce overlooking to an area that was previously private. Notwithstanding this, the relationship here does weigh against the development to an extent that would justify refusal of the application.
27. At present, due to the concealed nature of the site it is regularly the subject of fly-tipping, with the site owner clearing the site approximately 18 times a year. Consequently, its re-use for residential does present an opportunity to improve the street scene in this location and remove any anti-social behaviour that occurs in this area to the benefit of residents.

Land Contamination, Air Quality and Sustainability

28. The application is supported by a land contamination assessment and the Environment Team is in general agreement with the findings of this study and the need for intrusive investigations. A planning condition is recommended in this regard.
29. Paragraph 105 of the NPPF states that '*local parking standards for residential and non-residential development, policies should take into account... e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.*' Paragraph 110 of the NPPF states that '*applications for development should... be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*'
30. 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.*' Section 3.4.2 of the Suffolk Parking Standards states that "*Access to charging points should be made available in every residential dwelling.*"

31. In order to comply with these policies a condition requiring electric vehicle charge points is recommended to enhance the local air quality through the enabling and encouraging of zero emission vehicles.
32. 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).
33. Given the provisions of Policy DM7 of the Joint Development Management Policies Document (2015) which 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.

Conclusion:

34. The application proposes three modest dwellings for affordable rent, a matter which weighs in favour of the scheme. They have been designed to reflect the surrounding pattern of development and include the provision of on-site parking. In addition, they ensure the retention of trees within the site and provide space for additional landscaping which will enhance the street scene in this location as well as removing anti-social behaviour. The orientation of the dwellings means the rear gardens will back on to an adjacent residential property and this relationship weighs against the proposal in that a degree of overlooking will occur. However, the benefits of the scheme are considered to outweigh these concerns and the application is therefore, in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

35. 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:

18 1594 LOC – Location Plan

18 1594 01 - Proposed site plan

18 1594 03 - proposed floor plans and elevations

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

3. Prior to commencement of development 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,
- 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), a 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.

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. 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.

4. 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.

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.

5. The use shall not commence until the area(s) within the site shown on Drawing No. 18 1594 01 Rev A for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and the back garden sheds for the purposes of cycle storage, thereafter those areas shall be retained and used for no other purposes.

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

6. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.
Comment: This could be by utilising a permeable material for the hard areas of the frontage.

7. 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 paragraphs 105 and 110 and the Suffolk Parking Standards.

8. The development shall be carried out strictly in accordance with the recommendations and measures included within Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan produced by Haydens and dated 17th September 2018 and referred 6972 Rev A.

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.

9. Before the first dwelling hereby permitted is first occupied, the first floor bathroom windows in the rear elevation shall be fitted with obscure glass to Pilkington glass level 4 privacy or an equivalent standard and shall be retained in such form in perpetuity.

Reason: To prevent the overlooking of adjacent properties in order to ensure that residential amenity is not adversely affected, 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.

10. The dwelling(s) 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.

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=PJKWV2PDKSO00>

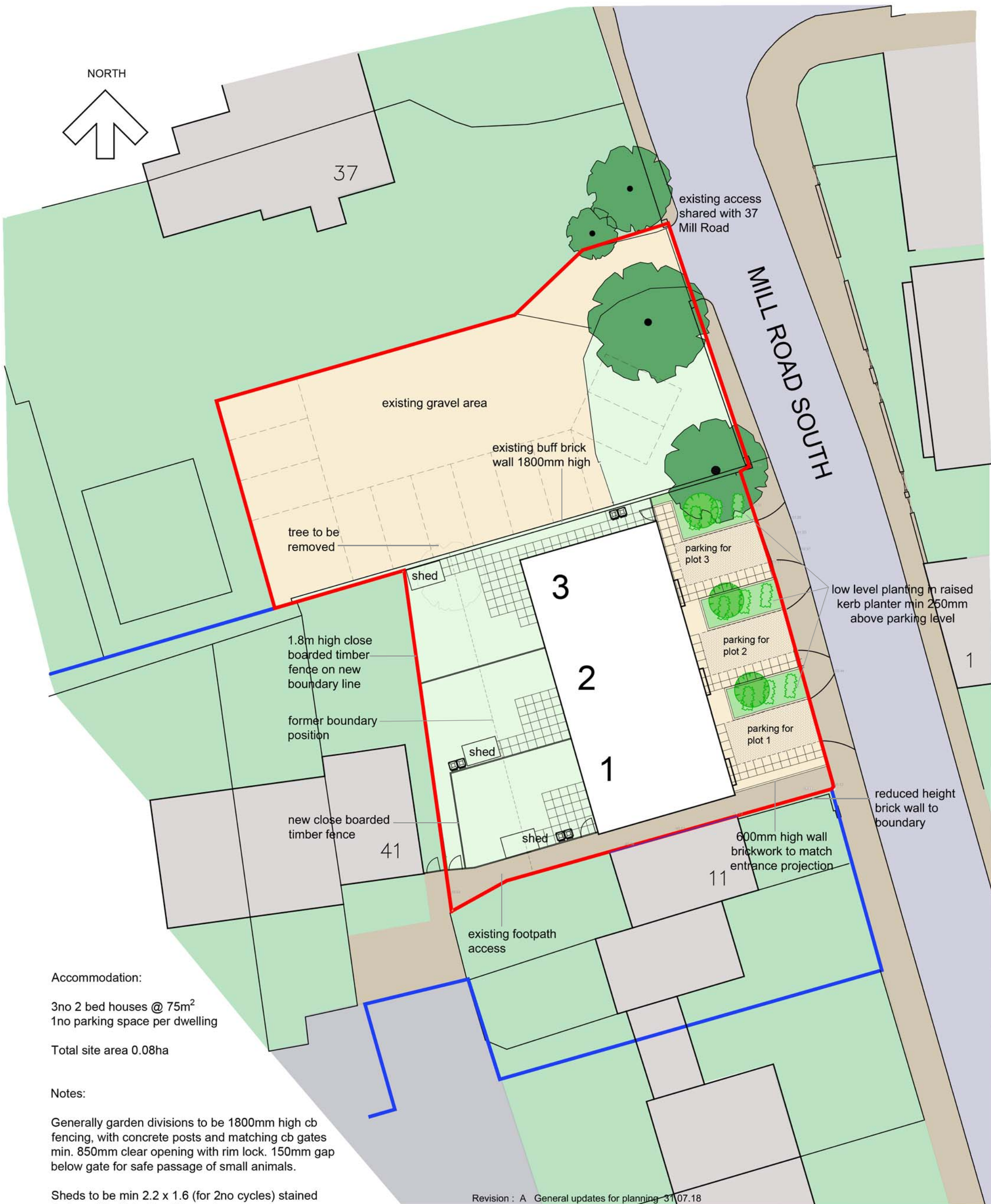
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DC/18/2483/FUL - Land Adjacent To Culford Terrace, Mill Road, Bury St Edmunds



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Accommodation:

3no 2 bed houses @ 75m²
1no parking space per dwelling

Total site area 0.08ha

Notes:

Generally garden divisions to be 1800mm high cb fencing, with concrete posts and matching cb gates min. 850mm clear opening with rim lock. 150mm gap below gate for safe passage of small animals.

Sheds to be min 2.2 x 1.6 (for 2no cycles) stained timber with pitched roof to each rear garden.

Natural buff coloured paving to patios and footpaths. Footpaths min. 900mm wide with level access to front doors.

Parking spaces to be finished with block paving colour charcoal.

Drainage channel to edge of parking area to prevent water spilling onto footpath/highway

Revision : A General updates for planning - 31/07.18

Proposed Site Plan

Project: Proposed Housing, Culford Terrace, Mill Road, Bury St Edmunds

Client: Orwell Homes

Drwg: 18 1594 01

Revision: A

Date: July 2018

Scale: 1:200 @A3

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

Tel: 01284 756166
Email: rp@reespryer.co.uk

*Rees
Pryer*

ARCHITECTS

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Development Control Committee 5 June 2019

Planning Application DC/19/0258/OUT – Land SW of The Bull, The Street, Troston

Date Registered:	25.02.2019	Expiry Date:	22.04.2019
Case Officer:	Britta Heidecke	Recommendation:	Refuse Application
Parish:	Troston	Ward:	Pakenham & Troston
Proposal:	Outline Planning Application (Means of Access to be considered) - 4no. dwellings with garaging and creation of new vehicular access		
Site:	Land SW of The Bull, The Street, Troston		
Applicant:	Mr S Burgess		

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

Britta Heidecke

Email: britta.heidecke@westsuffolk.gov.uk

Telephone: 01638 719456

Background:

The application is referred to Development Control Committee following consideration by the Delegation Panel. Troston Parish Council support the application and the recommendation is for REFUSAL.

1. Outline planning permission was granted for 8 dwellings on the existing playing field at the time (DC/14/0507/OUT) and replacement public open space (POS) was granted at the same time under DC/14/0470/FUL. The application is surrounded by this replacement POS on three sides.

Proposal:

2. The application seeks outline permission for four market dwellings with garaging on land south-west of The Bull, The Street, Troston with means of access to be considered.
3. As this is an outline application, details of appearance, landscaping, layout and scale (the reserved matters) have not been provided.
4. An indicative plan which illustrates four dwellings, a pair of 1 ½ storey cottages and two detached single storey bungalows showing two options to link the development with the existing footpaths have been submitted in support of the application.

Application Supporting Material:

5.
 - Location plan
 - Site plan
 - Biodiversity checklist
 - Land contamination assessment
 - Planning statement
 - Ecology phase 1 survey (upon request)
 - Indicative site layout a / b
 - Amended site layout plan with access details

Site Details:

6. The application site comprises of part- of an agricultural field approx. 0.36ha in size, whilst the remainder of the field has changed use to public open space. The site therefore is bound on three sides by public open space/ playing field and Livermere Street to the North-West.
7. North of the site are three residential properties fronting; Smithies Cottage turning its back to the village edge with its rear garden being the settlement boundary and Farriers Lodge and Fleetwood fronting the road.
8. The replacement POS and application site are outside of but adjacent the settlement boundary.

Planning History:

9.

Reference	Proposal	Status	Decision Date
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DC/14/0470/FUL	Planning Application - Change of use of Agricultural land to Amenity/ Recreational village use (Resubmission of SE/13/0820/FUL) as amended by revised plans received on 11th September 2014 reducing the overall extent of proposed amenity space and as further amended by revised plan received on 4th June 2015 to include the provision of a new access and car parking area from Livermere Road	GRANT	04.09.2015
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s106 signed on
4.09.15 - linked
with
DC/14/0507/OUT
and
DC/14/0474/FUL

Consultations:

10. Environment & Transport – Highways:

15.03.2019: *'Whilst acceptable in principle, further consideration of pedestrian access to the site is required. There is a footway on the northern side of Livermere Road and the proposed development should evidence how future residents would be able to access it. An area of footway along the frontage of the site to a point opposite the existing footway would satisfy the Highway Authority that the proposal would meet the requirements of the NPPF and provide a safe access for all users.'*

09.05.2019: no objections subject to conditions

11. Public Health And Housing: No objection subject to conditions.

12. Natural England: Has no comments to make on this application.

13. RSPB Eastern England Regional Office: No comments received.

14. Ward Councillor: No comments received.

15. Environment Team: No objection subject to conditions.

Representations:

16. Parish Council:

'Four Dwellings Troston Playing Field/ Troston Parish Council notes that the above planning application is outside the current village settlement boundary. In principal, we oppose any such developments on the basis that they are encroaching on the countryside surrounding the village and therefore causing harm to the setting of the village and the local environment.

On this occasion, however, we support the application for the following reasons:

It is not actually encroaching on the countryside surrounding the village. The site is located on the edge of the development boundary and within a closely knit cluster of existing dwellings close to the road. The proposed homes are on an area originally allocated for a playing field but only part of which is now used for recreational purposes.

The development proposed, if outline planning permission is granted, would add character to the entrance of the village. The scale of the development seems commensurate with the size of an infill plot. That said, the Parish Council remains concerned that this development outside of the village boundary might be used to set an unwelcome precedent for other unsuitable developments on the edge of Troston. Although appreciating the intentions of the latest NPPF, if such applications are forthcoming, we would be minded to oppose them on the basis of the planning criteria laid down in St Edmundsbury's Rural Vision 2031 policy document, not least that Troston is designated as a village for infill development only.'

Policy:

17. On 1 April 2019 a new, single Authority; West Suffolk Council was created. The pre-existing development plans are carried forward by regulation (Local Government (Boundary Changes) Regulations 2018) and remain appropriate to the determination of applications by West Suffolk Council.
18. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
19. The following policies of the Joint Development Management Policies Document, the St Edmundsbury Core Strategy 2010 & Vision 2031 Documents have been taken into account in the consideration of this application:
 - Vision Policy RV1 - Presumption in favour of Sustainable Development
 - Vision Policy RV3 - Housing settlement boundaries
 - Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
 - Core Strategy Policy CS2 - Sustainable Development
 - Core Strategy Policy CS4 - Settlement Hierarchy and Identity
 - Core Strategy Policy CS13 - Rural Areas
 - Policy DM1 Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places Development Principles and Local Distinctiveness
 - Policy DM5 Development in the Countryside
 - Policy DM7 Sustainable Design and Construction
 - Policy DM11 Protected Species

- Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- Policy DM37 Public Realm Improvements
- Policy DM46 Parking Standards

Other Planning Policy:

20. The National Planning Policy Framework (NPPF/the Framework) was revised in July 2018 and again in February 2019 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 key development plan policies in this case are CS1, CS4, CS13, RV1 and RV3 and DM5.

Planning Policy Evaluation:

21. Policy CS1, CS4 and CS13 of the Core Strategy seek to direct development to suitable, sustainable locations with easy access to local services and facilities. These are aims that are consistent with Paragraphs 78 and 79 of the Framework.

Policy CS13 of the Core Strategy does not prevent development outside settlements defined in Policy CS4, but states that it will be strictly controlled. It goes on to state that '*Policies in the Development Management DPD and Rural Site Allocations DPD will set out detailed uses which are appropriate in rural areas*'. The Joint Development Management Policies have since been adopted and policy DM5 concerns development in the countryside.

22. Policy DM5 provides a balanced approach to rural housing that is broadly consistent with the aims of the NPPF to prevent isolated development in the countryside and identify opportunities for villages to grow. It is noted that policy DM5 is inconsistent with the provisions of para 79 of the 2019 NPPF in that it would not generally permit the subdivision of existing residential dwellings in the countryside. However, this is not relevant for the consideration of this proposal, which is for a new dwelling.

23. DM27 requires proposals for new dwellings in the countryside to be in a close knit cluster of 10 or more dwellings adjacent to or fronting an existing highway as well as consisting of the infilling of a small, undeveloped plot by one or a pair of semi-detached dwellings commensurate with the scale and character of the dwellings existing in the area. Proposals for dwellings in the countryside must also be located and designed such to not harm or undermine a visually important gap that contributes to the character and distinctiveness of the area and would not have an adverse impact of the environment or on issues relating to highway safety.

24. Paragraphs 77-79 of the NPPF discuss rural housing matters similar to this policy, in that the NPPF states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Furthermore, these paragraphs state that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, as well as stating that planning policies and decisions should avoid the development of isolated homes in the countryside except in exceptional circumstances as outlined in paragraph 79 of the NPPF.
25. Paragraph 79 of the NPPF does however not imply that a dwelling has to be isolated for a restrictive policy, such as Policy DM5 and DM27, to apply. There may be other circumstances, such as the evidenced based requirements of a development plan, which would suggest development in the countryside should be avoided.
26. Given the consistency between the points raised in the local policy and these paragraphs of the NPPF, officers are satisfied that there is no material conflict between Policies DM5 and DM27 and the provisions of the NPPF, such that it is considered that full weight can be given to policies DM5 and DM27 in this case.

Officer Comment:

27. The issues to be considered in the determination of the application are:
- Principle of Development
 - Impact on character and appearance of the area
 - Amenity
 - Ecology
 - Highways matters
 - Other matters
 - Planning balance

Principle

28. Planning law requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
29. Core Strategy Policy CS1 sets out the Council's spatial strategy. Settlement boundaries are included on the Policies Map accompanying the Joint Development Management Policies Document (2015). The application site lies outside of the any defined settlement boundary, and is therefore situated in the countryside for the purposes of interpreting planning policy.
30. Core Strategy Policy CS4 identifies Troston as an Infill Village. The supporting text at 4.58 of the Core Strategy clarifies that '*Villages that only have a limited range of services and less than Local Service Centres, are designated Infill Villages. In these villages, only infill development comprising single dwellings or small groups of five homes or less within the designated housing settlement boundary would be permitted. This would be dependent on other environmental and infrastructure constraints.*'

31. The NPPF is a 'material consideration'. The revised NPPF was published on 24 July 2018 and was revised again on 19 February 2019. This does not alter the primacy of the development plan, but remains a significant material consideration in the determination of planning applications. As paragraph 12 states:

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.'

Five Year Supply of Housing

32. On 1st April 2019 West Suffolk Council was created. A joint five year housing land supply report (5YHLS) for West Suffolk taking a baseline date of 31 March 2018 was published on 2nd April 2019. This confirms that the new single council can demonstrate a 6.3 year supply of housing land. The report is accompanied by detailed evidence set out in 7 appendices which support the delivery of sites over the period 2018 to 2023. Alongside this report is the West Suffolk Housing Delivery study prepared by consultants Turleys. This report reviews past and current rates of housing delivery and determinants of demand and makes recommendations to accelerate housing delivery across West Suffolk. The report sits alongside the 5YHLS as it provides evidence to support the benchmarks and assumptions used in it.

33. Troston is categorised as an infill village for the purposes of the Spatial Strategy set out in Policy CS1 and CS4. The proposal being outside of the settlement boundary does not fall within the scope of these policies.

34. Policy DM5 sets out forms of development that will be permitted in the countryside (affordable, rural workers dwellings, replacement dwellings and infill where there is a cluster of 10 or more existing dwellings). The proposal does not fall within any of these categories and, therefore, would be contrary to Policy DM5.

35. There are a small number of dwellings just north of the site and POS lies to the west, south and east. Policy DM27 permits small-scale development of a small undeveloped plot in the countryside provided it accords with the criteria set out within the policy.

36. Policy DM27 states that such housing should be within a closely knit cluster of 10 or more existing dwellings adjacent to or fronting an existing highway and the scale of development should consist of infilling a small undeveloped plot by a dwelling commensurate with the scale and character of existing dwellings within an otherwise continuous built-up frontage. The policy clarifies that plot sizes and spacing between dwellings should be similar to adjacent properties and that permission will not be granted for proposals that harm a visually important gap or have an adverse effect on the environment.

37. The proposal is for four dwellings and the site is clearly not a small infill site within a closely knit cluster. There is also not a continuous built-up frontage

along Livermere Road. The site is outside the built up edge of the settlement, therefore protruding further into the open countryside.

38. There are no exceptional circumstances or material considerations in this case which indicate the planning application should be determined other than in accordance with the Development Plan. Based on the above the proposed development is contrary to policies CS1, CS4, CS13, RV1 and RV3, DM5 and DM27 and as such is not acceptable as a matter of principle.
39. Moreover, the services and facilities provided within the infill village are very limited. The distances and road conditions to local facilities and services beyond the village boundaries are such that sustainable modes of transport such as walking and cycling would not particularly be encouraged. Therefore, occupiers of the proposed dwellings are most likely to frequently rely on the private car to access services and facilities which has negative environmental and social effects. Therefore the proposal would not accord with policy DM2 (k) and the aims of the NPPF.

Impact on character and appearance of the area

40. The planning statement suggests that the application site, whilst outside of the settlement boundary it is not outside of the village and would not represent an intrusion into the open countryside. Paragraph 18 of the planning statement asserts '*The new entrance to the playing field (to the west of the site) and the western boundaries of the rear gardens of properties in Paddock Way (to the north) define the physical edge of the village.*'
41. Officers disagree with this assessment as the built up edge of the village on the southern side of Livermere Road begins at Smithies Cottage. The road side is lined by mature trees on the northern side of the road and a hedgerow on the southern, application site side, providing a verdant and leafy character to the entrance to the village. Moreover, the development on the northern side of Livermere Road is significantly set back from Livermere Road, relating more to Paddock Way.
42. The new access would require the removal of a section hedge; approx. 18 metres will be lost. The land itself at present is agricultural and undeveloped. Regardless of the proposals design, layout and scale, it would result in some inherent urbanisation. It would erode the existing verdant and undeveloped character and as such encroach into the countryside.
43. On the other hand, the proposal would occupy a parcel of land which is now surrounded by POS and would not likely be suitable for modern agriculture due to its limited size. Landscaping could be secured at the reserved matters stage to soften the boundaries of the site and integrate it within the verdant and leafy character of the entrance to the village. Only limited weight will therefore be attached in the planning balance to the harm arising to character and appearance of the area.

Amenity

44. The proposal is for outline consent and as such details of the siting, scale and design of the dwellings have not been submitted as part of this application. On the basis of the indicative site plans however, it is considered that the site is of a suitable size to accommodate four dwellings without causing unacceptable

impacts to neighbour amenity. The impact upon neighbour amenity would be fully assessed at Reserved Matters stage when full details of scale, design, siting would be considered and window positions are known.

Ecology

45. The application was submitted with an Ecology phase 1 report. This suggests that the diversity of habitats found on the site is thought to be sub-optimal for supporting protected species. The hedgerow was assessed against the ecological criteria for Important Hedgerows under the Hedgerow Regulations. The report concluded that the hedgerow did not meet the criteria of the Hedgerow Regulations as Important Hedgerows; approximately 18 metres of Hedgerow will be lost but compensated through the planting of a new native hedgerow.
46. There was no evidence to suggest that protected species are present on the site. There were negligible features suitable for bats. The hedgerow offers commuting potential and the suitability of the hedgerow and trees to support nesting birds was noted.
47. The report sets out mitigation and enhancement measures; a bat friendly lighting scheme can be secured by condition. Subject to implementation in accordance with these details the proposal is considered to comply with policy DM11 and DM12 of the Joint Development Management Policies Document..

Highways matters

48. The proposed new access is within the 30 miles per hour zone and would be constructed to the relevant Highway Authority standard. The proposed access can achieve visibility splays of 2.4m x 43m in each direction.
49. The Highway Authority confirmed that the *'access is acceptable in principle, further consideration of pedestrian access to the site is required. There is a footway on the northern side of Livermere Road and the proposed development should evidence how future residents would be able to access it. An area of footway along the frontage of the site to a point opposite the existing footway would satisfy the Highway Authority that the proposal would meet the requirements of the NPPF and provide a safe access for all users.'*
50. Since the Delegation Panel meeting and in response to the Highways comments an amended indicative site plan with access details including a safe pedestrian access linking with the existing footpath and a bin presentation area has been submitted. The Highways Authority has raised no objection to these details subject to standard conditions.
51. Parking requirements will depend on the scale of the dwellings proposed and would be determined at reserved matters stage. However, the indicative layout shows that four dwellings with off street parking and garaging can be achieved. The proposal therefore is considered to be acceptable with regards to highways safety, in accordance with the requirement of policy DM2(I) and DM46.

Other matters

- 52.Air Quality: Section 3.4.2 of the Suffolk Guidance for Parking states that "Access to charging points should be made available in every residential dwelling." Policy DM2(l) and DM46 seek to ensure compliance with the parking standards and to promote more sustainable forms of transport. The NPPF at para 105 seeks to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles and para 110 (d) states 'Within this context, applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.' On this basis a condition should be attached to any consent to secure a vehicle charging point for the new dwellings.
- 53.Sustainable Construction: 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. However, a condition can 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.

Planning balance

- 54.In terms of the planning balance West Suffolk Council can demonstrate a 5 year supply of deliverable housing and the relevant development plan policies are considered to be broadly consistent with the NPPF. Full weight can therefore be attached to these policies. The proposal is contrary to the development plan policies in relation to housing in the countryside. There are no material considerations to indicate that the proposal should be assessed other than in accordance with the development plan and as such is unacceptable in principle.
- 55.The proposed development would therefore not be in a suitable location when considering the policies concerned with housing in rural areas. As such, it would significantly and harmfully undermine the adopted spatial strategy for rural housing in the development plan and the consistency and relative certainty that should flow from a plan led approach to the location of new development.
- 56.Harm will also arise from the removal of a section of hedgerow and some inherent urbanisation and encroachment into the countryside will result which in turn will erode the currently verdant and undeveloped character of the area. This could to an extent be mitigated by suitable replacement soft landscaping under the reserved matters. Therefore only limited weight will be attached to this harm.
- 57.Overall the conflict with policy and harm arising from the proposed development of a site within the countryside are considered to outweigh any benefit arising from the limited social and economic benefits such as the contribution to the housing supply, construction period and additional local spend.

Conclusion:

- 58.In conclusion, as set out above, the principle of the development is considered to be unacceptable and fails to comply with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

59. It is recommended that planning permission be **REFUSED** for the following reason:

1. The site falls outside the settlement boundary of Troston which is defined as an Infill Village under Core Strategy Policy CS4. Policy RV3 of the Rural Vision 2031 states that residential development will be permitted within housing settlement boundaries where it is not contrary to other policies in the plan. There are exceptions to allow for housing development in the countryside as set out under DM5, DM26, DM27 and DM29 (affordable, rural workers dwellings, replacement dwellings and infill where there is a cluster of 10 or more existing dwellings), but this proposal does not satisfy any of these exceptions. The site is also not allocated for residential development in the Local Plan. West Suffolk can demonstrate a five year housing land supply and therefore the development plan can be considered up to date. The proposals therefore fail to comply with policy RV3 of the Rural Vision 2031, Core Strategy policy CS1 and CS4, Policies DM5 and DM27 of the Joint Development Management Policies Local Plan and the 2019 NPPF, particularly paragraphs 11, 77 and 79 and is considered unacceptable as a matter of principle. Moreover the proposal would encroach into the countryside and be harmful to the verdant and undeveloped village edge, contrary to policy DM2. The limited social and economic benefits from the provision of four market houses is considered to significantly and demonstrably be outweighed by the proposal harmfully undermining the adopted spatial strategy for rural housing in the development plan and harm to the visual amenity of the area.

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=summary&keyVal=PMRUBCPDLXT00>

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DC/19/0258/OUT - Land Sw Of The Bull, The Street, Troston



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Client	BURGESS HOMES	Scale: 1:500	BROWN & SCARLETT ARCHITECTS 1 Old Hall Barns, Thurston Road Pakenham, IP31 2NG Tel: 01284 768800 info@brownandscarlett.co.uk
	Project:	RESIDENTIAL SCHEME LIVERMERE ROAD TROSTON	
Drawing:	OUTLINE PLANNING	Contract: 4343 Drg No. 02	

Revisions

Only figured dimensions are to be used for construction purposes. This drawing must be read in conjunction with all relevant details for the project. All dimensions are to be checked on site prior to commencement and any discrepancy reported to the Architect or Contract Administrator
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Development Control Committee 5 June 2019

Planning Application DC/19/0046/FUL – Rear of 7 The Street, Hepworth

Date Registered:	05.02.2019	Expiry Date:	02.04.2019
Case Officer:	Dave Beighton	Recommendation:	Refuse Application
Parish:	Hepworth	Ward:	Barningham
Proposal:	Planning Application - 1no dwelling		
Site:	Rear Of 7, The Street, Hepworth		
Applicant:	Mr Amos Matt and Lewis Webb		

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:

Dave Beighton

Email: dave.beighton@westsuffolk.gov.uk

Telephone: 01638 719470

Background:

This application is reported to the Development Control Committee following consideration by the Delegation Panel. It was reported to the Delegation Panel because the Officer recommendation of REFUSAL conflicts with the 'support' offered by Hepworth Parish Council.

A site visit is scheduled to take place on Monday 3 June 2019.

Proposal:

1. Planning permission is sought for the erection of a detached three bedroom bungalow on land rear of 7 The Street, Hepworth. Access is proposed from North Common between existing dwellings.

Site Details:

2. The site is located behind existing linear dwellings set in spacious plots facing The Street and North Common. These dwellings are located within the settlement boundary for Hepworth, as is the first part of the proposed access to the site, but the application site is in open land beyond the existing dwellings. The wider area is characterised by its village appearance, with mostly individually designed dwellings set in a linear fashion facing the road, with this village character enhanced by the spaces and gaps between buildings allowing views of the surrounding countryside.

Planning History:

3.

Reference	Proposal	Status	Decision Date
SE/12/0044/FUL	Planning Application - Erection of (i) 2no. chalet bungalows (ii) 1no. single storey bungalow with integral garage (following demolition of existing bungalow) and (iii) new access	Application Refused	23.03.2012
DC/14/1693/FUL	Planning Application - 2 no. detached bungalows with garages (following demolition of existing bungalow)	Application Refused	18.12.2014
DC/15/1977/FUL	Planning Application - 2 no. detached dwellings with garages (following demolition of existing bungalow)(Resubmission of DC/14/1693/FUL)	Application Refused	18.11.2015
DC/19/0044/FUL	Planning Application - 1no dwelling and associated garage (following demolition of existing bungalow)	Application Granted	02.04.2019

DC/19/0045/FUL	Planning Application -1no dwelling and associated garage	Application Granted	
SE/11/0057	Planning Application - Erection of (i) new bungalow and garage and (ii) garage to serve existing bungalow	Application Granted	09.03.2011
SE/05/1186/P	Planning Application - Erection of two detached bungalows with garages and single garage for existing bungalow and improvements to vehicular access and visibility splays	Application Refused	23.03.2005
SE/05/01831	Planning Application - Erection of (i) detached bungalow with garage (ii) single garage for existing bungalow and (iii) improvements to vehicular access and visibility splays (resubmission)	Application Granted	05.07.2005
SE/02/2318/P	Planning Application - Renewal - Erection of detached single storey dwelling with detached garage and improvements to vehicular access and visibility splays	Application Granted	18.07.2002
E/97/2746/P	Planning Application - Erection of detached single storey dwelling as amended by letter dated 20th October 1997 and attached letter from applicant and drawing, number 1878/1A, revising position of dwelling and indicating detached garage and improvements to vehicular access and visibility splays	Application Granted	21.11.1997
E/91/2243/P	Renewal - Continued stationing of residential caravan	Application Granted	05.09.1991
E/86/2602/P	Section 32 Application - Continued stationing of caravan	Application Granted	28.08.1986
E/83/2119/P	Renewal - Continued stationing of caravan	Application Granted	21.07.1983

E/80/2379/P	RENEWAL - STATIONING OF CARAVAN	Application Granted	03.07.1980
E/77/2129/P	RENEWAL - STATIONING OF ONE CARAVAN	Application Granted	07.07.1977
E/74/1503/P	RENEWAL - STATIONING OF ONE CARAVAN	Application Granted	04.07.1974

Consultations:

4. Suffolk County Council Highways – No objections subject to conditions.
5. Hepworth Parish Council – Support, and make comments in relation to drainage.
6. Public Health and Housing – No objection, subject to standard construction hours being conditioned.
7. Environment Team – Contaminated Land – No objection.

Representations:

8. One letter of representation has been received from the adjoining property, raising comments about the hedge between the access and their property, and in relation to noise impacts.
9. All consultation responses and representations can be viewed in full online.

Policy:

10. On 1 April 2019 a new, single Authority; West Suffolk Council was created. The pre-existing development plans are carried forward by regulation (Local Government (Boundary Changes) Regulations 2018) and remain appropriate to the determination of applications by West Suffolk Council.
11. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.
 - 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 DM22 Residential Design
 - Policy DM27 – Housing in the Countryside.
 - 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
- Vision Policy RV1 - Presumption in favour of Sustainable Development
- National Planning Policy Framework (2019)

Officer Comment:

12. The issues to be considered in the determination of the application are:
- Principle of Development
 - Impact on Visual Amenity and Landscape Character
 - Impact on Neighbour Amenity
 - Impact on Highway
 - Other Matters

Principle of Development

13. The NPPF was revised in July 2018 and again in February 2019. The NPPF 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 2019 NPPF that full weight can be attached to them in the decision making process.
14. The proposed development comprises the provision of 1 no. dwelling, with associated garage and access. The application site lies outside of the defined Settlement Boundary of Hepworth.
15. The application site is located in designated countryside, and policy CS4 identifies the settlement of Hepworth as an Infill Village. Such villages have a limited range of services, and only infill development comprising single dwellings, or small groups of five dwellings or fewer will normally be acceptable, but even then only within the boundary of the defined settlement. Policy CS13 further states that development permitted in such locations will only be so much as is necessary reflecting the need to maintain the sustainability of services in the community they serve, and the provision of housing for local needs. Development outside defined areas will be strictly controlled.
16. 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. 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.

17. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and is a material consideration in planning decisions. Paragraph 12 of the NPPF is clear however that the Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts with such should be refused unless other material considerations indicate otherwise.
18. West Suffolk Council has a 6.3 year housing supply and therefore, its policies for the supply of housing (including the defined settlement boundaries) are considered up-to-date and are material in the determination of this application.
19. Policy DM5 (Development within the Countryside) states that areas designated as countryside will be protected from unsustainable development. The policy goes on to state that *'a new or extended building will be permitted, in accordance with other policies within this plan, where it is for a small scale residential development of a small undeveloped plot, in accordance with policy DM27'*.
20. Policy DM27 (Housing in the Countryside) states that proposals for new dwellings will be permitted in the Countryside subject to satisfying the following criteria - (i) the development is within a closely 'knit' cluster of 10 or more existing dwellings adjacent to or fronting an existing highway and (ii) the scale of the development consists of infilling a small undeveloped plot by one dwelling or a pair of semi-detached dwellings commensurate with the scale and character of existing dwellings within an otherwise continuous built up frontage.
21. The proposed dwelling is set back from The Street and North Common within an area defined as Countryside, and outside of the clearly and logically defined settlement boundary for Hepworth, which extends around the existing dwellings within the village. Settlement boundaries have been established in this way around rural villages to ensure that the otherwise generally open areas around them are protected, for the sake of the setting and character of the settlements.
22. There is a recognised physical edge to development in Hepworth, generally encompassing the linear dwellings set along and facing the road, and their mostly modest curtilages. As a consequence of its uncharacteristic setting behind existing dwellings the proposal would create an erosion of and encroachment into the countryside, distinctively separate from the dwellings within the housing settlement boundary.
23. The position of the dwelling, set back from the road, and not within 'a small undeveloped plot', and set back behind other dwellings means that the proposal cannot gain any support from Policy DM27. No weight can be attached to the 'spirit' of DM27. Whilst there has been debate and bespoke consideration by Planning Inspectors as to what constitutes a cluster in terms of number and nature of buildings, in all cases allowed appeals have still been 'within' a cluster. In this context the proposal conflicts with the Development Plan as a matter of fact in that it is neither within a settlement

boundary nor within a DM27 'cluster', and these are matters which weigh very heavily against the scheme.

24. Development here would harmfully erode the undeveloped 'openness' currently found beyond the existing dwellings and garden areas of Hepworth. Furthermore, the application site is not within an otherwise continuous built up frontage being set back behind the existing linear dwellings adjoining open countryside. In this respect the proposal is not 'infilling' but is instead a sprawling and urbanising intrusion into the countryside, within an otherwise very sensitive location, noting the spacious village character otherwise present, and noting the value of gaps between dwellings enhancing this character and affording views of the countryside beyond. As such, the dwelling would harm the character appearance of the settlement and the wider countryside and due to it being set back into the site behind existing dwellings, would have little or no visual affinity with its nearest neighbours resulting in it appearing isolated from the adjoining settlement boundary area. It is therefore considered that the proposal is contrary to Policy DM27 and thus also Policy DM5.
25. As the proposed dwelling would be located in the countryside and does not meet an 'exceptional circumstance' as envisaged in the Core Strategy and set out in Policies DM5 and DM27 of the Joint Development Management Policies Document, it is considered that the proposal undermines the planned strategy for housing supply, and the protection of the countryside, contained in the Development Plan taken as a whole. Whilst the National Planning Policy Framework aims to boost housing supply significantly this is to be achieved in a sustainable way following a genuine plan led approach, which in this case is primarily set out in Policies CS4 and CS13 of the Core Strategy and DM5 and DM27 of the Joint Development Management Policies Document. On the contrary, the provision of a dwelling outside of any settlement boundaries, and noting that Hepworth is designated as an infill village with only a relatively modest range of services, further suggests that this is an unsuitable and unsustainable location for a new dwelling.
26. It is acknowledged that the proposal would generate some economic activity if approved. This could however be said for all development proposals and is not, in itself, sufficient reason to set aside the conflict with policy in this case. Officers' consider that there are no material considerations cited which outweigh the clear and significant conflict with the development plan in this case. These facts weigh very heavily, and fundamentally, against the scheme in the balance of considerations.
27. The principle of development is therefore contrary to the Development Plan. Accordingly, notwithstanding consideration of any matters of detail, this policy conflict is considered to be sufficient to justify refusal.

Impact on Visual Amenity and Landscape Character

28. Policy DM2 (Creating Places – Development Principles and Local Distinctiveness) states that proposals should recognise and address key features, characteristics and landscape of the area.
29. 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.

Noting the analysis made in the previous section of this report, it is clear already that the proposal will have a significant adverse visual impact.

30. The provision of 1 no. dwelling would intrude into this open countryside setting, which forms an important buffer beyond the existing linear dwellings within the settlement boundary. It would have an unwelcome urbanising effect on views out from the settlement, and upon the village setting. The provision of a long access which will be readily visible from North Common will also erode the spacious linear character of the settlement and the dwelling is also considered highly likely to be visible in gaps between buildings when viewed from The Street, again materially and harmfully eroding the spacious rural character of the settlement and its setting. A dwelling in this location, plus associated curtilage and paraphernalia, would also notably alter the landscape character of this area. The proposal would create a visual intrusion in this rural location and create a significant impact so as to cause material harm to the surrounding landscape, to the detriment of the character and appearance of the settlement and wider area.
31. Policy DM22 states that residential development proposals should maintain or create a sense of place and/or character by 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.
32. The proposed dwelling is of a single storey scale. The dwellings in the vicinity vary in design, scale and form. The proposed dwelling is located within a plot commensurate with the scale of the dwelling. Although the design and scale of the dwelling is not considered to be out of keeping with dwellings in the area, the proposed development will result in an adverse impact upon the landscape character and appearance of the area.

Impact on Neighbour Amenity

33. The proposed dwelling is set back from both road frontages, with a long access located between dwellings. The dwelling is single storey and it is not considered that it would lead to any issues of overlooking or loss of privacy that would justify a refusal. The provision and subsequent use of the access will create noise otherwise in close proximity to existing dwellings but given the separation distances and the anticipated modest use of the access serving only a single dwelling, it is not considered that this noise effect would be of sufficient harm so as to justify a refusal of planning permission.
34. Therefore, it is considered the impact of the proposed development will not be to a level as to cause harm to neighbouring amenity by virtue of loss of light, overlooking, noise intrusion or overbearing impact.

Impact on Highway

35. Policy DM22 states that development should apply innovative highway and parking measures designed to avoid visual dominance of those elements in new development, whilst meeting highway safety standards. Development should ensure appropriate levels of permeability and accessibility for all, and

consider the needs of pedestrians and cyclists before car users. Proposals should seek to create a safe and welcoming environment.

36. A new access is proposed off North Common to serve the proposed dwelling. The Highway Authority considers that the proposed access will provide adequate visibility along this road and will not surplus the current situation to lead to an adverse impact on highway safety subject to conditions.
37. Policy DM46 requires that development have appropriately designed and sited parking areas to limit unsafe parking within the street scene. Proposals should accord with the adopted standards, in this instance the Suffolk Guidance for Parking 2014 adopted by Suffolk County Council.
38. Sufficient on-site parking is available to accord with the parking standards set out in the document referred to above.

Other Matters

39. The application site is situated within Flood Zone 1 of the Environment Agency's Flood Map. Therefore, located in a low risk area of flooding.
40. 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, were the development otherwise acceptable, a condition could 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.

Conclusion:

41. 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.
42. In addition, and as set out above, the provision of a dwelling in this location, set behind and beyond the existing linear dwellings, will intrude in otherwise spacious views and will adversely affect views out of the village, to the detriment of its rural character and appearance.
43. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 12 of the NPPF, the development plan is the starting point for decision making and proposals that conflict with the development plan should be refused unless other material considerations indicate otherwise. As set out earlier in this report, Officers are of the opinion that there are no material considerations that indicate that adopted, up to date policy should be set aside in this case.

Recommendation:

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

1. Policies CS1 and CS4 of the Core Strategy between them establish the spatial strategy and the settlement hierarchy for development within West Suffolk. Both seek to resist, in conformity with the provisions of Para. 79 of the National Planning Policy Framework (NPPF), residential development outside of settlement boundaries in otherwise unsustainable areas. Furthermore, Policy DM5 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. Hepworth is a lower order settlement and the provision of a dwelling outside of the designated settlement boundary represents an unsustainable form of development. The proposal does not meet the provisions of policy DM27 in that it is not within a cluster and neither is it considered to be a small undeveloped plot within an otherwise continuous built up frontage. There are no material considerations that outweigh this significant conflict with the Development Plan.
2. Policy DM2 (Creating Places – Development Principles and Local Distinctiveness) states that proposals should recognise and address key features, characteristics and landscape of the area, supporting the provisions of DM13, and Policy CS4 seeks to ensure that development proposals do not adversely affect the setting of a settlement. The proposal would create an encroachment to the countryside, distinctively separate from the housing settlement boundary. The provision of 1no. dwelling would intrude into this countryside setting, which forms an important buffer beyond the existing linear dwellings within the settlement boundary. It would have an undesirable urbanising effect on views from the settlement, and upon its setting. The provision of a long access from North Common will also erode the spacious linear character of the settlement. The dwelling is also likely to be visible in gaps between buildings when viewed from The Street, again materially and harmfully eroding the spacious rural character of the village and its setting. A dwelling in this location, plus associated curtilage and paraphernalia, would also adversely alter the landscape character of this area. The proposal would create a visual intrusiveness in this rural location and create a significant impact, causing material harm to the surrounding landscape, to the detriment of the character and appearance of the settlement and wider area. The proposal is therefore contrary to the provisions of Policy DM2 and Policy DM13 of the Joint Development Management Policies Document 201, Policy CS4 of the St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (NPPF).

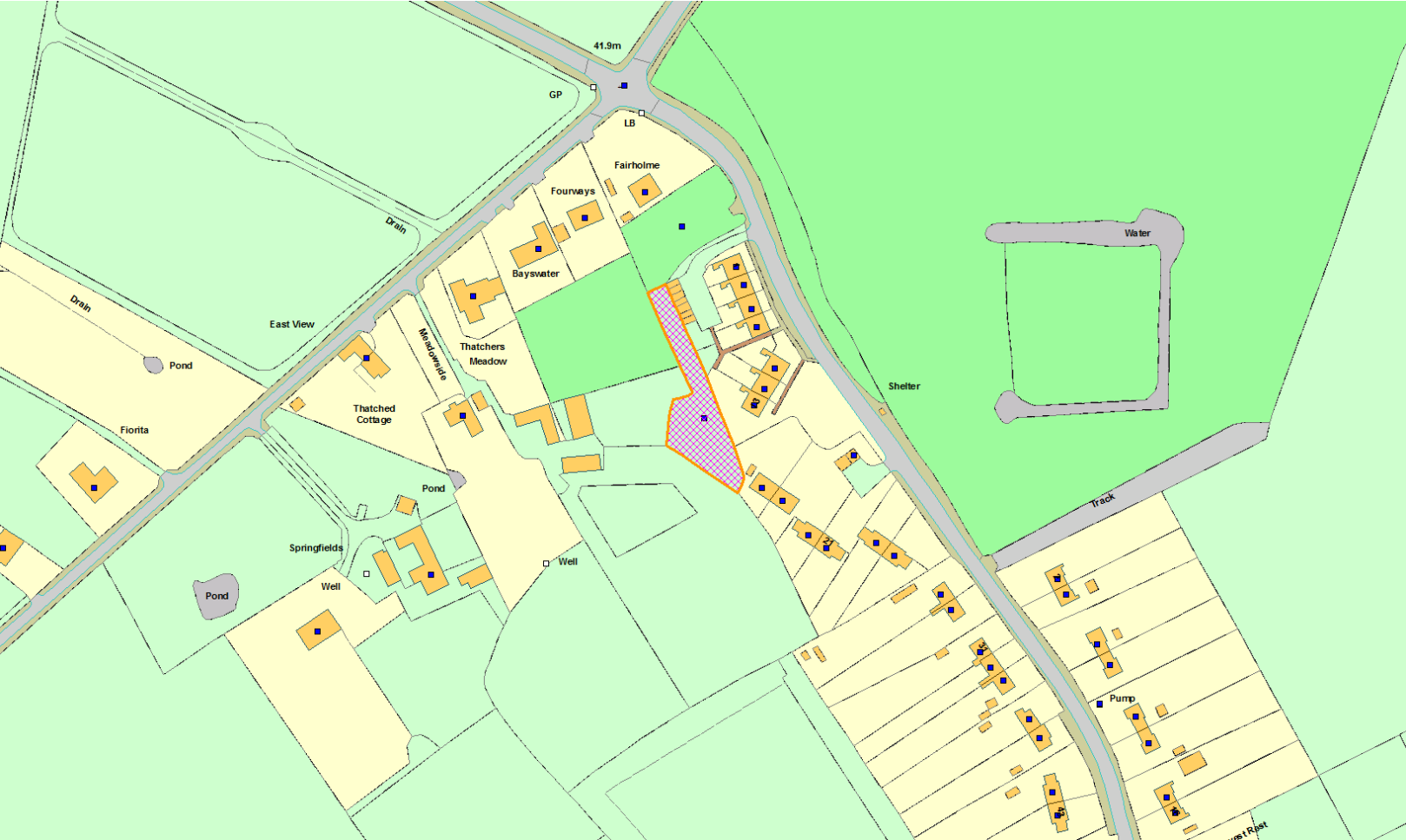
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online; <DC/19/0046/FUL>

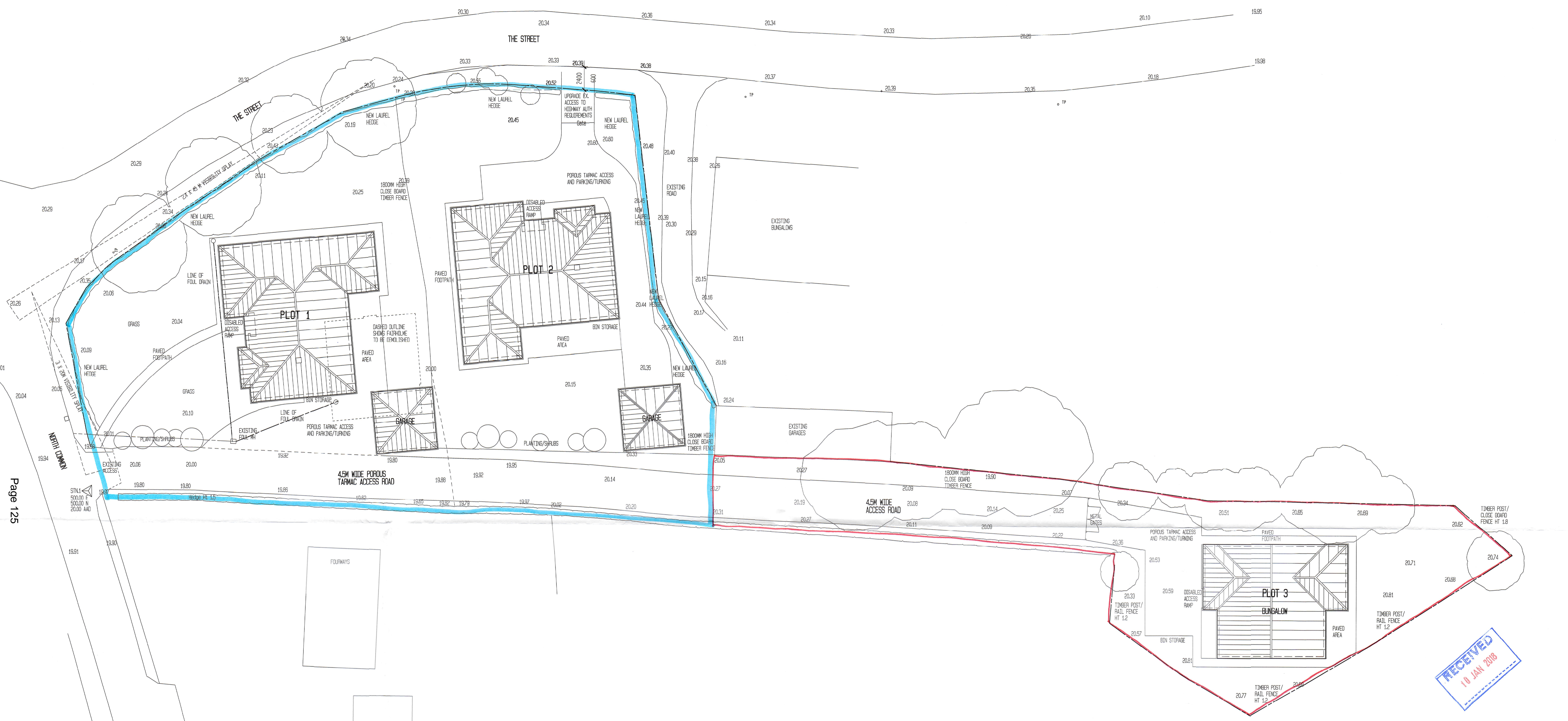


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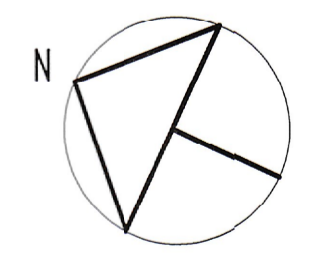
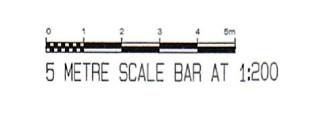


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- SITE AREA PLOT 1 0.125 ha
- SITE AREA PLOT 2 0.124 ha
- SITE AREA PLOT 3 0.0980 ha



RECEIVED
10 JAN 2018

REV	AMENDMENTS	DATE
CLIENT: AMOS, MATT AND LEWIS WEBB		
DRAWING TITLE: SITE AT THE STREET/NORTH COMMON HEPWORTH, SUFFOLK IP22 2PR		
SCALE: 1:200	DATE: SEPT 2018	DRAWN: AL
KELLY LANGLEY PARTNERSHIP Chartered Building Surveyors 65 London Road Harston Cambridge CB22 7GJ Tel : 01223 870188 Fax : 01223 871188		
DRAWING NO:		065/16/02



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