

Development Control Committee



Title	Agenda											
Date	Wednesday 18 November 2020											
Time	10.00am											
Venue	Facilitated by Microsoft TeamsLive virtual meetings platform only The meeting will be accessible by the press and public via a live stream; the link to which will be published on the Council's website alongside the agenda papers											
Full Members	<p style="text-align: center;">Chair Andrew Smith</p> <p style="text-align: center;">Vice Chair Mike Chester and Jim Thorndyke</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Conservative Group (9)</td> <td style="width: 33%;">Andy Drummond Susan Glossop Ian Houlder</td> <td style="width: 33%;">David Roach Peter Stevens Ann Williamson</td> </tr> <tr> <td>The Independent Group (6)</td> <td>Richard Alecock John Burns Jason Crooks</td> <td>Roger Dicker David Palmer Don Waldron</td> </tr> <tr> <td>Labour Group (1)</td> <td colspan="2">David Smith</td> </tr> </table>			Conservative Group (9)	Andy Drummond Susan Glossop Ian Houlder	David Roach Peter Stevens Ann Williamson	The Independent Group (6)	Richard Alecock John Burns Jason Crooks	Roger Dicker David Palmer Don Waldron	Labour Group (1)	David Smith	
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Substitutes	<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Conservative Group (5)</td> <td style="width: 33%;">Carol Bull Terry Clements Rachel Hood</td> <td style="width: 33%;">Sara Mildmay-White David Nettleton</td> </tr> <tr> <td>The Independent Group (2)</td> <td>Trevor Beckwith</td> <td>Andy Neal</td> </tr> <tr> <td>Labour Group (1)</td> <td colspan="2">Diane Hind</td> </tr> </table>			Conservative Group (5)	Carol Bull Terry Clements Rachel Hood	Sara Mildmay-White David Nettleton	The Independent Group (2)	Trevor Beckwith	Andy Neal	Labour Group (1)	Diane Hind	
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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											
Where required, site visits will be facilitated virtually by way of the inclusion of videos within the Case Officer's presentation of the application to the meeting												
Committee administrator	Helen Hardinge - Democratic Services Officer Telephone 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)
 - 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.
 - The following planning local plan documents covering West Suffolk Council:
 - Joint development management policies document 2015
 - In relation to the Forest Heath area local plan:
 - i. The Forest Heath Core Strategy 2010 as amended by the High Court Order 2011
 - ii. Core strategy single issue review of policy CS7 2019
 - iii. Site allocations local plan 2019
 - In relation to the St Edmundsbury area local plan:
 - i. St Edmundsbury core strategy 2010
 - ii. Vision 2031 as adopted 2014 in relation to:
 - Bury St Edmunds
 - Haverhill
 - Rural

Note: The adopted Local Plans for the former St Edmundsbury and Forest Heath areas (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.

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 or 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 section 3 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/changed, 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/changed, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to;
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory);
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee.

- Where Development Control Committee wishes to overturn a recommendation and the decision is considered to be significant in terms of overall impact; harm to the planning policy framework, having sought advice from the Assistant Director (Planning and Regulatory) and the Assistant Director (Human Resources, Legal and Democratic) (or officers attending Committee on their behalf);
 - A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
 - An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
 - In making a decision to overturn a recommendation, members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
 - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
 - In making a proposal, the member will clearly state the condition and its reason or the refusal reason to be added, deleted or altered, together with the material planning basis for that change.
 - Members can choose to:
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory)
 - delegate the detailed wording and reason to the Assistant Director (Planning and Regulatory) following consultation with the Chair and Vice Chair(s) of Development Control Committee
- Member Training
 - In order to ensure robust decision-making all members of Development Control Committee are required to attend 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 and officers should have proper regard to probity considerations and relevant codes of conduct and best practice when considering and determining applications.

Agenda

Procedural matters

Part 1 – public

1. Apologies for absence

2. Substitutes

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

3. Declarations of interest

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

4. Planning Application DC/20/0615/RM - Land North of Ann Suckling Road, Little Wratting **1 - 36**

Report No: **DEV/WS/20/052**

Reserved Matters Application -Submission of details under SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 41 dwellings with associated private amenity space, means of enclosure, car parking, vehicle and access arrangement and drainage together with proposed areas of landscaping and areas of open space for a residential development known as Phase 2A

5. Planning Application DC/20/1222/HH - 31 Acacia Avenue, Bury St Edmunds **37 - 52**

Report No: **DEV/WS/20/053**

Householder planning application - Single storey detached annexe. As amended by plans received 01 October 2020 and 06 October 2020

Continued Overleaf...

6. Planning Application DC/20/1063/HH - 60 The Street, Barton Mills **Pages 53 - 66**

Report No: **DEV/WS/20/054**

Householder Planning Application - (i) Garage (ii) vehicular driveway improvements

7. Planning Application DC/20/1074/OUT - Proposed Dwelling, 9 Glebe Close, Ingham **67 - 84**

Report No: **DEV/WS/20/055**

Outline Planning Application (all matters reserved) - 1no. dwelling (previous application DC/19/1273/OUT)

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Development Control Committee 18 November 2020

Planning Application DC/20/0615/RM – Land North of Ann Suckling Road, Little Wratting

Date registered:	7 April 2020	Expiry date:	Extension of time to 20 November requested
Case officer:	Penny Mills	Recommendation:	Approve application
Parish:	Haverhill Town Council	Ward:	Haverhill North

Proposal: Reserved Matters Application -Submission of details under SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 41 dwellings with associated private amenity space, means of enclosure, car parking, vehicle and access arrangement and drainage together with proposed areas of landscaping and areas of open space for a residential development known as Phase 2A

Site: Land North of Ann Suckling Road, Little Wratting

Applicant: Mr Stuart McAdam - Persimmon Homes (Suffolk)

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 resolve to approve the application subject to the submission of an acceptable noise impact assessment.

Contact Case Officer:

Penny Mills

Email: penny.mills@westsuffolk.gov.uk

Telephone: 01284 757367

Background:

This reserved matters application has been referred to the Development Control Committee following a call-in from the local Ward Member (Councillor Joe Mason). Haverhill Town Council also object to the application.

The application relates to part of the wider north west Haverhill site, one of the two strategic growth sites for Haverhill identified in the adopted Core Strategy. It seeks approval of the details for part of the second phase of residential development.

The site has been the subject of significant public engagement through the preparation and adoption of a concept statement and a masterplan. Outline planning permission was granted on 27 March 2015 for residential development, a primary school, local centre including retail and community uses, public open space, landscaping infrastructure, servicing and other associated works alongside full permission for the construction of a relief road.

Phase two of this strategic site falls within two broad character areas defined in the approved Design Code: Wratting Gardens to the north, which is the character area for phase 1 and Boyton Place to the south, which incorporates the local centre and is envisaged as being more contemporary in appearance.

The application initially sought approval for all the dwellings in phase two. However, during the course of the application, the dwellings in the southern half of this phase were removed and the red line reduced in size to allow further work to take place on the southern parcel to improve its character, layout and appearance before the submission of a new reserved matters application.

The remaining northern parcel has been amended to address concerns with the layout, house types, landscaping, and highways. The site includes a section of highway connecting the parcel to the approved road network within phase one and a strip of land connecting to a proposed drainage basin to the south, which would serve all of phase two.

1.0 Proposal:

- 1.1 The application seeks approval for the reserved matters (access, appearance, landscaping, layout and scale), for phase 2a of NW Haverhill, the outline approval granted under SE/09/1283.
- 1.2 The revised reserved matters application provides the details for 41 dwellings with associated private amenity space, means of enclosure, car parking, vehicle and access arrangement and drainage, together with proposed areas of landscaping.

2.0 Application supporting material:

Document Name	Reference and revision	Submission date
Design and layout plans		

Location Plan	041-P-099 rev C	September 2020
Planning Layout (Black and White)	041-P-100 rev B	September 2020
Planning Layout (Coloured)	041-P-101 rev B	September 2020
Planning layout- Overview	041-P-102 rev C	September 2020
Refuse Strategy Plan	041-P-130 rev C	September 2020
Storey Heights Plan	041-P-120 rec B	September 2020
Character Areas Plan	041-P-110 rev B	September 2020
Street scenes 1-6	041-P-111 rev B	September 2020
Parking Allocation Plan Sheet 1 of 3	041-P-140 rev B	September 2020
Parking Allocation Plan Sheet 3 of 3	041-P-142 rev B	September 2020
Materials layout	041-P-150 rev B	September 2020
Materials Schedule	041-P-151 rev B	September 2020
Affordable Housing Layout	041-P-160 rev B	September 2020
Housing Size Plan	041-P-170 rev B	September 2020
Relief Road Sections	041-P-180	October 2020
Boundary Treatment Plan Sheet 1 of 2	041-P-189	October 2020
Boundary Treatment Plan Sheet 2 of 2	041-P-190	October 2020
Fencing specification and Standard details sheet 1 of 3	041-P-191 rev A	September 2020
Indicative Floor levels -Sheet 1 of 3	041-E-500 rev B	September 2020
House / garage types		
Barton CA1	041-P-015 rev B	September 2020
Carleton CA1	041-P-021 rev B	October 2020
Coniston CA1	041-P-023 rev B	September 2020
Derwent CA1	041-P-029 rev B	October 2020
Earlswood Corner CA1	041-P-033 rev B	September 2020
Foxcote CA1	041-P-036 rev B	October 2020
Hopton CA1	041-P-038 rev A	September 2020
Lockwood Corner CA1	041-P-041 rev C	October 2020
Moseley CA1	041-P-046 rev B	October 2020
Ullswater Standard CA3	041-P-060 rev B	September 2020
Ullswater Corner + Standard floor plans CA3	041-P-062 rev B	September 2020
Ullswater Corner + Standard floor plans CA3	041-P-063 rev B	September 2020
Windemere CA1	041-P-066 rev A	October 2020
Ullswater Corner + Standard Elevations CA3	041-P-067	April 2020
Ullswater Corner + Standard Elevations CA3	041-P-068	April 2020
Garages 6x3 Single and Double	041-P-200 rev B	September 2020
Garages 6x3 Carport designs	041-P202	October 2020
Drainage / landscaping		
Tree pit details	JBA-18/351-DT1	October 2020
Ecological constraints plan		October 2020

Flood Exceedance Routes	E4062-570	October 2020
Pond layout and sections	E4062-520	October 2020
Adoptable drainage layout sheet 1 of 3	E4062-510	October 2020
Adoptable drainage layout sheet 2 of 3	E4062-511	October 2020
Adoptable drainage layout sheet 3 of 3	E4062-512	October 2020

Other supporting documents:

- Design and Access Statement
- Flood Risk Assessment
- Breeding bird survey
- Arboricultural survey
- Reptile precautionary method statement
- Wintering bird survey report
- Bat activity survey and report
- Hazel Dormouse survey and report
- Great crested newt survey
- Hedgerow survey
- Ecological technical note

3.0 Site details:

- 3.1 The site comprises part of the northern section of the wider strategic site identified by Policy HV3 of the Haverhill Vision 2031, granted outline approval under SE/09/1283.
- 3.2 It includes a parcel immediately to the south of the proposed relief and road and a further area adjacent to the northern side of Ann Suckling Road.
- 3.3 The majority of the site is agricultural fields with some trees and hedges, predominantly positioned along field boundaries. The northern parcel containing the proposed dwellings has an existing field boundary hedge along the eastern side and there are further hedges to the west and south.
- 3.4 To the south of the site there is existing residential development along Ann Suckling Road.

4.0 Relevant Planning history:

Reference	Proposal	Decision
SE/09/1283	1. Planning Application - (i) construction of relief road and associated works (ii) landscape buffer 2. Outline Planning Application - (i) residential development (ii) primary school (iii) local centre including retail and community uses (iv) public open space (v) landscaping (vi) infrastructure, servicing and other associated works as supported by additional information and plans received 27th September 2010 relating	Approved

	to landscape and open space, flood risk, environmental statement, drainage, layout, ecology, waste, renewable energy and transport issues including treatment of public footpaths and bridle paths.	
DC/16/2836/RM	Reserved Matters Application - Means for Landscaping (replacement hedge) for phase one of the development previously approved under DC/16/2836/RM Submission of details under SE/09/1283/OUT - the means of landscaping (replacement hedge) for the construction of (i) residential development (ii) primary school (iii) local centre including retail and community uses (iv) public open space (v) landscaping (vi) infrastructure, servicing and other associated works	Approved
DCON(H)/09/1283/RM	Application to Discharge Conditions A2 (Alignment), A4 (Arboricultural Method Statement), A5 (Soft Landscaping) , A6 (Landscape and Ecological Management Plan), A8 (Archaeology) and A9 (Excavation and Ground Levels) of SE/09/1283	Pending consideration
DC/20/0614/RM	Reserved Matters Application - Submission of details under SE/09/1283 for the infrastructure for Phases 2-6, Comprising of the Internal Estate Roads, Drainage, POS, Landscaping, Sports Pitches and Allotments	Pending consideration

5.0 Consultations:

- 5.1 The application has been subject to a number amendments and additional information has been submitted during the application to address concerns raised by the case officer and consultees. The consultation responses set out below represent the current position and are a summary of the latest responses received.
- 5.2 Full copies of consultation responses are available to view online through the Council's public access system using the link below.
- <https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q8DHIBPDLOC00>
- 5.3 Suffolk County Council is abbreviated to SCC in the consultation responses set out below.
- 5.4 **SCC Highways** – Holding objection removed. Comments and recommended conditions summarised below.

- A turning area has been provided on each of the Private Drives. While these turning areas are not at the end of the drives, the applicant has now included a space within each private drive for vehicles to turn.
- Drawing 041-P-140 Rev B shows an acceptable parking strategy.
- We note the inclusion of a Toucan crossing and agree that a crossing point for pedestrians and cycles should be provided at or near this location.
- We note some of the proposed trees are very close to the highway. We advise that the highway authority would not be in a position to adopt roads and footways with trees planted with 2.5m without specialist planting solutions.

Conditions to cover the following:

- Refuse collection; cycle store; prevention of surface water to the highway; estate roads and footways details; road and footway surfacing before occupation; pedestrian and cycle crossing; deliveries and construction traffic; vehicle parking; and, viability.

5.5 **Highways England** – No objection

5.6 **Environment Agency** – Confirmed they have no comments to make on this application.

5.7 **Anglian Water** – Comments summarised below.

Foul water:

- Reviewed the submitted foul drainage strategy and flood risk documentation and consider that the impacts on the public foul sewerage network are acceptable.
- Request consultation on any forthcoming application to discharge condition B22 of the outline planning application SE/09/1283 which requires the submission and approval of detailed foul drainage information.

Surface Water:

- Reviewed the submitted surface water drainage information and consider that the impacts on Anglian Water's public surface water sewerage network are acceptable and have been adequately addressed.
- Request consultation on any forthcoming application to discharge conditions B11 and B12 of outline planning application SE/09/1283 which require the submission and approval of detailed surface water drainage information.

5.8 **SCC Lead Local Flood Authority** - Maintain a holding objection. Comments summarised below (the floods officer has confirmed that they do not object to the drainage infrastructure proposed in terms of the reserved matters layout, but have registered a holding objection as further technical information is required for their formal technical approval. This would be given through a discharge of condition application associated with the outline permission and through separate land drainage consents under separate legislation).

- Overall, the building layout and drainage infrastructure is now satisfactory pending technical sign off.

- The permeability and exceedance routes for 2A are logical, however dwellings in the SW corner of 2A are most likely to be effected by residual flood risk especially if Headwall 3 (HWC3) were to block and given they are encased by the new raised spine road. Request finished floor levels on the dwellings in the SW corner of the site in respect to finished site levels.
- Requested details of soft landscaping and access for maintenance around the basin. The latest configuration should make this basin adoptable for Anglian Water and suggest early discussions are had with these, if not already commenced.
- Requested updated easements and offsets plan for the drainage infrastructure and watercourses. The Soft landscaping plans (dwg:- JBA-18/351-32 REV B) do not recognise the existing watercourse corridor on the western side of 2A as well as the 3m maintenance corridor or any of the drainage infrastructure.
- The watercourse re-shaping and additional culverts will need land drainage permissions from the LLFA. What are the proposed cover over these culverts, the engineering drawings are missing level details for the spine roads and adoptable drainage.

5.9 **West Suffolk Public Health and Housing Officer** – Comments summarised below.

- Concerns expressed over room sizes and routes of escape in event of fire.
- Recommend that all noise impacts should be considered prior to approval in order that any mitigation measures which may be required can be determined at the detailed design stage.
- A full noise assessment should be undertaken. Any measures which may then be required, which may include changes to the proposed site layout, an extension of the proposed buffer zone to the North East or noise mitigation measures within each dwelling can be determined.

5.10 **West Suffolk Environment Officer:** Comments summarised below:

- Flagged previous comments in relation to contamination (dealt with under condition B25 of SE/09/1283) which flagged up additional work that was required in relation to the contaminated land report.
- Noted that the area in question is not in the application area of DC/20/0615/RM and therefore the point is not specifically relevant to the current application.

5.11 **West Suffolk Strategic Housing Officer** Comments summarised below:

- The amended affordable housing layout (041-P-160-B) indicates 10 shared ownership dwellings and 2 affordable rented dwellings. The tenure split required within the S106 is 70% affordable rent and 30% shared ownership.
- The affordable housing mix is still predominately 3 bed houses. This does not meet the housing needs of Haverhill.
- The S106 requires a scheme to be submitted and approved by the Council for the delivery of the affordable housing units. This mix has not been approved.

5.12 **Natural England:** Confirmed no comments to make.

5.13 **Suffolk Wildlife Trust** – Holding objection removed. Comments summarised below:

- Note submission of a hazel dormouse survey report (James Blake Associates, November 2019). Whilst hazel dormice have not been identified to be present within the specific hedges impacted by this development, they are known to occur in the wider landscape, with a confirmed record within 1.7km of the site.
- Note that a bat activity survey report (James Blake Associates, December 2020) and Precautionary Reptile Method Statement (James Blake Associates, August 2020) have been produced and the recommendations made within these reports should be included as a condition of planning consent, should permission be granted.
- Given the nature of this development, there is limited scope to strengthen the ecological network in this area.
- In addition to proposed tree and hedgerow planting in the Landscape and Ecological Management Plan (James Blake Associates, March 2020), we recommend that there is also buffering planting along the whole northern boundary where it abuts the proposed relief road. The provision of a diverse range of native shrub species in this location will further contribute to a linear wildlife corridor.
- Not currently sufficient planting in to provide a wildlife corridor that links the green spaces within all phases of the development, as described within application SE/09/1283. Further landscape and planting details are required to demonstrate how a cohesive landscape and wildlife habitat network will be achieved.

5.14 **West Suffolk Landscape and Ecology Officer** – Objection. Comments summarised below

- The space to the north of the parcel is not sufficient to accommodate the green corridor and the relief road landscaping.
- There is insufficient detail to conclude that the layout could adequately accommodate the (landscape and ecological) requirements of the Environmental Statement.
- Unclear whether existing features could be adequately retained and whether there is sufficient buffer as required by the ecological assessments.
- A bespoke tree removal plan for this application/phase of the development is required prior to any tree works being undertaken.
- A bespoke tree protection plan for this application/phase will be required prior to any works on site commencing.
- There is insufficient landscape information to consider landscaping reserved matter.
- Lack of mitigation/compensatory planting required

5.15 **Design Out Crime Officer** – comments summarised below. (Comments received in relation to the initial round of consultation)

Parking:

- Garages and parking areas that are significantly set back to the rear or side of the dwellings are not ideal as this allows for little or no

observation from neighbouring dwellings from ground floor "active living rooms".

- Rear Parking does not allow for surveillance to vehicles and can encourage antisocial behaviour, criminal damage, theft from motor vehicles as well as graffiti and is not recommended within secure by design guidance
- Vehicles should be parked in locked garages or on hard standing within the dwelling boundary. Where communal parking areas are necessary bays should be sited in small groups, close and adjacent to homes and in view of active rooms.
- Some of the dwellings have garages or parking spaces located away from them where there is little or no surveillance these should be re-configured.

Long rear access paths:

- There are several long access paths to rear gardens and some that pass dwellings through to rear parking areas. These are not recommended.

Permeability:

- It is recommended that paths and cycle routes are kept to the minimum and where they are located, they allow for some measure of slowing down a potential offender.
- Footpaths must be as straight as possible, preferably at least 3m across to allow people to pass one another without infringing on personal space and accommodate passing wheelchairs, cyclists and mobility vehicles with low growing and regularly maintained vegetation on either side or staggered railings could be incorporated in link paths to slow down any potential offenders.
- It would assist that these areas are well lit and consideration for CCTV where there is no natural surveillance. It is important that landscaping does not cause areas for hiding in or obstructing the view of the path ahead.
- Footpaths should be designed to ensure that they are visually open, direct, well used and should not undermine defensible space areas, so that residents will feel safe to use them and enhance their feeling of safety to continue to use them.
- Footpaths should not run to the rear of, and provide access to rear gardens, or dwellings as they are proven generators of crime.

Public open space / fencing

- Public open space area should be fenced/railed off, or comprise wooden posts, this will assist in reducing antisocial behaviour from either parked vehicles, or any off-road motor biking.
- Bins should be anti-arson and tamper proof and refuse collected on a regular basis.
- The SUDs area should also be protected with some form of a boundary.
- Would like to see more details on where each type of fencing is going to be used, to ensure that they are appropriate in security levels for the area and do not allow for easy climbing or act as climbing aides into other areas.

Dwellings

- Some of the dwellings have very little surveillance onto them from neighbouring dwellings. Front boundaries will need clear demarcation with defensible space between open space areas and their private boundary.
- General dwelling security should consist of doors and windows to PAS 24:2012 or 2016 standards, and dusk to dawn lighting, lockable gates and fencing to be 1.8 m high close board or 1.5 m with 300 mm trellis topping.
- Cycle storage and garages should conform to secured by design standards.
- Most of the dwellings have large gable end walls with little surveillance from "active" rooms. This does not provide surveillance into curtilage parking areas or onto open space areas and also can provide the opportunity for ASB (ball games) to those abutting open space areas or carparking.
- It is recommended that car ports are re-designed to garages in order to reduce any opportunity for crime.
- Flats should be designed to have access control and compartmentalisation to ensure that only residents can access their areas and non-residents cannot access the building at all.

5.16 **Urban Design Officer** - Comments summarised below. (comments only received in relation to the initial round of consultation)

- Overall, the development is still highway dominated, lacks clearly defined character areas and focal spaces undermining the ability to create a legible, distinctive and development with a strong sense of place.
- Lack of informal local squares creating a clear hierarchy of routes and spaces.
- The proposed apartments are out of scale with the surrounding residential area and the design should be reworked to create more enclosure of these spaces and break down the large conspicuous parking courts.

5.16 **West Suffolk NHS Clinical Commissioning Group** – Comments summarised below

- Development will give rise to additional primary healthcare provision. Therefore, request for contributions to mitigate the impacts of the proposal secured through a planning obligation.

5.17 **SCC Planning Contributions Officer** – Comments summarised below.

- The outline planning application under reference SE/09/1283 has an associated planning obligation dated 27 March 2015 (as varied by subsequent Deed). The planning obligations previously secured under the first planning permission must be retained in respect of this application if West Suffolk Council make a resolution to approve.

6.0 Representations

6.1 **Ward Member Councillor Joe Mason.** Called to Committee. Comments set out below:

- Concern over height of some of the units, particularly the four storey building. 4.5 Storeys are not suitable for this site, will dominate the community and put an excessive load due to the density of construction on this site.
- Concern that there would be increased parking along Ann Suckling Road, which appears to become a thoroughfare through to Hales Barn Road. Not only will traffic calming measure be required, there need to be plans put in place to ensure that Ann Suckling Road doesn't get used for residential parking.
- Concern with the increase in use of Ann Suckling Road, being used as a Through road onto Wratting Road and how cycle paths will terminate onto Ann Suckling Road.
- The Traffic survey from which these plans were created is now significantly out of date 2009 and should be redone in light of the changes in the Town and the increase building that has taken place or is being planned to take place elsewhere. E.g. the new development off Chaplewent Road nr Howe Road.
- The original plans indicate Green Walkways and Cycle Paths, The latest plans have reduced the size of these green areas and then terminate onto Ann Suckling Road. Without Cycleways on the Boyton Hall Estate the plans need to show how this estate will support members of the community to use bicycles safely accessing the transition between estates. I am concerned children will cycle straight on to Ann Suckling Road without barriers which are not evident in the plans.
- Where will the parking be for the allotments which will not cause an obstruction on Ann Suckling Road. Some recessed Parking Bays would be preferable. Furthermore this was just previously shown as community green space. If the Allotments are not taken up, we need assurances that this land will not be used in the future for housing or building developments and will be kept as a Community Green Space.
- The ditch running north and roughly perpendicular to Ann Suckling Road on the right of the plans needs to be properly maintained. It serves a drainage purpose for the land adjacent and agreement needs to take place over who will be maintaining this and ensure it functions as a ditch managing run off from higher land.

6.2 **Town Council** – Objection. Comments summarised below.

- Some units do not meet the suggested national space standards
- 2 cars tandem parking in front of a garage should be avoided as it encourages on street parking
- The street scene facing onto the main road is not aesthetically pleasing as it is too tall and imposing
- The town council request the developer ensures proper access to charging points for all areas of the development.

6.3 **Neighbour comments**

363 nearby addresses were notified and site notices posted. 23 representations received from the following addresses.

- 2 Boyton Wood – objection
- 3 Boyton Woods – objection
- 15 Boyton Close – objection
- 3 Copellis Close – objection

- 1 Cross Close – objection
- 26 Cross Close - objection
- 1 Falklands Road – objection
- 4 Falklands Road – objection
- 5 Falklands Road – objection
- 6 Falklands Road – objection
- 7 Falklands Road – objection
- 9 Falklands Road – objection
- 45 Falklands Road – objections
- 49 Falklands Road – objection
- 12 Gurlings close – objection
- 21 Gurlings Close – objection
- 10 Rowell Close – objection
- 1 Rowell Close – objection
- 14 Rowell Close – comments
- Chapel Farm Cottage – objection
- The Willows - objection

The points raised are summarised below. Full copies of the representations are available to view on the public planning file online.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=Q8DHIBPDLOC00>

Design, character, and appearance:

- Objection to the scale of the development and height of the building types. The 4 storey flats are too tall and out of character for the area.
- The building heights parameter plan from SE/09/1283 indicates that near Ann Suckling Road the houses would be 'Neighbourhood edge - 2-3 storeys - not 3.5 as suggested in the design and access statement.
- Building Height Parameter Plan advised heights will vary between 1.5 and 3.5 storeys. In this application that has been replaced with buildings of 4 storeys (plus a massive roof) at the southerly edge of the development, surrounded by 2 storey buildings further into the development. This is completely the opposite from the outline plan and not in keeping with the existing buildings anywhere near Ann Suckling Road.
- Objection to increased density

Amenity

- The houses north of block 73-80 will be overshadowed for a part of the year.
- Impact on privacy for homeowners on Ann Suckling Road from 4 storey flats
- The increase in traffic brings extra noise, air pollution

Ecology and open space

- Unacceptable impact on hedgerows.
- Object to the removal of trees, shrubs and hedges.
- Concern that open space buffer will be encroached on.
- The removal of large amounts of ancient trees, shrubs and hedgerows etc. will endanger our precious wildlife and destroy natural

green space areas which improve the well-being and mental health of people who live in the area.

- Chapel Farm Park forms a green area along the northern edge of Ann Suckling Road and is intended to accommodate allotments, formal play and an accessible green corridor. Only the allotments are shown on the plans. The implied green space is not planned in DC/20/0615
- The original plans indicate significant Green areas, Walkways and Cycle Paths. The latest plans have reduced the size of these green areas and some paths terminate onto Ann Suckling Road.

Highways and infrastructure

- We understood that only phase 1 would be constructed and then the new road constructed before further developments. We would like insurance this will take place as otherwise the traffic volume would increase.
- We note in the highways report that many people of Haverhill work locally. This is incorrect as many commute to Cambridge. Please understand that the report was taken a few years ago and Cambridge has expanded greatly in this time.
- We understand houses need to be built but infrastructure needs to be set in place before/ in tandem with them for it to work efficiently.
- Houses marketed in phase 1 as 2/3/4 bedroom are presented as 1/2/3 bedroom in the application, with an office. These offices need to be considered as bedrooms for parking space calculations
- Object to Ann Suckling Road joining this development
- Object to connection between Ann Suckling Road and Hales Barn Road as it will create a rat run and deter the use of cycle ways.
- Understood there would not be a through access via Howe Road to Ann Suckling Road
- Understood Ann Suckling Road would not be connected to the local centre
- There are currently no traffic calming measures in place or planned on Ann Suckling Road and if it is to become a thoroughfare road this must be investigated and planned for.
- Negative impacts of increased traffic flow and impact on ability to sell property
- Without Cycleways on the Boyton Hall Estate the plans need to show how this estate will support members of the community to use bicycles safely on their journeys into town
- Since the commencement of the development at the entrance to Ann Suckling Road traffic along Ann Suckling Road has increased as has the parking, this is creating an obstruction on the highway and potential cause of an accident either on Ann Suckling Road or Wrattling Road.
- No parking for the allotments.
- Wider transport impact
- Proposed loop road is different to parameter plan

Other

- Affordable housing should not be in four storey buildings
- Four storey buildings not on the street scenes
- Have the Police been asked about this proposal? At the moment with only one access road onto this estate, it is very secure and Police can easily block

- exit. Merging all these estates together would allow for multiple routes out.
- There are vast amounts of data/ material and papers to be accessed which are not designed for lay people to follow easily (over 130 documents not including comments).
- Internet access is not available for all interested parties as the Town Hall is in lockdown and devices residents may have, if they are able to access the internet, are not always the best for study of detailed plans and notes which are presented in such a small scale.
- During lockdown having meetings between residents to talk through the application is also not possible. As a result, the discussion and support of each other to understand the plans is difficult and, in some cases impossible.
- Length of time of construction

7.0 Planning Policy:

7.1 On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. 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.

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

7.3 St Edmundsbury Core Strategy 2010

- Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy
- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS7 - Sustainable Transport
- Core Strategy Policy CS12 - Haverhill Strategic Growth

7.4 Haverhill Vision 2031

- Vision Policy HV1 - Presumption in Favour of Sustainable Development
- Vision Policy HV3 - Strategic Site - North-West Haverhill

7.5 Joint Development Management Policies Document 2015

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM3 Masterplans
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy 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 DM22 Residential Design
- Policy DM44 Rights of Way
- Policy DM46 Parking Standards

7.6 **Other planning policy:**

National Planning Policy Framework (NPPF)

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 2019 NPPF that full weight can be attached to them in the decision-making process.

8.0 **Officer comment:**

- 8.1 This section of the report begins with a summary of the main legal and legislative requirements before entering into a discussion about whether the development proposed by this planning application can be considered acceptable in principle in the light of national planning policy, local plan designations and other local planning policies. It then goes on to analyse other relevant material planning considerations (including site specific considerations) before reaching conclusions on the suitability of the proposals.

Planning and Compulsory Purchase Act 2004 (as amended)

- 8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The principle of development in relation to the development plan and the conformity of the proposals with key policies is discussed through the rest of this report

The Conservation of Habitats and Species Regulations 2010

- 8.3 The local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by Regulation 61 of The Conservation of Habitats and Species Regulations 2010 (as amended).
- 8.4 Consideration was given to these regulations during the assessment of the outline application and it was concluded that the requirements of Regulation 61 are not relevant to this proposal and appropriate assessment of the project would not be required.
- 8.5 The application site is not in the close vicinity of any designated (European) sites of nature conservation. The environmental statement submitted with the outline planning application concluded that the proposals are unlikely to give rise to significant effects on the conservation

objectives of the designated sites and no further concerns were raised in this regard.

- 8.6 There has been no change in terms of the impact on designated sites that would indicate that a Habitats Regulation Assessment would now be required.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations)

- 8.7 The Outline planning application was EIA development and was accompanied by an Environmental Statement. This application is therefore a 'subsequent application', as defined within the EIA Regs.
- 8.9 Regulation 9 of the EIA Regulations deals with subsequent applications where environmental information has previously been provided. It states that where it appears to the planning authority that the environmental information already before them is adequate to assess the significant effects of the development on the environment, they must take that information into consideration in their decision for subsequent consent.
- 8.10 The existing environmental information, along with the updated monitoring surveys and reports for protected species which have been submitted are considered to be adequate to assess this proposal and this information has been taken into consideration in determining this application.

Natural Environment and Rural Communities Act 2006

- 8.11 The Natural Environment and Rural Communities (NERC) Act (2006) Section 40(1) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.
- 8.12 The duty applies to all local authorities and extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.
- 8.13 The potential impact of the application proposals upon biodiversity interests is discussed later in this report.

Equality Act 2010

- 8.14 Consideration has been given to the provisions of Section 149 of the Act (public sector equality duty) in the assessment of this application. The proposals do not raise any significant issues in this regard.

Crime and Disorder Act 1998

- 8.15 Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998 (impact of Council functions upon crime and disorder), in the assessment of this application and the comments of the Design Out Crime Office have been considered in assessing the design and layout. The proposals do not raise any significant issues in this regard.

Planning (Listed Buildings and Conservation Areas) Act 1990

- 8.16 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;
- 8.17 In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA)... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.18 Section 72(1) of the same Act states;
...with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.19 These statutory duties and the impact on heritage assets are discussed in the 'other matters' section of this report.

Principle of Development

- 8.20 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 relevant parts of the West Suffolk Development Plan are the adopted Core Strategy, the Vision 2031 Area Action Plan for Haverhill and the adopted Joint Development Management Policies Document 2015.
- 8.21 National planning policies set out in the NPPF and the adopted masterplan and design code for this site are also key material considerations.
- 8.22 The principle of development for this site was established through the identification of land on the north-western edge of Haverhill as a location for growth in policy CS12 of the Core Strategy. Policy HV4 of the Haverhill Vision 2031 went on to allocate 42 hectares of land as a strategic housing site. The masterplan was then produced, setting out the overarching vision for the site.
- 8.23 Outline consent for this site was granted under application SE/09/1283. This outline application was accompanied by a series of parameter plans which established the extent of land for development, the distribution of uses, building heights and densities, and land for open space and landscaping. A S106 agreement associated with the outline approval secured the level and timing of financial contributions and other infrastructure.
- 8.24 Condition B3 of the outline permission requires the reserved matters application to be generally in accordance with the land use parameter plan and the landscape parameter plan. The other parameter plans informed the development of a design code, which was produced along side the first reserved matters application.
- 8.25 The 41 dwellings proposed in this application equate to a density of 46 dwellings per hectare. This is considered to be broadly in accordance with

the design code parameters for density, which envisaged this area as delivering between 35 and 45 dwellings per hectare.

- 8.26 In terms of the scale and extent of development, the proposals are broadly in accordance with the approved parameter plans and could be acceptable in principle, provided that the design and layout delivers a scheme that is consistent with development plan policies, the masterplan and the design in terms of the quality of the built environment created.

Design, layout, and amenity

- 8.27 The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development, indivisible from good planning. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 8.28 These design aspirations are reflected in policy DM2, which states that proposals for all development should create a sense of place and/or local character. In the case of residential schemes, Policy DM22 states that proposals should create a coherent and legible place that is well structured so that it is visually interesting and welcoming. New dwellings should be of high architectural quality and should function well, providing adequate space, light, and privacy.
- 8.29 This application falls within the character area described as 'Wratting Gardens' in the approved design code. This area is characterised by a traditional approach to layout and architecture and the code states that designs here should take references from the traditional details and finishes found in Haverhill.
- 8.30 Revisions have been made to the detailed design and layout during the course of the application to improve its overall quality and appearance. As part of this process the initially proposed red line was reduced to the 41 dwellings currently shown within phase 2a. Further changes were then made to the internal layout and house types of the remaining parcel.
- 8.31 The Ward Member, Councillor Mason has raised concerns relating to the design and scale of the original proposals, particularly the four storey flats. Public representations echoed these concerns, highlighting that the scale would be out of character and overbearing on the surrounding area. There were also concerns that these flatted units could result in additional off-site parking along Ann Suckling Road. The removal of phase 2b has addressed this issue in terms of the current application. However, the concern over the impact of the tall building has been noted and the applicant that this will need to be carefully considered as part of any redesign of that parcel.
- 8.32 Both the local member and the public representations raised other comments regarding the design and layout, addressing areas such as the provision of the allotments and green walkways and paths. These primarily related to phase 2b and would need these concerns would need to be addressed as part of any resubmission.

- 8.33 In terms of the layout for the remaining dwellings in phase 2a, the layout creates a strong frontage onto the primary street to the south, with well-articulated dwellings with gardens to the front and street trees incorporated along the edge of the highway.
- 8.34 The corner turning units at the entrance to the parcel have been amended so that they relate better to the primary street to the south and to the shared access road into the parcel. These now form well balanced gateway into the parcel with additional space provided for planting to frame the view into the site. Dwellings have also been positioned to front onto this access road, which previously lacked a sense of enclosure and activity.
- 8.35 The dwellings along the northern edge have been amended to create a looser grain of development, with the private drives and front gardens creating the green lanes envisaged in the design code.
- 8.36 Design Out Crime Officer comments were received in relation to the first iteration of the plans, which included the dwellings in phase 2b to the south. They acknowledged there is a balance to be struck between the principles of secure by design and other urban design requirements, but recommended adhering to secure by design principles where possible.
- 8.37 In this regard, the layout is broadly formed of perimeter blocks with secure rear gardens backing on to other private rear gardens. There is good surveillance to the pedestrian routes to the south and the north and there is a clear distinction between public and private areas.
- 8.38 The set back of some garages and rear accesses to terraces does result in some tension in terms of maximising security. However, to accommodate a range of house types and to prevent the development from being dominated by frontage parking, incorporating some of these forms of development is acceptable on balance.
- 8.39 Across the parcel, changes have been made to the parking arrangements to improve character. The unattractive courtyard parking areas that lacked activity and surveillance have been removed and the frontage parking that previously gave a highway dominated appearance has been reduced.
- 8.40 Alterations to the house types were requested to better reflect local vernacular architecture, achieve a more balanced appearance, and create a better sense of place, distinctive to this development. A number of the house types have been changed, with an improved streetscene to the primary street to the south and more appropriate detailing in line with the requirements of policy DM2, consistent with the design approved in phase 1.
- 8.41 In terms of amenity, it is considered that future occupants of the proposed development would enjoy an acceptable level of residential amenity. Garden sizes are adequate, and the positioning and scale of dwellings is such that there would be no unacceptable levels of overlooking or overbearing impacts.

- 8.42 The Public Health and Housing Officer has raised some concerns about the potential noise impacts from the relief road on the future occupants of the new dwellings. The applicant has confirmed that they would be happy for a condition to be applied to require appropriate mitigation measures in relation to noise (as was the case under DC/16/2386/RM). However, that application was accompanied by a noise assessment, which confirmed that the proposed measures would be adequate. For the local planning authority to have comfort that the noise impact can be mitigated through design measures, a noise assessment is required before the application is determined. This work has commenced, and a report is expected shortly. The Committee will be updated on this specific issue in the form of a late paper.
- 8.43 The Council's Public Health and Housing Officer also raised some concerns in terms of the bedroom sizes of some of the units and over the access arrangements from some dwellings in the event of fire. There is no statutory requirement in terms of the minimum size of bedroom within new dwellings and no specific size is required by any current development plan policies. Policy DM22 (k) requires that new dwellings are fit purpose and function well, providing adequate space, light and privacy. Looking at the proposed dwellings in the round it is considered that they would meet these requirements. In terms of fire safety, this is a matter controlled under the Building Regulations and the applicant has advised that all of the house types meet the requirements of the Building Regulations including escape in the event of a fire.
- 8.44 Concerns have been raised in public representations regarding the impact of the proposed development on existing neighbouring dwellings. These concerns primarily related to proposed dwellings within phase 2b, particularly the flats. These no longer form part of this application and it is considered that the current proposals are sufficiently distant from any existing neighbouring properties to ensure that there would be no adverse overlooking or overbearing impacts.
- 8.44 In terms of noise and disturbance to existing neighbouring properties from additional traffic, the overall number of dwellings on the site has been approved in the outline consent and this reserved matters application does not change the principles established at that time.
- 8.45 Overall, it is considered that the proposed development would create a locally distinctive sense of place with architecture appropriate for the character area and consistent with the rest of phase 1, drawing on existing features within the local area and creating street scenes which relate positively to the surrounding green corridors.
- 8.46 It is considered that the proposed development provides sufficient space for soft landscaping that will enhance the development and improve the quality of the built environment. There are links to the adjoining open spaces, which have appropriate levels of surveillance and create opportunities for circular walks within the wider development.
- 8.47 The development is therefore considered to be in accordance with policies CS1, CS2, CS3 and CS12 of the St Edmundsbury Core Strategy 2010, Policies DM2, and DM22 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP. The proposals are

also considered to meet the requirements of the masterplan and the design code in terms of the quality of the design and layout of the development parcel and the level of public and private amenity provided for future occupants.

Access and Movement

- 8.48 The NPPF promotes all forms of sustainable transport, advising that development should provide for high quality walking and cycling networks. It goes on to advise that development should not be prevented or refused on transport grounds, unless there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.
- 8.49 Policy DM2 of the Joint Development Management Policies Document also requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network and policy DM46 confirms that the authority will seek to reduce over-reliance on the car and promote more sustainable forms of transport. This is also a key aspiration of the adopted masterplan and design code, which seeks to maximise accessibility creating walkable neighbourhoods.
- 8.50 The relief road to the north of this application has full planning permission and the main internal road serving this parcel has partial approval as part of the first reserved matters application. The continuation of that road to serve this parcel forms part of this reserved matters application.
- 8.51 The road serving this parcel is designated as a primary street in the adopted design code. It has a 3.5 metre shared cycle/footway on the southern side and a separate footway on the northern side. These cycle ways and footways will form part of the wider safe, lit, sustainable routes to be provided throughout the overall site.
- 8.52 The provision of a pedestrian and cycle crossing point is now included for this section of the road network to ensure there is a safe crossing to get to the playing fields to the east of this site for those travelling from the south and to allow those in this parcel safe crossing to access the local centre and school to the south.
- 8.53 The wider connectivity through and around the site was set out in the design code, with a key requirement for a pedestrian route running east to west within the northern landscaped buffer. This has now been included within the layout providing the secondary pedestrian route along the north of the parcel.
- 8.54 There would be one main vehicular access point from the spine road into the parcel as well as five private drives. It is proposed that there would be one access point to the rest of phase two to the south, which no longer forms part of this application.
- 8.55 The road design of the parcel prevents any through traffic and the internal layout, with a central shared surface road and separate private drives, would further reduce the amount of traffic passing through and around the parcel. In this context, the shared surface and private drives will experience low vehicle movements enabling them to provide appropriate

links to the surrounding network of pedestrian routes. These pedestrian links give connectivity to the green corridor to the north, which will run along the southern edge of the relief road and the larger areas of open space to the east and southwest, as well as the local centre and future primary school.

- 8.56 To address initial concerns raised by the highway authority, additional visitor parking has been included and triple parking for individual plots has been designed out. Turning areas have also been included within the private drives to enable all vehicles to enter and leave the main highway in a forward gear.
- 8.57 The highway authority has confirmed that the parking layout is acceptable and the garage sizes are in accordance with the Suffolk Parking Guidance for parking of cars only, meaning that separate cycle storage will need to be provided for each dwelling within the garden. This is secured by condition B9 on the outline consent which requires details of the areas to be provided for secure cycle storage prior to the commencement of development.
- 8.58 Street trees are proposed along the northern edge of the primary street in accordance with the design code. The highway authority's requirements in this respect have moved on since the code was adopted and they have advised that that specialist tree create designs may be required in some locations. Tree crate designs are proposed within the package of drawings for the reserved matters. However, to ensure that bespoke solutions are available where necessary, a condition will be used to require the approval of the specific crate design proposed prior to the installation of any tree within 3 metres of a highway. This is to ensure that these trees are not lost as part of any highway adoption process.
- 8.59 The local ward member and members of the of public have highlighted a number of concerns with highways issues. These primarily focus on the impacts that would arise from connecting the northwest Haverhill development site to Ann Suckling Road and the wider traffic impacts.
- 8.60 The overall impact of the traffic generated by the site was considered as part of the assessment of the original application, and the mitigation required was assessed at that time. An extensive package of highways mitigation was secured through Section 106 obligations and through planning conditions and highways agreements. The delivery of the relief road was secured as part of this package and a bond paid to the County Council on commencement. The road is required to be completed within five years of commencement of the development, or prior to the construction of the 500th dwelling, whichever is the sooner.
- 8.61 There is no opportunity to request further mitigation for the full site, at this time, as the principle of development has now been established. However, if new matters are raised by the layout of an individual parcel, that could not have reasonably been predicted by the details provided at outline, it could be possible request minor changes to improve links from the site to the wider network.
- 8.62 In terms of the concerns raised regarding the impact on Ann Suckling Road from through traffic, this application does not include any access to

that road and as such this is not a material consideration in determining this application.

- 8.63 Issues of access to and from the site were reviewed and agreed at the determination of the hybrid application, and this included the permeability of Anne Sucklings Road to the new development. Full access for all vehicles was allowed to the new development from Ann Suckling Road to the Local Centre, and on to Hales Barn Road and to the new Relief Road. However, access from the Local Centre southwards to Howe Road is restricted to buses, cycles and pedestrians. This was to avoid Ann Suckling Road being used as a local route to avoid the Cangle junction near the Tesco store on the A143.
- 8.64 In considering applications for the internal road network immediately connecting to Ann Suckling Road the advice of the highway authority will be sought in terms of the appropriateness of the design and how pedestrians and cyclists would be prioritised and the impact on the highway network reduced.
- 8.65 It is considered that the development creates a safe and attractive network of streets and private drives, minimising the number of access points from the primary street into the parcel, to enable that road to operate safely and effectively. The layout also facilitates safe access for future residents to the existing and proposed local services.
- 8.66 In light of the above, the development is considered to be fully in accordance with policies CS3, CS7 and CS12 of the St Edmundsbury Core Strategy 2010, Policies DM2, DM44 and DM46 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP. The proposals are also considered to be generally in accordance with the masterplan and the design code in terms of the accessibility and sustainable transport.

Landscape and Ecology

- 8.67 The NPPF confirms that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains where possible (paragraphs 174 and 175). This is reflected in policies DM11 and DM12 which seek to safeguard protected species and state that measures should be included in the design of all developments for the protection of biodiversity, the mitigation of any adverse impacts, and enhancements commensurate with the scale of the development.
- 8.68 There are no sites of international or national importance within or directly adjacent to the north west Haverhill strategic site. There are locally designated wildlife sites and sites of local interest such as Ann Suckling Way County Wildlife Site, but these do not fall within the red line for application. However, there are other habitats within the application site including, arable land, field margins, hedgerows, trees and ditches, all of which contribute to the biodiversity of the site and have the potential to support protected species.
- 8.69 The Suffolk Wildlife Trust has reviewed the updated ecological reports provided and has confirmed that subject to conditions to secure the

recommendations within the reports they do not object to the application. Notwithstanding this, they have highlighted the requirement for tree and hedgerow planting and buffer planting along the whole northern boundary where it abuts the proposed relief road. The provision of a diverse range of native shrub species in this location will further contribute to a linear wildlife corridor and is needed to enhance the biodiversity of the site as well as soften the impact of the development on the wider countryside.

- 8.70 The Suffolk Wildlife Trust has advised that there is not sufficient planting shown at present and further landscape and planting details are required to demonstrate how a cohesive landscape and wildlife habitat network will be achieved. It is considered that this information could be secured by condition provided there is sufficient space within the layout for it to be delivered.
- 8.71 The landscape parameter plan sets out the broad context for the site and shows that this parcel would be set within landscape corridors with a larger area of open space to the east, green space to the west and a green corridor to the north between the parcel and the relief road.
- 8.72 The landscape officer has raised concerns that the space to the north of the parcel is not big enough to accommodate the necessary planting for the green corridor, thereby impacting on the ability to deliver the ecological requirements secured at the outline stage.
- 8.73 In investigating this concern further, when looking at the red line for this application it does initially appear that there is insufficient space. However, when looking at the total amount of space available between the northern edge of the development and the edge of the relief road there is enough space to deliver the buffer that is required. The overall depth of the buffer would measure at least 15 metres other than at the point of the turning head within the parcel, where it would reduce to 12.5 metres. Towards the western end of the parcel the buffer would increase in depth to around 20 metres before merging with the green corridor along the western edge of the parcel.
- 8.74 The planting details could therefore be secured by way of a condition on this application. The details provided under that condition would then need to be considered holistically alongside the landscaping details for the relief road corridor.
- 8.75 The planting details would extend across the site including the section to the east adjacent to the primary street and to the south connecting with the drainage basin. These details will need to include planting to enhance biodiversity and increase tree and hedge cover in line with the measures set out in the submitted ecological surveys.
- 8.76 In terms of the existing landscape features, there are several trees and hedges close to the application site identified on the submitted hedge survey and tree survey. The location of these has now been shown on the plans.
- 8.77 Whilst a tree removal plan and arboricultural method statement has been provided alongside this application, it covers the whole strategic site and a bespoke tree removal plan for application is required prior to any tree

works being undertaken. These details along with full details of the protective fencing measures for the trees and hedgerows being retained is secured by pre-commencement conditions (B16) on the outline consent.

- 8.78 The submitted tree removal plan shows that the hedges to the west, including the hedge that leads down to Ann Suckling Road which has an associated existing watercourse, would be retained in its entirety, as would the hedge to the east, save for a very small section at the southern end. The hedge to the south of phase 2a running east to west would sit on the opposite side of the primary street serving this parcel. A section of this hedgerow would be removed where it is bisected by that highway. The area to the south of the road will provide a green buffer between the highway and phase 2b and the detailed plans will be expected to incorporate additional hedge planting at the back of the highway to mitigate for this loss.
- 8.79 The landscape and ecology officer has highlighted the loss of a section of the hedge to the south of the site and the lack of specific mitigation/compensation within the proposals. In addition to the inclusion of replacement hedge planting within phase 2b, it is considered that compensatory planting could be provided within the planting details. There appears to be an ideal location for this within the application site on the southern side of the highway leading to this parcel. The proposed landscaping condition attached to this application could highlight the need to include this.
- 8.80 The applicant has also advised that any areas of sulphur clover which may be affected the development will be carefully translocated and protected using a variety of suitable methods (turf transplants, seed collection etc.). A method statement could be agreed by condition prior to any works taking place.
- 8.81 Overall, it is considered that the proposed development, as amended, is acceptable in terms of ecology and landscape issues, subject to the use of conditions to secure the appropriate detailed planting to enhance biodiversity and compensate for any hedgerow loss.
- 8.82 The development would not introduce any adverse effects on protected species or sites, subject to following the recommendations of the submitted reports. Regard has been given to the trees on the site and the appropriate protection measures have been secured as part of the outline consent.
- 8.83 The development is therefore considered to be in accordance with policies CS1, CS2 and CS12 of the St Edmundsbury Core Strategy 2010, Policies DM2, DM11, DM12 and DM13 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP. Subject to the securing the final planting details it is considered that the proposals would meet the aspirations of the masterplan.

Drainage

- 8.84 The lead local flood authority has reviewed the latest drainage documentation and has confirmed that the overall building layout and drainage infrastructure is acceptable pending their technical sign off. This would be done through a discharge of condition application, as condition

B23 of the outline permission secures the details of the implementation, maintenance and management of the sustainable urban drainage scheme for each phase prior to its commencement.

- 8.78 The floods officer has advised that the permeability and exceedance routes for this parcel are logical, minimising the risk of flooding to properties in extreme events. However, they have flagged up that the dwellings in the south west corner would be the most likely to be affected by any residual flood risk if the headwall in that area were to be blocked. Persimmon has provided the finished floor levels for these properties and following a further conversation with the floods officer, it is considered that this marginal risk would be adequately managed through good maintenance and management of the headwalls and the incorporation of flood resilient design measures in to the two plots affected.
- 8.79 The floods officer has requested further soft landscape details for the drainage basin and details of the access available for maintenance, as well as a clear easements and offsets plan to ensure planting is located appropriately. This information would be secured through a combination of a soft landscaping condition on this application and through the existing drainage condition on the outline consent.
- 8.80 In terms of this reserved matters application it has been confirmed that the drainage approach is an acceptable one and the layout is appropriate. It is therefore considered that the proposals are acceptable in terms of flood risk and drainage and in accordance with policy DM6 of the Joint Development Management Policies Document 2015.

Other Matters

Affordable Housing

- 8.80 Affordable Housing mix is not a reserved matter and as such the provisions relating to affordable housing must be secured either through condition or as part of the S106 agreement when the outline planning permission is granted.
- 8.81 In this case, the S106 secured 30% of the dwellings as affordable, with the requirement to submit a scheme to the Council for approval, outlining the delivery of affordable housing units for each phase.
- 8.82 The applicant has split phase two of the development into two reserved matters applications: phase 2a, which is this application; and, phase 2b, which will be resubmitted separately.
- 8.83 The S106 agreement requires the submission of an affordable housing scheme to be presented for each phase. The applicant has confirmed that this would be provided in respect of phase 2 as a whole and as such the key consideration in determining this reserved matters application is whether the units shown to be delivered in this part of phase 2 would prejudice the ability for the appropriate mix to be provided across the phase as a whole.

- 8.84 Phase 2a is shown to provide the appropriate overall number of affordable units and their position within the site complies with the requirements set out in the S106 in terms of clustering.
- 8.85 The Strategic Housing Officer has registered concerns in terms of the tenure split currently suggested for phase 2a. The tenure split required within the S106 is 70% affordable rent and 30% shared ownership and this would be secured in the affordable housing scheme.
- 8.86 In terms of the mix currently being shown, the Strategic Housing Officer has advised that there needs to be a reduction in the number of 3-bedroom properties for this phase to eight. However, there are appropriate dwellings within the development that could be part of the affordable offer for this parcel when the scheme is agreed. As such, the approval of these reserved matters would not prejudice the ability to secure an affordable housing mix that would be acceptable to the council.

Heritage Impacts

- 8.87 The closest heritage asset to the application is Chapel Farm Cottage, a grade II listed building situated approximately 190 metres to the south of parcel 2a and Around 150 metres to the east of the proposed drainage basin.
- 8.88 The proposed development is within the parameters set out in the outline consent at which time the impact on designated heritage assets was assessed as being acceptable. Notwithstanding that assessment, the distance, topography and intervening landscape features between the listed building and this proposal are such that the development would not have any significant impact on its setting.

NHS Clinical Commission Group comments

- 8.89 The NHS Clinical Commissioning Group has requested contributions relating to the provision of medical facilities to serve this development. These were secured at the time of the outline consent and are contained within the S106 agreement.

Summary and conclusions

- 8.90 Section 38(6) of the 2004 Planning Act states planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Framework reinforces the approach set out in Section 38(6). It emphasises the importance of the plan-led system and supports the reliance on up-to-date development plans to make decisions.
- 8.91 The proposals are considered to be generally in accordance with the approved parameter plans and following amendments and the submission of additional information, it is considered that the proposed development would create a well-laid out scheme that respects the aspirations of the masterplan and the design code.
- 8.92 Subject to the submission of a noise assessment and a condition to secure the associated mitigation requirement, it is considered that the

development would offer a good level of amenity to future occupants and would not adversely affect the amenity of the existing residents on the northern edge of Haverhill.

- 8.93 The proposals would contribute to the delivery of a safe highway network for the wider strategic site, including an off-road shared cycle and footway and an additional pedestrian route through the green space to the north.
- 8.94 The Lead Local Flood Authority has confirmed that the proposed surface water drainage scheme is acceptable subject to their final technical approvals, which has been secured under the outline consent.
- 8.95 It is considered that there is appropriate space to secure the necessary planting details to soften the appearance of the development and deliver the required biodiversity enhancements and mitigation. The proposals would not introduce any adverse effects on protected species, subject to conditions securing the recommendations of the ecology reports and regard has been given to the impacts on trees and hedges on the site.
- 8.96 In light of the above it is considered that the development is in compliance with the relevant development plan policies and with the National Planning Policy Framework and it is therefore recommended for approval.

Recommendation:

9.0 It is recommended that subject to the receipt of an acceptable noise assessment and Members being updated on this before the meeting, that planning permission be **APPROVED** subject to the following conditions:

1. Approved Plans and documents

Document Name	Reference and revision	Submission date
Design and layout plans		
Location Plan	041-P-099 rev C	September 2020
Planning Layout (Black and White)	041-P-100 rev B	September 2020
Planning Layout (Coloured)	041-P-101 rev B	September 2020
Planning layout- Overview	041-P-102 rev C	September 2020
Refuse Strategy Plan	041-P-130 rev C	September 2020
Storey Heights Plan	041-P-120 rec B	September 2020
Character Areas Plan	041-P-110 rev B	September 2020
Street scenes 1-6	041-P-111 rev B	September 2020
Parking Allocation Plan Sheet 1 of 3	041-P-140 rev B	September 2020
Parking Allocation Plan Sheet 3 of 3	041-P-142 rev B	September 2020
Materials layout	041-P-150 rev B	September 2020
Materials Schedule	041-P-151 rev B	September 2020
Affordable Housing Layout	041-P-160 rev B	September 2020
Housing Size Plan	041-P-170 rev B	September 2020
Relief Road Sections	041-P-180	October 2020

Boundary Treatment Plan Sheet 1 of 2	041-P-189	October 2020
Boundary Treatment Plan Sheet 2 of 2	041-P-190	October 2020
Fencing specification and Standard details sheet 1 of 3	041-P-191 rev A	September 2020
Indicative Floor levels -Sheet 1 of 3	041-E-500 rev B	September 2020
House / garage types		
Barton CA1	041-P-015 rev B	September 2020
Carleton CA1	041-P-021 rev B	October 2020
Coniston CA1	041-P-023 rev B	September 2020
Derwent CA1	041-P-029 rev B	October 2020
Earlswood Corner CA1	041-P-033 rev B	September 2020
Foxcote CA1	041-P-036 rev B	October 2020
Hopton CA1	041-P-038 rev A	September 2020
Lockwood Corner CA1	041-P-041 rev C	October 2020
Moseley CA1	041-P-046 rev B	October 2020
Ullswater Standard CA3	041-P-060 rev B	September 2020
Ullswater Corner + Standard floor plans CA3	041-P-062 rev B	September 2020
Ullswater Corner + Standard floor plans CA3	041-P-063 rev B	September 2020
Windemere CA1	041-P-066 rev A	October 2020
Ullswater Corner + Standard Elevations CA3	041-P-067	April 2020
Ullswater Corner + Standard Elevations CA3	041-P-068	April 2020
Garages 6x3 Single and Double	041-P-200 rev B	September 2020
Garages 6x3 Carport designs	041-P202	October 2020
Drainage / landscaping		
Ecological constraints plan		October 2020
Flood Exceedance Routes	E4062-570	October 2020
Pond layout and sections	E4062-520	October 2020
Adoptable drainage layout sheet 1 of 3	E4062-510	October 2020
Adoptable drainage layout sheet 2 of 3	E4062-511	October 2020
Adoptable drainage layout sheet 3 of 3	E4062-512	October 2020

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.

2. Noise

The final wording of this condition will be informed by the report to be submitted and members will be updated in advance of the Committee.

3. Landscape condition

Notwithstanding the details previously submitted, no above ground construction shall take place until there has been submitted to and approved in writing by the Local Planning Authority a final scheme of soft landscaping for the site drawn to a scale of not less than 1:200.

The details shall include buffer planting along the northern boundary as set out in the design code and compensatory hedge planting to mitigate for the loss of Hedge H2. The landscaping details shall also include the biodiversity enhancements requested by the Suffolk Wildlife trust and set out in the Great Crested Newt Survey, the Hazel Dormouse Survey Report, the Bat Activity Survey Report and the Breeding Bird Survey.

Planting details shall also include details of on plot planting and planting within the SUDS Basin, and clearly show where existing vegetation is to be maintained/enhanced.

The 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 ensure the appropriate planting to soften the visual impact and provide sufficient biodiversity enhancement to mitigate the impact of the development as required by the Environmental Statement, policies DM2 and DM12 of the Joint Development Management Policies Document 2015, the adopted masterplan and the design code

4. Lighting strategy for bats

Prior to any above ground construction details of a light minimization strategy, as recommended in the submitted bat activity survey report, shall be submitted to the local planning authority and agreed in writing. The strategy shall cover the construction and post construction phases and be based on the recommendations set out in section 5.2 of the bat activity survey report.

Reason: To ensure protected species are adequately protected in accordance with the Environmental Statement associated with the permission, policies DM2 and DM11 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

5. Sulphur Clover method statement

Prior to the commencement of any works in areas identified as containing Sulphur Clover in the Botanical Survey (including Sulphur Clover survey)(August 2019), full details of the method of translocation of the plants shall be submitted to the local planning authority and agreed in writing. All works must be carried out in accordance with the agreed details.

Reason: To safeguard the presence of nationally scarce species on the site and protect biodiversity in accordance with policies DM2 and DM12 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

6. Reptile precautionary method statement.

All work shall be carried out in accordance with the precautionary methods of working set out in the Reptile Precautionary Method Statement.

Reason: To ensure protected species are adequately protected during construction works in accordance with the Environmental Statement associated with the permission, policies DM2 and DM11 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

7. Tree pit condition

Notwithstanding the tree pit details submitted with this application, prior to the installation of any tree within 2.5 metres of a highway, the full details of the proposed tree pit for that tree shall be submitted to the local planning authority and agreed in writing. All work shall be carried out in full accordance with the approved details.

Reason: To ensure that trees which form an important part of the character of the approved streets are able to be retained into the future as part of a high quality landscape-led development in accordance with the North West Haverhill Masterplan and Design Code, policies DM2, DM11, DM12 and DM13 of the Joint Development Management Policies Document 2015, policy CS12 of the St Edmundsbury Core Strategy 2012 Document and Chapter 15 of the National Planning Policy Framework

8. Flood resilience measures

Prior to the commencement of the dwellings on plots 8 and 9 details of the flood resilience measures incorporated into the design of those units shall be submitted to the local planning authority and agreed in writing. The dwellings shall be completed in accordance with the agreed measures.

Reason: To ensure that the dwellings are adequately protected from residual risk of flooding in accordance with policy DM22 of the Joint Development Management Policies Document and chapter 14 the NPPF.

9. Pedestrian and cycle crossing Condition

Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority for the indicative crossing shown on drawing 041-P-140 Rev B. The scheme will include, full

design, location and Safety Audit (Stage 1&2). The approved scheme shall be carried out in its entirety before the first occupation of any property and shall be retained thereafter in its approved form.

Reason: To ensure a suitable crossing point for pedestrians and cyclists is secured in the interests of highway safety and to ensure good pedestrian connectivity around the site and to create safe walking and cycling routes around the development in accordance with the North West Haverhill Masterplan, policies DM2, DM11 and DM22 of the Joint Development Management Policies Document 2015 and chapter 8 and 9 of the National Planning Policy Framework 2019.

10. Refuse Condition

The areas to be provided for the presentation and storage of refuse/recycling bins as shown on drawing number 041-P-130 Rev C shall be provided 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.

11. Vehicle parking condition

Prior to the occupation of any dwelling, the area(s) within the site shown on drawing 041-P-140 Rev B for the purposes of loading, unloading, manoeuvring and parking of vehicles in relation to that dwelling shall be provided. 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. Estate roads and footways Condition

Before the development is commenced, details of the estate roads and footpaths, (including carriageway and footway width/s, layout, levels, gradients, lighting, visibility splays, soft landscaping, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

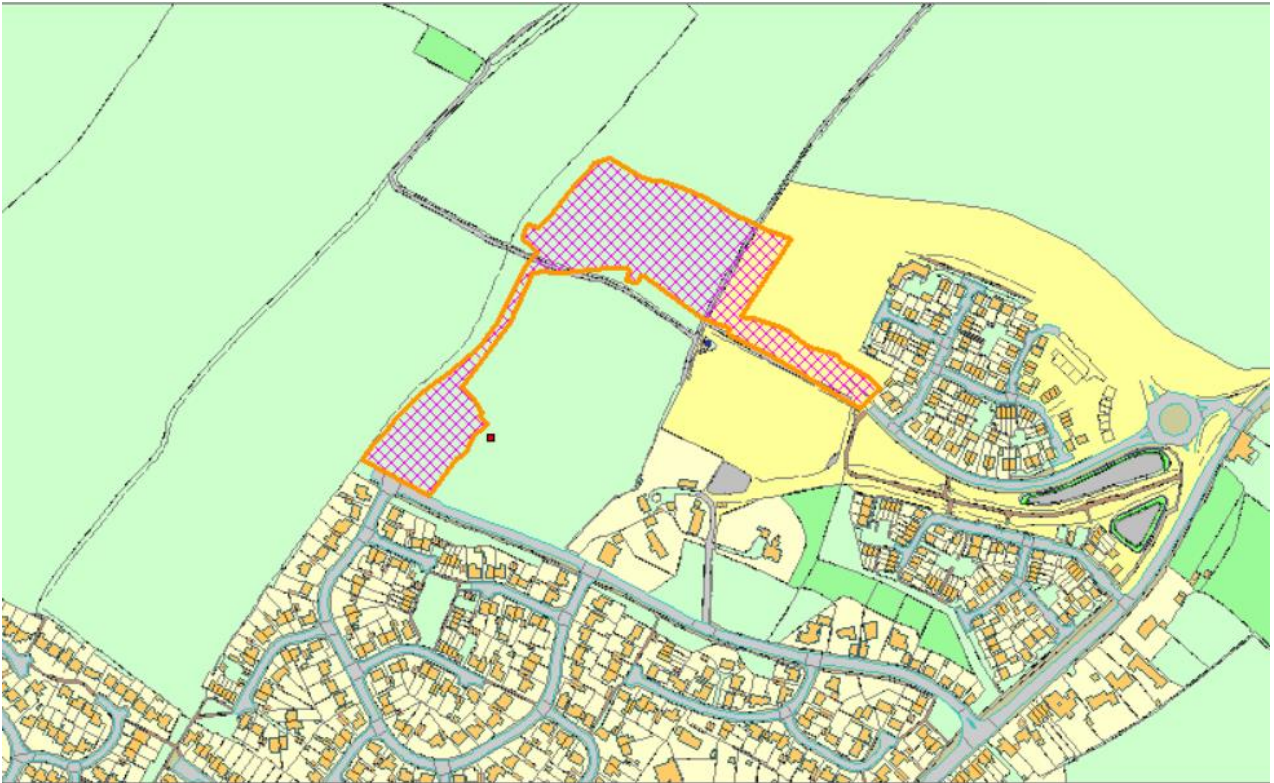
Reason: To ensure that roads/footways are constructed to an acceptable standard.

Documents:

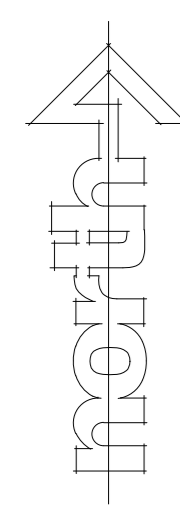
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/0615/RM](https://www.haverhill.gov.uk/DC/20/0615/RM)



DC/20/0615/RM - Land North of Anne Sucklings Lane, Little Wrating



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PHASE 2A
DEVELOPMENT

PHASE 2B
DEVELOPMENT

POND 1 (dry)
Bed Level - 89.200m AOD
Bank Level - 90.900m AOD
Top Water Level - 90.594m AOD
Maximum Storage Volume - 1.838m³
Overall Cut - 6.854m³
Overall Fill - 81m³

40.0

Rev	Description	By	Date
C	Amended to Phase 2A. Altered Redline to include Pond and Easement	AH	05.08.20
B	Altered drawing scale size	AH	27.04.20

Persimmon Homes Ltd.
Persimmon House
Orion Court, Orion Avenue
Great Bakersham
Sutton Coldfield
Tel: 01473 927400

Site Name:
**Haverhill
Phase 2**

Drawing:
Location Plan

Scale@A0: 1:500	Date: Feb'20
Drawn By: AH	Checked By: GL

Drawing No:
041-P-099

Rev:
C

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Development Control Committee 18 November 2020

Planning Application DC/20/1222/HH – 31 Acacia Avenue, Bury St Edmunds

Date registered:	3 August 2020	Expiry date:	28 September 2020 EOT 27 November 2020
Case officer:	Connor Vince	Recommendation:	Approve application
Parish:	Bury St Edmunds Town Council	Ward:	Tollgate
Proposal:	Householder planning application - Single storey detached annexe. As amended by plans received 01 October 2020 and 06 October 2020		
Site:	31 Acacia Avenue, Bury St Edmunds, IP32 6HN		
Applicant:	Mrs Michaela Cooper		

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:

Connor Vince

Email: connor.vince@westsuffolk.gov.uk

Telephone: 07866 913717

Background:

This application is presented to the Development Control Committee following consideration at the Delegation Panel on 3 November 2020.

It was presented to the Delegation Panel due to the objection from Bury St. Edmunds Town Council. The application is recommended for APPROVAL.

Proposal:

1. Planning permission is sought for one, single storey detached annexe situated within the rear garden of 31 Acacia Avenue, Bury St. Edmunds. The annexe measures 8.5 metres in total width, 8.5 metres in total depth and 2.9m in height (flat roof). The annexe includes an open plan living and kitchen area, with an en-suite bedroom and a small amenity area, albeit adjacent to, and contiguous with, the amenity area of the host dwelling.
2. Amended plans have been received, as requested by Officers, after concerns were raised regarding the proposed annexe appearing overbearing on the boundary shared with 24 Anselm Avenue in conjunction with the potential adverse impacts on neighbouring garden trees. These amended plans moved the proposed annexe 1 metre north east into the application site.
3. The purpose of the annexe, as explained within the applicant's supporting statements, is to provide a self-contained unit to provide accommodation for the applicant, with a view to the applicant's parents moving into it when the time comes when they require ground floor accommodation. The host dwelling is currently owned by the applicant's parents, with the annexe providing accommodation for the applicant to care for their parents in the future.

Application supporting material:

In support of this planning application, the following has been provided:

- Location plan
- Existing block plan
- Proposed block plan with parking layout
- Proposed elevations
- Three applicant supporting statements

Site details:

4. The annexe is proposed to be situated within the rear garden of 31 Acacia Avenue, Bury St. Edmunds. 31 Acacia Avenue is situated within the settlement boundary for Bury St. Edmunds, within the Tollgate Ward. The annexe is set back 1 metre from the boundary shared with 24 Anselm Avenue to the south west of the host dwelling.
5. The application site contains a number of garden trees, as do neighbouring gardens, visible from the rear gardens of adjacent dwellings in Acacia Avenue and Anselm Avenue. The site is not located in

a Conservation Area and does not contain any trees which are subject to a Tree Protection Order, nor any that are worthy of such protection.

Planning history:

6. No previous planning history.

Consultations:

Bury St. Edmunds Town Council

7. 13 August 2020 – “Bury St Edmunds Town Council has no objection subject to the neighbour's concerns being satisfactorily resolved and the new building being erected away from the boundary of the neighbouring property in Anselm Avenue.”
8. 15 October 2020 – “Bury St Edmunds Town Council objects, based on new information as it relates to Standard BS5837:2012 and additional information on access and overlooking and loss of privacy and possible over development.”

Suffolk County Council – Highways

9. 25 August 2020 – “It is noted that the location is a residential area where on-street parking, if necessary, can occur safely. Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include” a condition requiring the parking and manoeuvring plan, as detailed on plan 087-20/P/01, to be provided and retained.

Arboricultural Officer

- 10.28 September 2020 – “It is difficult to comment on the arboricultural impact of the proposal based on the information at hand. However, I am able to offer the following general observations. The proximity of the annexe to the trees adjacent to the south eastern and south western property boundary is likely to entail significant root severance if a more typical foundation type is to be used. Positioning the structure outside of the root protection areas (as defined by BS 5837:2012) of these trees would avoid such harm, and in its current form, it would be reasonable to expect these trees to rapidly decline as a result of construction related harm. It should also be noted that whilst these trees provide amenity value, it is largely restricted to the surrounding residential gardens and the trees are not visible from wider public views.”

Ward Members

11. Cllr Hind (03 November 2020) – Comments provided in writing as part of the considerations of the Delegation Panel - “I want to ask you to consider the impact on the area of permitting the development. Three residents raised objections directly with me, and one of them was too scared to submit a formal application, but did write to Connor.
12. When the original planners shaped the area they built the houses with long back gardens to give people space to enjoy being outdoors and to

have their own garden idyll. This application represents a change in character of the area. Obviously the car was less dominant back in the 1930's/40's.

13. The main complaints common to all the objectors (and to other people who were afraid to register a formal objection) was the impact on traffic, and security. Even the person at no 33 who had always thought an annexe would suit him and has said that if this proceeds he will submit a similar application, outlines the problems of traffic in the area.
14. If sufficient residents all sought to do the same (and the precedent would be set) then it would increase the traffic. Acacia Avenue is a narrow residential street with a bus service, and when the bus is travelling, or parked, a car cannot overtake if a car is already coming in the other direction.
15. Another consideration here is access for emergency services. The property does not have an open or accessible sideways. The original outbuilding is joined to the house so access to any property in the rear garden would have to be via the main house.
16. I ask you to consider these facts in determining this application and refer it to Development control with video evidence of the street and the side access to the property at 31."

Representations:

17. A total of four letters have been received, all objecting to the proposed development. The areas of concern are summarised below:
 - Access and parking
 - Noise and disturbance
 - Impact on garden trees bordering the sites
 - Impacts on Biodiversity
 - Setting a precedent
 - Overdevelopment of the site
 - Loss of privacy
 - Loss of amenity
18. **Policy:** On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. 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 and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy

Core Strategy Policy CS2 - Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

Policy DM24 Alterations or Extensions to Dwellings, including Self Contained Annexes

Policy DM46 Parking Standards

Other planning policy:

20.National Planning Policy Framework (NPPF).

21.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 2019 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- Principle of Development
- Impact on Residential Amenity
- Impact on Character and Appearance
- Parking Standards and Impacts on Highway Safety
- Arboricultural Impacts
- Impacts on Ecology and Biodiversity
- Other Matters

Principle of Development

23.Policy DM2 states proposals for all development should recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or

building and, where necessary, prepare a landscape/townscape character appraisal to demonstrate and produce designs that respect the character, scale density and massing of the locality. Policy CS3 of the St. Edmundsbury Core Strategy states that proposals for new development must create and contribute to a high quality, safe and sustainable environment.

24. Policy DM24 states that planning permission for alterations or extensions to existing dwellings, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwellings and the character and appearance of the immediate and surrounding area, will not result in over-development of the dwelling and curtilage and shall not adversely affect the residential amenity of occupants of nearby properties.
25. The application seeks planning permission for an annexe within the curtilage of Number 31 Acacia Avenue. The annexe is self contained in that it contains basic facilities for day to day independent living, albeit is sited intimately within the curtilage of the host dwelling, sharing parking and amenity space. The annexe appears to be the minimum necessary, incorporating a small, open area to the front of the annexe, with a lounge, kitchen, one bedroom and bathroom inside. Access to the annexe will be via the host dwelling.
26. Noting the wording of Policy DM24, which supports the principle of self contained annexes within the curtilage of a dwelling, the principle can be supported, albeit careful consideration must also be given to the wider effects, including upon the amenity of nearby residents, and the character and appearance of the area. Furthermore, in confirming satisfaction, officers consider that a condition would be necessary on any consent to limit occupation to an annexe in conjunction with the main house, noting that independent occupation, in such an intimate location relative to the main house, would lead to considerable mutual harm to the amenities of both dwellings.

Impact on Residential Amenity

27. The proposed annexe is located to the rear of Number 31 Acacia Avenue, approximately 1 metre away from the boundary shared with 24 Anselm Avenue to the south west and with an approximate 11 metre standoff distance to the south western elevation of the host dwelling. The annexe would also have a standoff distance of 16.5 metres to rear elevation of 33 Acacia Avenue, 15 metres to the rear elevation of 29 Acacia Avenue and approximately 23m to the rear elevation of 24 Anselm Avenue. The annexe measures 8.5 metres in total width, 8.5 metres in total depth and 2.9m in height (flat roof) and incorporates timber cladding to the front elevation, with facing brick to the rear and side elevations. The annexe will have an overhang with LED spotlights on the underside, with aluminium sliding doors to the front elevation, with an aluminium door to the rear to access the small parcel of land between the annexe and the border with 2 Anselm Avenue.
28. It is therefore considered that the annexe is a suitable size and relates well to the existing dwelling and its curtilage, and to surrounding

dwelling. Due to the substantial plot that the annexe is located within and given also the relatively large existing dwelling, it is considered that the annexe meets the requirements set by policy DM24.

29. Officers initially considered, in light of the Town Council's comments and given the location of the annexe, as originally submitted, right on the boundary shared with 24 Anselm Avenue, that the annexe had the potential to appear overbearing in conjunction with the immediate loss of trees that screen the two aforementioned sites. As a consequence, amended plans have been provided which show the proposed annexe as having been moved 1 metre north-east into the site. These revisions have been determined by officers to be acceptable, noting this increased distance from the boundary and the reduction therefore in potential impacts. A standard reconsultation was sent to consultees and neighbours, where three subsequent neighbour objections were subsequently received, with the Town Council also objecting to the proposed development.
30. Views of the proposed annexe will largely only be available from from the adjacent residential properties of Acacia Avenue to the east, Anselm Avenue to the west and Waveney Road to the north west. As the annexe measures 2.9 metres in height, approximately 0.9 metres will be visible above the garden fences of 33 Acacia Avenue to the north, 29 Acacia Avenue to the south and 24 Anselm Avenue to the west. There is also a gradual incline from the annexe to the south west. However, given the single storey nature of the annexe and its flat roof, it is considered that there will be no significant or material adverse impacts associated with overlooking, loss of privacy or otherwise arising from the annexe appearing overbearing, in particular relation to 24 Anselm Avenue, 33 Acacia Avenue or 31 Acacia Avenue. Furthermore, it is not considered that the occupation of this building as an annexe would give rise to any material adverse noise impacts upon any nearby dwellings, over and above those arising in any event from the use of the garden or any other incidental building within such, also noting the relationship and stand off distance between the site and neighbouring dwellings.
31. As will be further discussed below, the position of the building does have some potential, through root severance as a consequence of building works, to adversely affect the trees within off site gardens. As noted above, the removal of these trees may increase the perception of overbearing impact, noting the height at 2.9 metres being higher than typical garden fencing. It was for this reason that the annexe was sited away from the boundary. Not only will this potentially limit the adverse effect on off site trees, but if the annexe and its foundations still have an effect, as anticipated, will mean that the subsequent loss of these trees will not otherwise render the structure physically overbearing. The off site trees, whilst being a feature, are of limited wider amenity value, and their removal is not otherwise considered harmful. Further, it is not considered that these trees would be worthy of a Tree Preservation Order. In this regard, officers consider that the revisions strike an appropriate and reasonable balance between the rights of one property owner to maintain and retain trees and soft landscaping within their garden, and the rights of another homeowner to develop within their garden and, overall, and on balance, the effects upon amenity are considered to be satisfactory.

Impact on Character and Appearance

32. As noted above, the structure is located within an otherwise enclosed rear garden, with very limited public views. Similar structures to the proposed annexe are visible within the rear gardens of Anselm and Acacia Avenue, with the wider character of the area being generally residential in nature and also including a variety in the appearance and design of buildings. Within this context it is considered, with reference to Policy DM2, that the effects upon character will be satisfactory. It is possible that there will be glimpsed views of the annexe between dwellings on Acacia Avenue, but this will not be obvious, will be over some distance, and will only be of a domestically scaled building otherwise typically found within residential gardens.
33. Accordingly, and given the relative location of the annexe, there will be no obvious views of the annexe from the public realm. Officers are therefore content that there will be no adverse impacts associated with the annexe's construction in relation to visual amenity within the street scene.

Parking Standards and Impacts on Highway Safety

34. Policy DM46 requires that proposals provide appropriately designed and sited car parking in accordance with the current adopted standards. Paragraph 110 of the 2019 NPPF also states that applications for planning permission should, where it is possible to do so, enable safe use of public highways for all stakeholders. The car parking for the site will remain unchanged, with two identified car parking spots to the front (north east) of the host dwelling on Acacia Avenue.
35. Suffolk Parking Guidance requires three car parking spaces for a 4+ bedroom property and the block plan indicates space for two vehicles, with sufficient on-street parking on Acacia Avenue. However, notwithstanding this under-provision there are no objections from the Highway Authority to the proposed development and it is not considered therefore that a refusal on the basis that the proposal will lead to any material harm to highway or pedestrian safety would withstand the scrutiny of an appeal. The proposed development is therefore determined to comply with the provisions of Policy DM2, DM46 and paragraph 110 of the NPPF.

Arboricultural Impacts

36. Policy DM13 states 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. Reference has been made to the potential impact of the annexe on adjacent trees, and this has also been discussed briefly above. The proximity of the annexe to the trees adjacent to the south eastern and south western property boundary is likely to entail adverse impacts upon the viability of these trees. It must also be noted however that whilst these trees provide amenity value, this value is largely only appreciated from the surrounding residential gardens and that the trees are not visible from wider public views. The trees are also not protected by reason of a Tree

Preservation Order, nor from being situated within a Conservation Area, and neither would they be suitable for such protection. The applicant has provided a supporting statement in light of the neighbour objections received and has stated they will appoint an arboriculturalist who will compile a method statement to ensure the works do not harm the trees concerned. However, even if they do, given the modest value of these trees, officers are satisfied that the arboricultural implications of the proposal remain satisfactory regardless, and that conditional control of this point is not needed. The trees are not suitable for formal protection and whilst their intrinsic loss might be unfortunate, the rights of a homeowner to maintain garden trees within their property must also be balanced against the rights of neighbouring homeowners to extend within their property. Due to the modest nature of these trees, there is limited or even no public interest in securing amendments to the scheme that would enable to retention of these trees, with the modest additional stand off distance to the boundary that has been secured being, in the opinion of officers, a suitable balance to ensure that if the off site trees are lost, as is expected, as a result of this proposal, that the works will not in and of themselves otherwise appear overbearing.

37. In conclusion therefore, the arboricultural related impacts of this proposal are considered satisfactory without the need for any further conditional control.

Impacts on Ecology and Biodiversity

38. Policy DM11 states that development will not be permitted unless suitable satisfactory measures are in place to reduce the disturbance to protected species and either maintain the population on site or provide alternative suitable accommodation. Section 40 of the Natural Environment and Rural Communities Act 2006 requires that public authorities (which explicitly include the Local Planning Authority) must have regard to the purpose of conserving biodiversity.
39. Policy DM12 seeks to ensure that, where there are impacts to biodiversity, development appropriately avoids, mitigates or compensates for those impacts. The policy requires that all development proposals promote ecological growth and enhancement.
40. The site is not situated within any protected species buffer, nor is it proposed that any trees will be felled as a result of the proposed development. Therefore, it is considered there will be no adverse impacts associated with the development concerning ecological and biodiversity matters. The proposal therefore complies with the provisions of Policies DM11 and DM12.

Other Matters

41. As detailed within Schedule 2, Part 1, Class E of the General Permitted Development Order (2015), outbuildings can be constructed using Permitted Development Rights, providing that the building does not sit forward of the front elevation of the host dwelling or exceeds 2.5 metres in the case of a building within 2 metres of the boundary of the curtilage. In this case, the building measures 2.9 metres and is within 2 metres of the boundary and therefore would not comply with the Permitted

Development criteria, however would comply if the height was reduced by 0.4 metres and was for a use 'incidental' to the host dwelling. This could entail being a hobby room, for example, and this is a further factor which supports the conclusion drawn in relation to the impacts on off-site trees. On balance, officers consider the proposal acceptable as it stands.

Conclusion:

42. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework. It is acknowledged that, as result of the development, there is likely to be some adverse impact upon, and a subsequent loss of, garden trees within neighbouring properties, as well as there being a deficiency of parking provision when measured against the Suffolk County Council parking standards. However, on balance, as the aforementioned trees are not worthy of protection, and given there are no objections from Suffolk County Council the proposal is not considered to lead to any material harm at such a level that a refusal would be justified.

Recommendation:

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

1. The development hereby permitted shall be begun not later than three 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:

Plan Type	Reference	Received
Location Plan	087-20_S_1000	24 July 2020
Existing Block Plan	087-20_S_1001	24 July 2020
Proposed Block Plan	087-20_P_01 Rev A	01 October 2020
Proposed Floor Plans	087-20_P_02 Rev C	06 October 2020
Proposed Elevations	087-20_P_51 Rev A	01 October 2020
Proposed Elevations	087-20_P_50 Rev C	06 October 2020

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

3. The use shall not commence until the area within the site shown on Drawing No. 087-20/P/01 Rev A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area 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.

4. The extension/annex hereby permitted shall be occupied only in conjunction with and for purposes ancillary to the residential use of the existing dwelling known as 31 Acacia Avenue to which it is associated and together they shall form a single dwelling house.

Reason: To enable the Local Planning Authority to regulate and control the development, in accordance with policy DM24 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 5 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

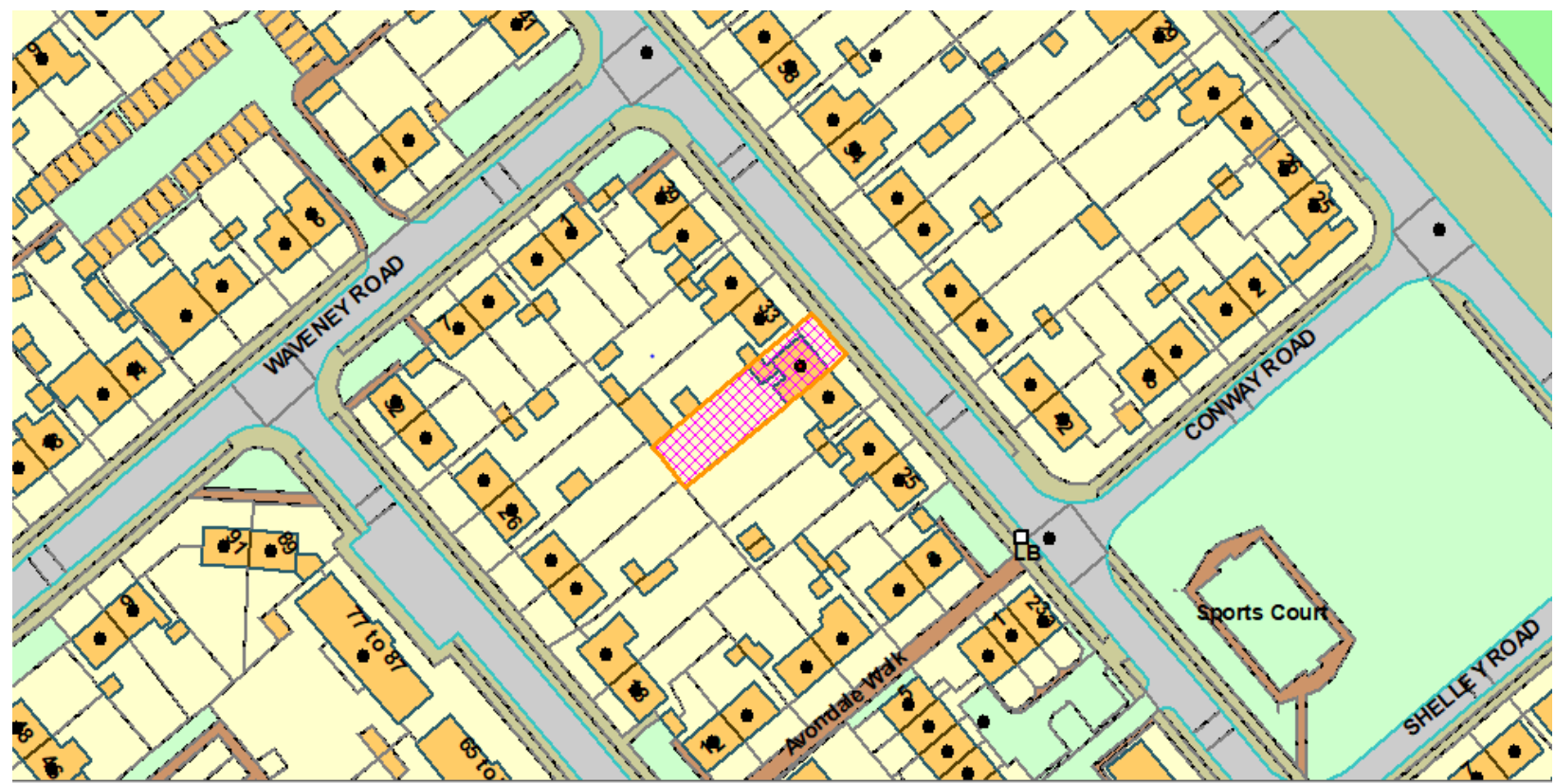
All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/1222/HH](#)

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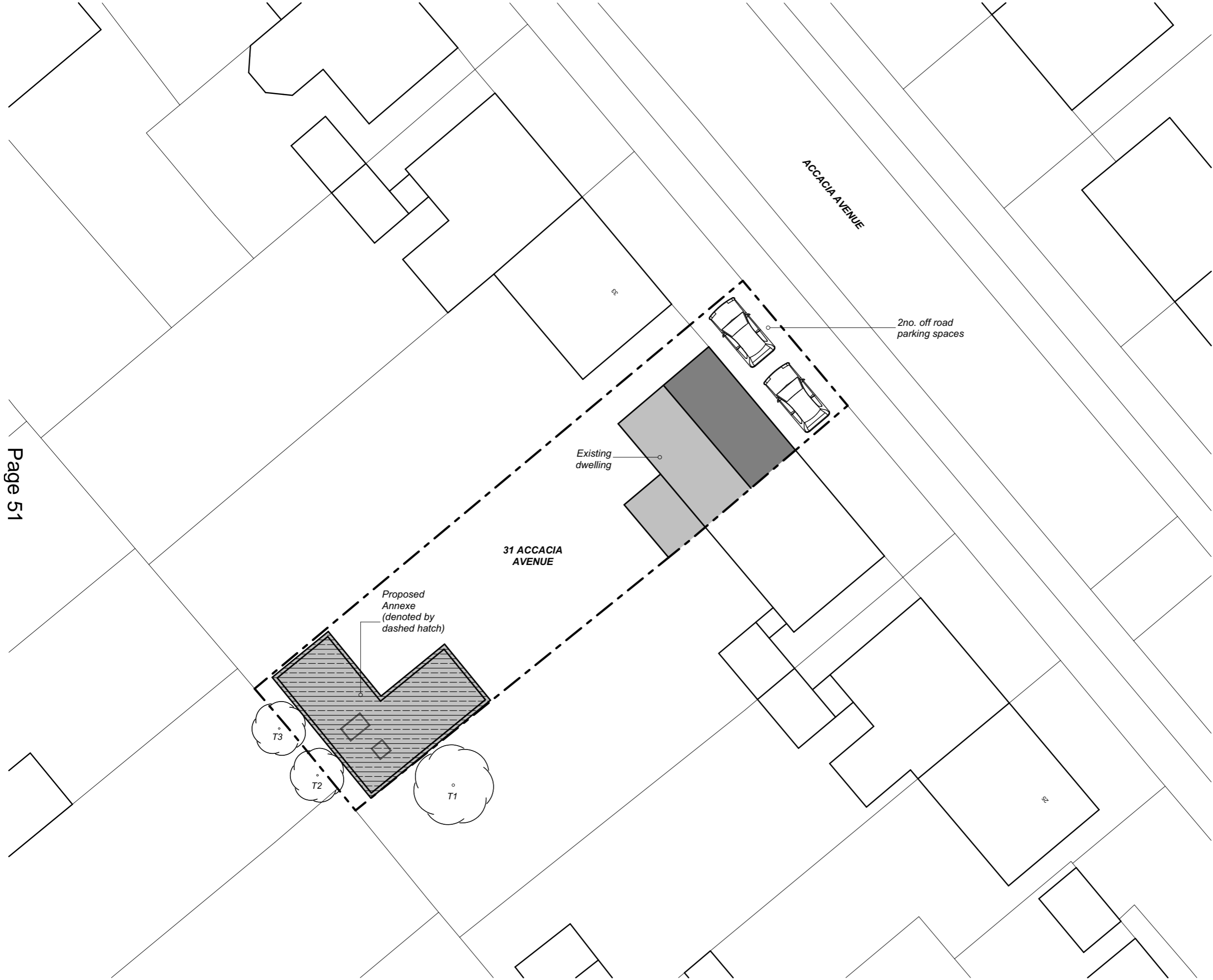
DC/20/1222/HH
31 Acacia Avenue Bury St Edmunds



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Notes

B	01/10/20	Footprint of building moved back to original location following correction with tree T1 position.
A	29/09/20	Footprint of building moved outside of root protection area of tree T1, T2, T3.

Revisions



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Client:

Mrs Cooper

Job Title:

New Annexe

Address:

31 Accacia Avenue,
Bury St. Edmunds, Suffolk.
IP32 6HN.

Drawing Name:

Proposed Site Plan

Drawing Status:

PLANNING

Drawn by:

SL

Date:

01/10/20

Checked by:

Date:

Drawing Scale:

1:200 @ A3

Layout ID:

087-20/P/01

Revision:

B

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Development Control Committee 18 November 2020

Planning Application DC/20/1063/HH – 60 The Street, Barton Mills

Date registered:	8 July 2020	Expiry date:	2 September 2020 EOT 20 November 2020
Case officer:	Alice Maguire	Recommendation:	Refuse application
Parish:	Barton Mills	Ward:	Manor
Proposal:	Householder Planning Application - (i) Garage (ii) vehicular driveway improvements		
Site:	60 The Street, Barton Mills, IP28 6AA		
Applicant:	Les Belsberg		

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:

Alice Maguire

Email: alice.maguire@westsuffolk.gov.uk

Telephone: 07904 389982

Background:

This application is presented to the Development Control Committee following consideration at the Delegation Panel on the 20 October 2020.

It was presented to the Delegation Panel due to the support from the Parish Council. The application is recommended for REFUSAL.

Proposal:

1. Planning permission is sought for one detached garage and vehicular driveway. The proposed garage is two bay, and measures 6.500 metres in depth, 13.400 metres in length, with a height to the eaves of 3.300 metres and an overall height of 5.800 metres. There is an existing access and driveway into the site, which is proposed to be resurfaced.
2. The proposed garage will be within the residential curtilage of No. 60, The Street, Barton Mills. It will be located in close proximity to the western boundary of the site in front of the existing dwelling. It will be set back approximately 14 metres from the front boundary and highway.
3. Amended plans were provided by the agent on 10 September 2020, showing amended elevations, floor plans and a block plan. They were submitted to show the reduction in height of the garage, following concern raised by officers. The height was reduced from 6.600 metres, to 5.800 metres, representing a reduction of 0.800 metres in height.

Application supporting material:

4.
 - Location Plan
 - Covering Letter
 - Application Form
 - Design and Access Statement
 - Existing Elevations
 - Proposed Garage Plans

Site details:

5. The application site comprises of a detached, modern infill property located within the Barton Mills settlement boundary. Access is achieved to the site from The Street. The property is also located centrally within the Conservation Area.

Planning history:

6.

Reference	Proposal	Status	Decision date
F/2012/0245/HOU	Erection of detached double garage with Media Room/Gym over	Refuse	4 October 2012
F/88/228	Two storey side extension	Approve with Conditions	17 May 1988

Representations:**Parish Council:**

20.07.2020:

7. "Barton Mills Parish Council support the application DC/20/1063/HH at 60 The Street, Barton Mills".

Ward Member:

8. Councillor Brian Harvey requested that the application was referred to Development Control Committee at Delegation Panel on 20 October 2020.

Conservation Officer:

9. Comments received 28:08:2020:

"60 The Street is located with the heart of Barton Mills conservation area, where low density and dominance of the landscape is a key characteristic. Whilst the application site is clearly a modern infill it sits on a generous plot and alongside its immediate neighbours is set back from the road providing a large open front garden, the open and spacious nature of which, can be glimpsed and appreciated from the public realm. 60 The Street, together with its immediate neighbours either side, largely consumes the width of the plot. Garaging is typically integral and to the side, either aligned with the front elevation or in a slightly forward position. Garaging forward of the front elevation typically diminishes in scale with the level of projection beyond the principal elevation being relatively minor. Consequently, the open spacious character of 60 The Street as seen with its immediate neighbours remains uninterrupted by significant development. No 60 The street is a two storey modern house with an integral garage to east stepping down to single storey to the west. This reduction in scale helps to reduce any adverse effects on the open spacious character when consuming the width of the plot. It is understood the existing garage has been converted to a large plant room and the proposed garage is to replace the provision lost. The proposed garage is located forward of the principal elevation, and due to its bulky form will largely obscure and dominate the single storey structure behind. This together with its prominent location forward of the principal elevation will compromise the otherwise uninterrupted spacious character of the large front gardens enjoyed by 60 The Street and its immediate neighbours affording undue prominence to an ancillary structure forward of the principal elevation. The scale height and massing of the building in a prominent location forward of the principal elevation of the host dwelling will allow undue prominence to an ancillary structure whilst compromising the open spacious character of this particular part of the conservation area, failing to either preserve or enhance the character or appearance of the conservation area. Whilst I appreciate there may be examples of garages located forward of the principal elevation I do not believe they are comparable to this proposal, due to the constraints of this particular site, its relationship with the host dwelling and the overly bulky form".

10. Comments received 16:09:2020:

"I do not believe the proposed amendments address my concerns raised due to prominent location forward of the principal elevation and the continued undue prominence of an ancillary structure compromising the open spacious character of this particular part of the conservation area".

Neighbour representations

11. One representation was made from a neighbouring resident, at 25 The Street. Their comments are below:

'All houses from 56-66 The Street, Barton Mills are set back from the road providing for the eye-catching, easy flow of an area appreciated by the public. All of the above houses have uninterrupted developments and lend a sense of calm and spaciousness to those passing by. The proposed plan would be an eye-sore and would restrict light in the area bordering and in 56 The Street. The Street does not need a bulky addition spoiling the even low of neighbouring homes and gardens in such a lovely, peaceful area of Barton Mills.'

Policy:

12. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved Forest Heath District Council.

13. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM17 Conservation Areas
- Policy DM24 Alterations or Extensions to Dwellings, including Self Contained Annexes and Development within the Curtilage.
- Policy DM46 Parking Standards
- Core Strategy Policy CS5 – Design and Local Distinctiveness

Other planning policy:

14. National Planning Policy Framework (NPPF)

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 2019 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

15. The issues to be considered in the determination of the application are:
- Principle of development
 - Impact on the street scene / Conservation Area
 - Impact on neighbour amenity
 - Design and form
 - Parking and access

Principle of development

16. The obligation set out in section 38(6) of the Planning & Compulsory Purchase Act 2004 requires decision makers to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise. The Framework does not displace this statutory duty and in fact seeks to re-enforce it. However, the policies in the Framework are themselves material considerations which need to be brought into account when determining planning applications. The Framework policies may support a decision in line with the Development Plan or they may provide reasons which 'indicate otherwise'.

17. The proposal seeks approval for the construction of a detached garage, and resurfacing of the existing vehicular driveway. Policy DM24 states that within settlement boundaries, planning permission for the alteration or extension to dwellings, including annexes and development within the curtilage, will be permitted subject to certain criteria. This states that proposals should respect the character, design and scale of the existing dwelling and immediate and wider area, should not result in over-development of the curtilage and should not adversely affect the residential amenity of occupants of nearby properties.

18. The principle of development is therefore acceptable, subject to compliance with DM2, DM24 and, given the site is within the conservation Area, DM17. These matters will be assessed in more detail below.

Impact on the street scene / Conservation Area

19. Policy DM2 states that proposals for all development should recognise and address the key features and character of the areas within which they are to be based. It also states that they should maintain or create a sense of place, preserve or enhance the setting of Conservation Areas and not involve the loss of gardens and important open, green or landscaped areas which make a significant contribution to the character and appearance of a settlement.

20. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the

desirability of preserving or enhancing the character or appearance of a conservation area.

21. Policy DM17 states that proposals for all development within Conservation Areas should preserve or enhance the character or appearance of the area, be of an appropriate scale, form, height and massing, which respects the area's character and setting, retaining important natural features such as open spaces and plot divisions, and demonstrate a clear understanding of the significance of the area.
22. Given the location of the proposed garage, forward of the principal elevation of No. 60, views of the development will be visually prominent from both the street scene and wider Conservation Area.
23. The site is located centrally within the Conservation Area, and No. 60 itself is a generous modern infill dwelling within the street scene. The character of this area comprises of large, open frontage plots which are of low density and have a verdant and open character which contributes towards its special character. Within the Barton Mills Conservation Area Appraisal (2008), it is noted that some of the key characteristics of the conservation area include the low density, attractive variation in space between buildings, and the important green spaces. It also refers to the infilling of plots during the 20th century, which would include the plot at No. 60. It states that these plots are mainly at a low density, so that the landscape features dominate, so much that the character is still rural and not suburban.
24. The proposed garage is considered to interrupt the open character of this area, given its prominent position and overall scale. The bulky form of the garage is considered to largely obscure and dominate the single storey element of the host dwelling behind. This, together with its prominent location forward of the principal elevation will compromise the otherwise uninterrupted spacious character of the large front gardens enjoyed by 60 The Street and its immediate neighbours, affording undue prominence to an ancillary structure forward of the principal elevation. The overall scale, height and massing of the structure is not considered to maintain or create a sense of place and consequently will not preserve or enhance the character or appearance of the conservation area.
25. It is acknowledged that there are some other examples within the street scene of garages to the front of properties, such as at No. 68. It is however considered that the other examples are not comparable in their scale, nor location, given that the properties from No's. 58-66 are set back further from the highway with a more open, spacious character.
26. An application for a single storey detached garage at No. 60 was considered and refused at Development Control Committee on 4 October 2012 (F/2012/0245/HOU) This application is comparable in its position within the plot, and its scale and form. This application proposed a garage which would have a height to the ridge of 5.7m, depth of 6.5m and width of 13.6m. The development was also proposed to be located in the front garden of the property, approx. 15m from the front boundary. This application was refused on the grounds that the bulk and massing of the proposed garage was of an excessive scale in relation to the dwellinghouse, and that it dominates a prominent location within the site,

out of keeping with the character of the existing dwelling. It was also refused on the basis that the design and character failed to take into account its conservation area setting, and the design, bulk and mass of the proposed building detracted from the appearance of the conservation area.

27. Given the comparable location, design and form of the proposed garage to the previously refused application, it is considered that these reasons for refusal are still relevant. The policy context has since been updated, however the issues set out here still remain and are relevant to the consideration of this application.

28. It is considered on this basis, that the proposed garage does not accord with policies DM2 and DM17.

Impact on neighbouring amenity

29. Policy DM2 seeks to ensure that new development does not have a detrimental impact on residential amenity.

30. The proposed garage will be located to the western side of the plot, and as such, No. 58 would be most adversely impacted. The proposed garage is located close to the boundary, to the north west of No. 58 so will not cause overshadowing and given that this is adjacent to the front of the neighbouring property and is an area that is used as vehicular parking space and not private garden space, it is not considered that any adverse detrimental impacts to the residential amenity of No. 58 will arise.

31. The proposal is therefore considered to accord with Policy DM2, in relation to neighbouring amenity.

Design and form

32. Policies DM2 of the Joint Development Management Policies Document and CS5 of the Core Strategy seek to ensure that developments produce designs that respect the scale, character, density and massing of the locality.

33. Policy DM24 states that proposals for development within settlement boundaries will be permitted where they respect the character, scale and design of existing dwellings, and the character and appearance of the immediate and surrounding area.

34. The proposed garage is for two large cars, with space for additional storage. It is considered to be of an excessive scale, measuring 13.400 metres in length, with an overall height of 5.800 metres. The Suffolk guidance for parking document (2019) states that a car port or garage access or door width should be a minimum width of 2.400 metres. This highlights that the length of 13.400 metres for a two bay garage is significantly larger than would otherwise be required for such a structure.

35. The plans with the original submission of the application (dated 08.07.2020) proposed a garage with a higher ridge, largely obscuring and dominating the single storey element of the existing house behind. Amended plans were received on 10.09.2020, whereby the height was

reduced from 6.600 metres to 5.800 metres, and the overall footprint of the garage remained the same. These changes are not considered to overcome the bulky scale and form of the garage, and its prominent location to the front of the property. The garage is not considered to respect the scale or character of the immediate or wider area.

36.The proposal is therefore considered to be contrary to Policies DM24, DM2 and CS5, with respect to its design and form.

Parking and Access

37.Policies DM2 and DM46 both state that proposals for all development should produce designs that are in accordance with standards, that maintain or enhance the safety of the highway network and provide appropriately designed and sited car parking.

38.This application seeks improvements to the vehicular driveway, and a double garage. There is an existing access to the site. There is an existing integral garage at the property, however it is believed that this has been converted into a plant room. There is currently sufficient parking on the vehicular driveway, and the proposal will create two additional parking spaces. In conclusion, the proposal meets the parking standards set out by Suffolk Highways and is considered to be in accordance with Policies DM2 and DM46, in relation to parking and access.

Conclusion:

39.In conclusion, policy DM2 permits development that recognises the key features and characteristics, maintains or creates a sense of place, preserves or enhances the setting of Conservation Areas, and does not involve the loss of important open, green or landscaped areas. Policy DM24 allows development within settlement boundaries, where it respects the character, scale and design of existing dwellings, and the character and appearance of the immediate and surrounding area. Policy DM17 also seeks ensure that development within conservation areas preserves or enhances the character and appearance of the area, to be of an appropriate scale, form, height and massing, and to retain important open spaces and demonstrate a clear understanding of the significance of the area. It is not considered that the proposed garage complies with the provisions of Policies DM2, DM24 and DM17, given that it is of a large scale and form that results in the loss of open views within this part of conservation area, this is to the detriment of the character and appearance of the conservation area.

40.As the proposal is contrary to the relevant policies within the development plan and core strategy, as well as the provisions of the National Planning Policy Framework (2019) as set out above, the recommendation is one of refusal.

Recommendation:

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

1. The pattern of development in this particular part of the conservation area

comprises of large, detached properties that are set back from the highway with large front gardens which offer a sense of openness. This spaciousness is considered to contribute to the special character and appearance of the area. The proposed garage is considered to be a large, bulky and visually prominent addition that will compromise the open character of this part of the conservation area. The proposed garage is considered to be in material conflict with policy CS5 of the Core Strategy, policies DM2, DM17 and DM24 of the Joint Development Management Policies Document, and the advice contained within the National Planning Policy Framework which seeks to ensure that new development within conservation areas makes a positive contribution to the character and appearance of the area, by either preserving or enhancing its setting.

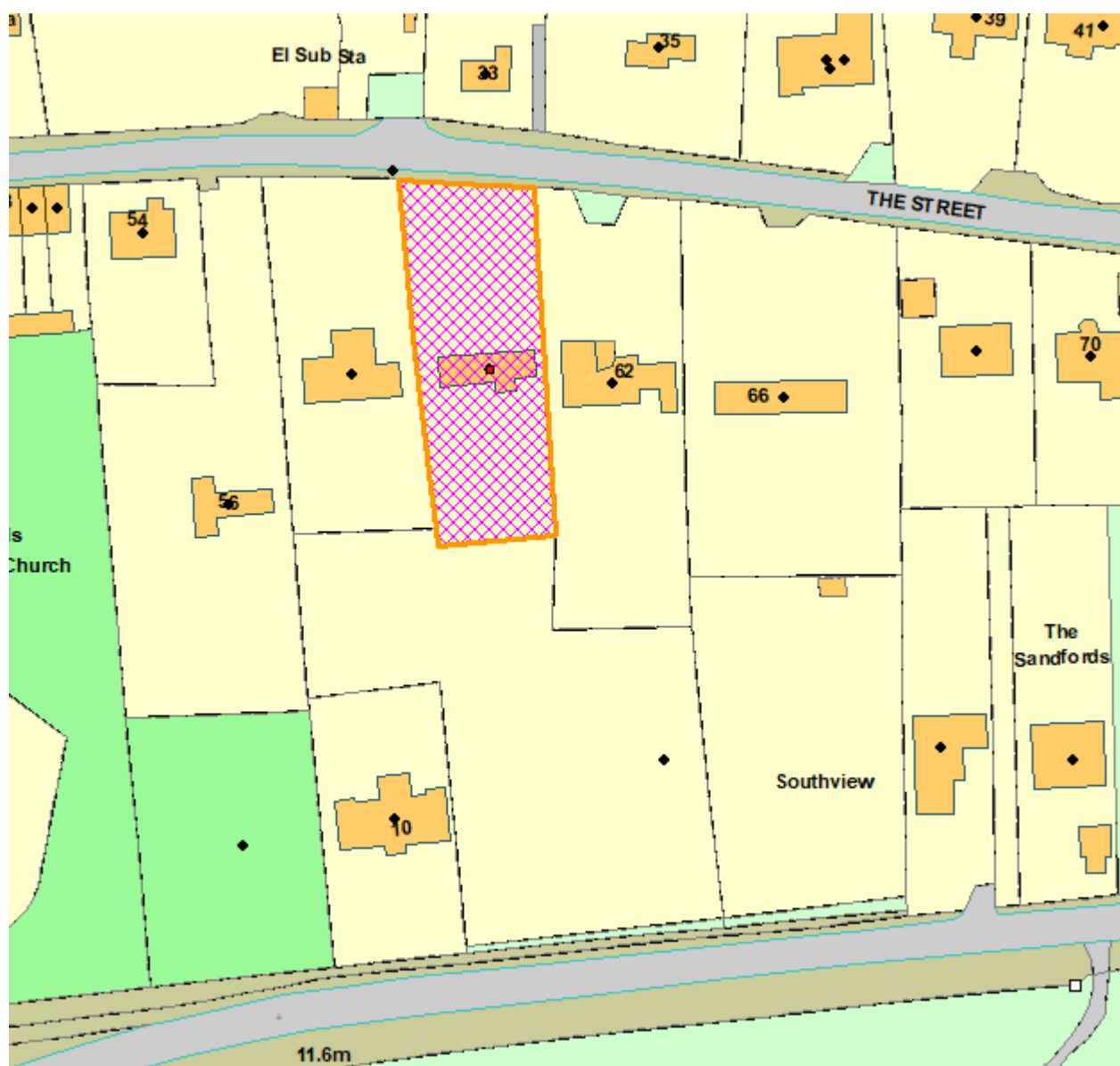
Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/1063/HH](https://www.dorsetcouncil.gov.uk/online-applications/DC/20/1063/HH)

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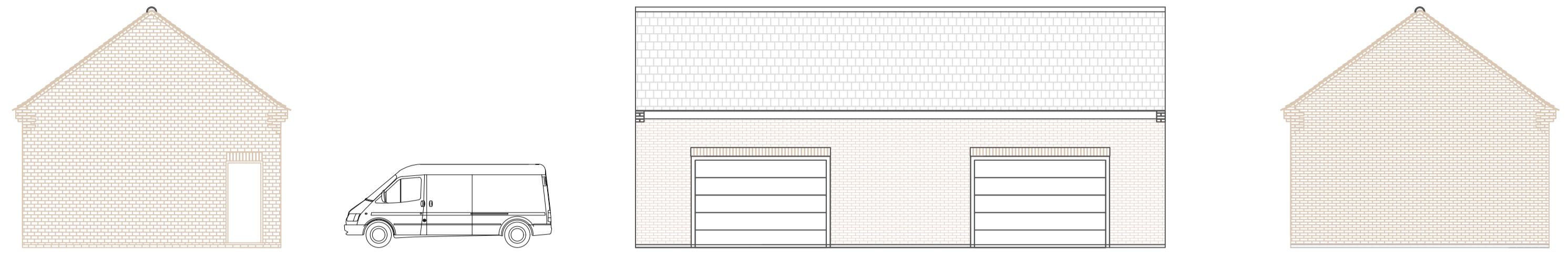
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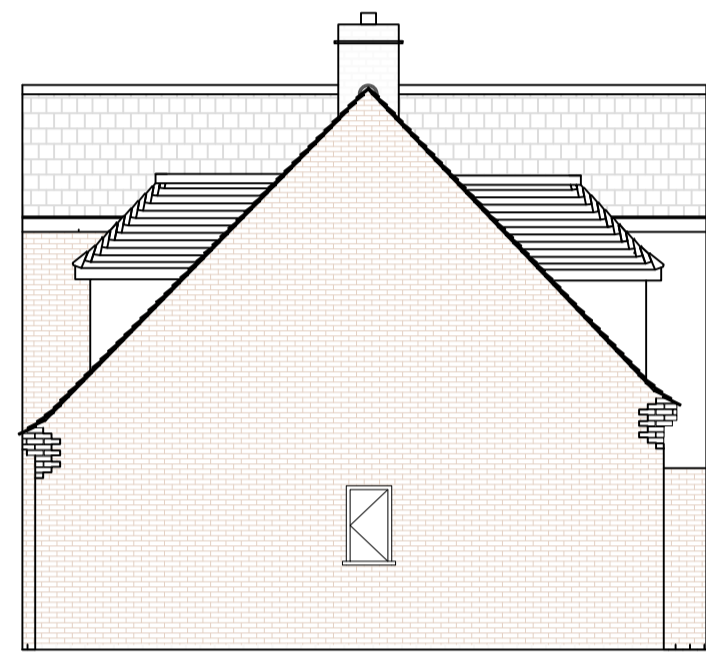
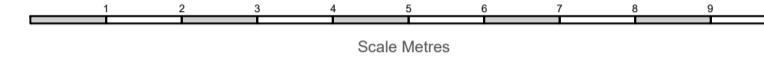
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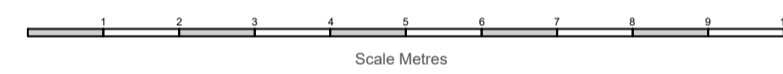
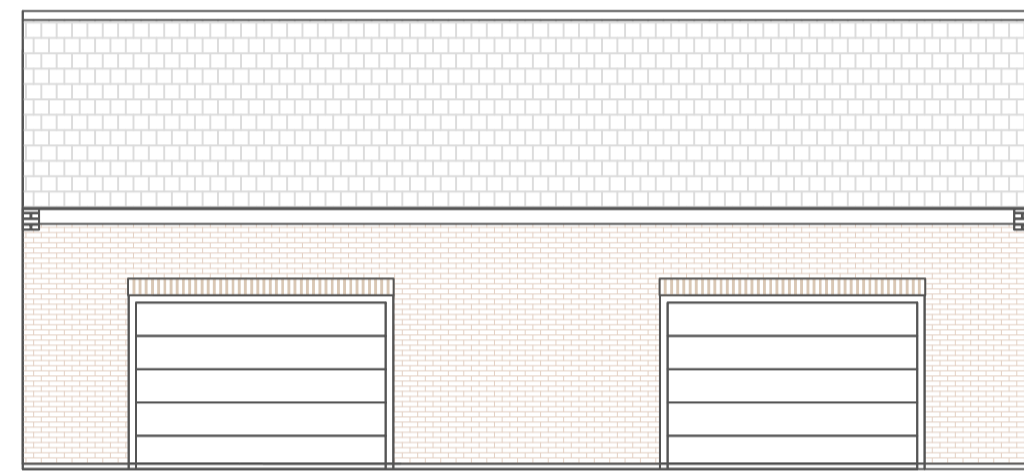
Proposed Front Elevation 1-100



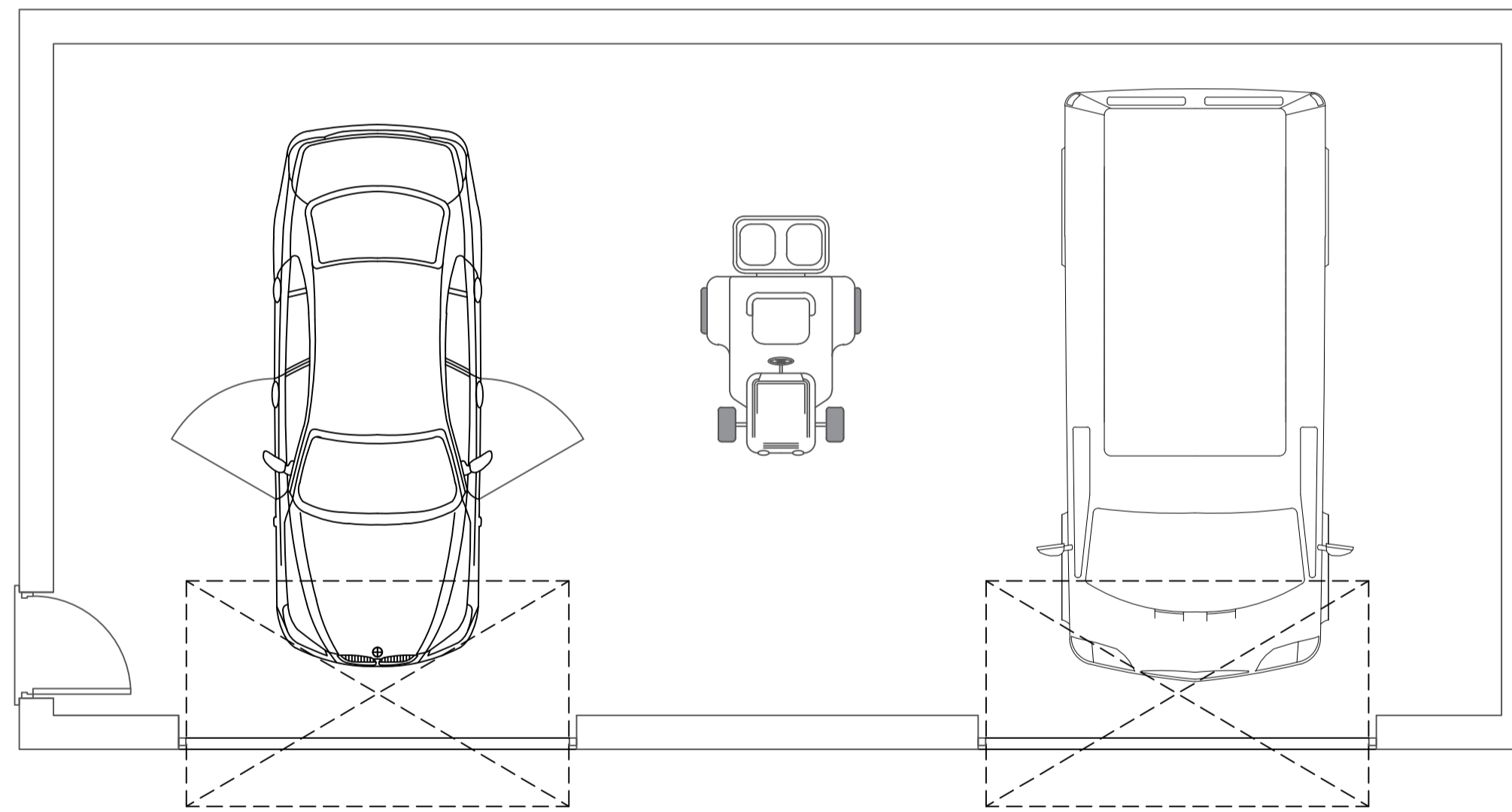
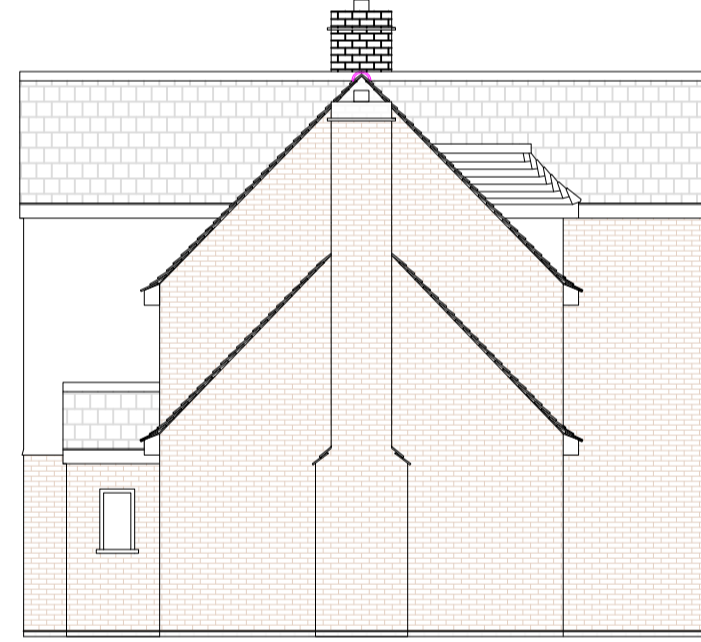
Garage Elevations 1-100



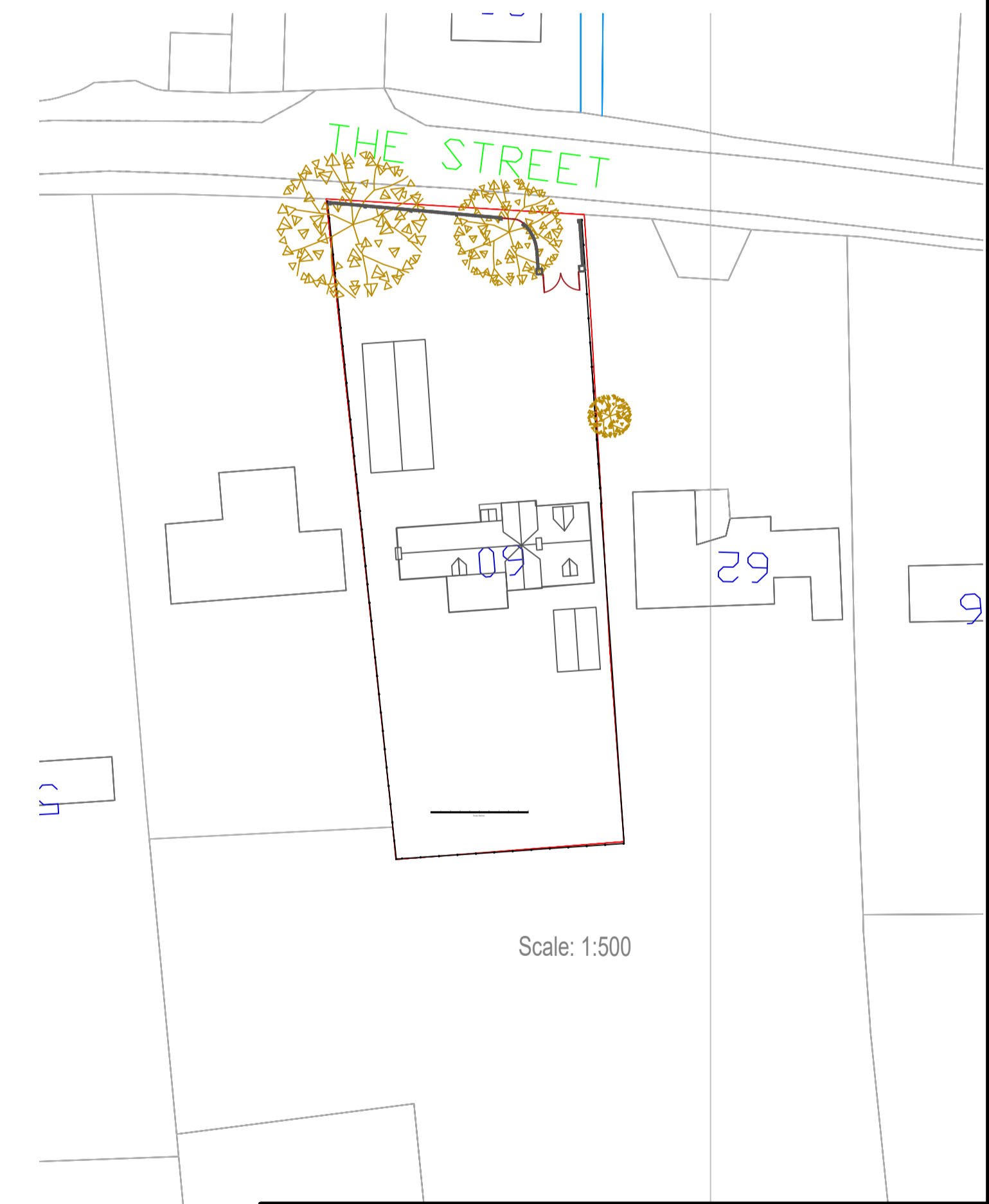
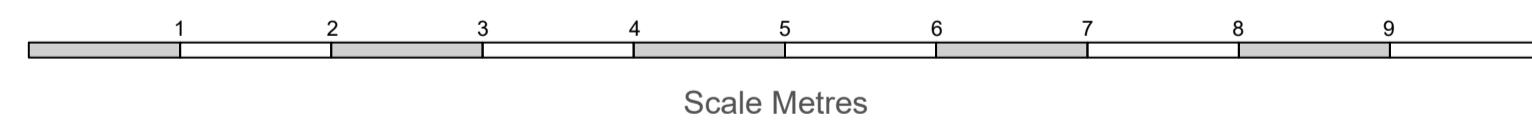
Proposed Side Elevation 1-100



Proposed Side Elevation 1-100



Proposed Garage Layout 1-50



Scale: 1:500



These drawings are for DESIGN purposes only. 2TDB are not liable for unforeseen problems in build. Please DO NOT Scale this drawing, dimensions must be checked on site before building works commence & any discrepancies reported.

Christina Case, Burton Mills, Suffolk, IP28 6AF

Proposed Layout & Elevations

60 The Street Barton Mills IP28 6AA

Mr Les Belsberg

No:	Revision:	Date:	Date:
			10/09/2020
			Scale: 1:50/1:100/1:500
			Drawn By: KK
			Drawing No: 041
			Paper Size: A1

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Development Control Committee 18 November 2020

Planning Application DC/20/1074/OUT – Proposed Dwelling, 9 Glebe Close, Ingham

Date registered:	14 July 2020	Expiry date:	4 December 2020
Case officer:	Nicholas Yager	Recommendation:	Approve application
Parish:	Ingham	Ward:	Risby
Proposal:	Outline Planning Application (all matters reserved) - 1no. dwelling (previous application DC/19/1273/OUT)		
Site:	Proposed Dwelling, 9 Glebe Close, Ingham		
Applicant:	Ms Mairead Geaney		

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:

Nick Yager

Email: Nicholas.Yager@westsuffolk.gov.uk

Telephone: 07415 271989

Background:

This application is presented to the Development Control Committee following consideration at the Delegation Panel on 3 November 2020.

It was presented to the Delegation Panel due to the objection from Ingham Parish Council and following a call in from the Ward Member, Councillor Susan Glossop.

Proposal:

1. Planning permission is sought for an outline planning application with all matter reserved for 1no. dwelling.
2. This application is a resubmission of DC/19/1273/OUT which was refused under delegated powers and then dismissed at appeal under reference number under APP/F3545/W/19/3236562 on the 20 January 2020. This appeal decision is part of the planning history for the site and is an important material consideration in the determination of this current application. The appeal was dismissed on Highway matters only and not in relation to the amenity or character concerns that had been included in the initial application refusal reasons. The Inspector concluded that a safe access could probably be provided but that insufficient information had been provided by the applicant to justify such. Within this current application following further negotiation, amended plans and additional information has been submitted and the highway authority have now confirmed no objection subject to conditions.
3. Noting the recent appeal decision and that this was dismissed only on Highway grounds, and noting that such matters have now been resolved to the satisfaction of Suffolk County Council, the recommendation is now one of approval.

Application supporting material:

- Application Form
- Planning Statement
- Covering Email
- Site Location Plan
- Land Contamination Questionnaire
- Land Contamination Report
- Amended Block Plan

Site details:

4. The application site is located within the amenity space of 9 Glebe Close located to the east of the host dwelling with it sharing boundaries to other neighbouring residential amenity space. The application site is located within the settlement boundary of Ingham. The application site is not located within a conservation area nor are there any listed building immediately adjacent to or within the vicinity of the site. There are no Tree Preservation Orders on or near the application site.

Planning History

5. There have been a number of applications on this site for a proposed dwelling

Application Reference number	Proposal	Decision	Reasons
DC/14/2247/FUL	2no. detached bungalows including ancillary works (following demolition of sheds and garage).	Withdrawn	
DC/15/0753/FUL	Proposed new 3no. bedroom bungalow	Refusal	Impacts upon character/ back land development Impact on residential amenity
DC/15/1588/FUL	New dwelling access and garage	Refusal	Impacts upon character/ back land development Impact on residential amenity
DC/19/1273/OUT	All matters reserved 1no. dwelling	Refusal	Impacts on character/ backland development Impacts on residential amenity Highway Matters relating to access
Appeal on DC/19/1273/OUT under APP/F3545/W/19/3236562	All matters reserved 1no. dwelling	Dismissed	Dismissed on Highway Matters only.

Consultations:

Environmental Team

6. The Environmental Team commented on the application stating that based on the submitted information for the above site, this Service is satisfied that the risk from contaminated land is low. The environmental team offered the following notes - If during development, contamination is encountered which has not previously been identified then it would be in the best interest of the developer to contact the Local Planning Authority as soon as possible, as they should be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. Failure to do so may result in the Local Authority taking appropriate action under its obligations of Part 2A of the Environmental Protection Act 1990.

7. The Environmental Team suggested that a condition for the provision of electric vehicle charge points should also be attached to any permission granted.

Parish Council

8. Ingham Parish Council commented objecting to the application for the reasons summarised below;
 - The access is too narrow for a vehicle to enter.
 - Increased number of vehicles which would lead the residents with lack of turning or space for visitors.
 - The proposed dwelling is not in keeping with the surrounding locality.
 - Impact on disturbance to neighbours by virtue of noise as cars will pass very close to no.9 and 10.
 - Proposed dwelling would lead to overlooking effects on neighbouring gardens.
 - Drainage problems with the new proposed dwelling.

Ward Member

9. Comments from Cllr Susan Glossop
10. I would like to attend the delegation panel as this site has a long history and I must admit it is very cramped.

Highway Authority

28/07/2020

11. 'The County Council, as Highway Authority, note the Planning Authority's refusal and subsequent appeal determination of the earlier, similar application at this site, DC/19/1273/OUT. The current application has modified the extent of the red line area but plans do not evidence the intended parking layout for the proposed dwelling and clarification about how parking for the donor dwelling will be accommodated or how access to the highway may be affected. The application form does not indicate the number of bedrooms for the proposal which prevents us from stating what the Suffolk Guidance for Parking requirement would be. The Highway Authority recommends that information about the parking offer and any alterations to the extent of the dropped kerb should be provided to ascertain the impact on the highway. Future parking arrangements are significant because of the location of the proposal in the cul-de-sacs turning head. Until clarification of these issues is provided the Highway Authority must recommend refusal of the current application.'

07/10/2020

12. 'Further to our letter dated 28 July 2020. We have reviewed the Amended Block Plan and note the indication of car parking for the donor dwelling.
13. The applicant has applied for a dropped kerb across the frontage and consent has been granted by Suffolk Highways Dropped Kerb Team.

14. Therefore, confirmed no objection subject to the conditions of vehicular access, parking and manoeuvring and cycle storage.'

Public Health and Housing

15. Confirmed they support the application subject to the condition of site construction hours and no burning of waste of site.

Fire and Rescue Service

16. Access to the building must meet with the requirements of the Building Regulations. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes. No additional water supply for firefighting purposes is required. Recommend that proper consideration be given to the provision of a fire sprinkler system and consultation should be made with Water Authorities to determine flow rates in all cases.

Anglia Water

17. Thank you for your consultation. Having reviewed the development, it falls under our minimum threshold for assessment. We therefore have no comments.

Representations:

18. Third party comments were received from the following;

- 4 Glebe Close
- 10 Glebe Close
- 11 Glebe Close
- 8 Glebe Close
- 15 Glebe Close

19. Comments received from the neighbouring residents are summarised below;

- Nothing has change in the property's location which mitigates any of the points from the previous three refusals.
- Parking, Traffic and Access issues
- Drains and Sewage Capacity
- Overlooking and adverse effects upon neighbouring amenity

Policy:

20. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. 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.

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

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM7 Sustainable Design and Construction
- Policy DM11 Protected Species
- 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 Mitigation against Hazards
- Policy DM22 Residential Design
- Policy DM46 Parking Standards
- Core Strategy Policy CS1 - Spatial Strategy
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 – Settlement Hierarchy and Identify
- Policy RV1 Presumption in Favour of Sustainable Development
- Policy RV3 Housing Settlement Boundaries

Other planning policy:

22. National Planning Policy Framework (NPPF).

23. 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 2019 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
- Impact on Character of the Area/ Street Scene
- Impact on Neighbour Amenity
- Ecology Impacts
- Parking and Access
- Other Matters

Principle of Development

25. The obligation set out in section 38(6) of the Planning & Compulsory Purchase Act 2004 requires decision makers to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise. The Framework does not displace this statutory duty and in fact seeks to re-enforce it. However, the policies in the Framework are themselves material considerations which need to be brought into account when determining planning applications. NPPF policies may support a decision in line with the Development Plan or they may provide reasons which 'indicate otherwise'.

26. The proposed dwelling is within the Housing Settlement Boundary of Ingham where the principle of a new dwelling is considered acceptable in accordance with the provisions of CS1 and CS4 of the SEBC Core Strategy. RV3 of the Rural Vision Document further confirms that where applications for dwellings are made within the existing settlement boundaries, support will generally be forthcoming subject to other, relevant, planning considerations. Accordingly, consideration must also be given to other adopted policies and the provisions of the National Planning Policy Framework.

27. Whilst the broad principle of development is therefore considered to be acceptable, the proposed development also needs to be considered against policies DM2 and DM22 of the Development Management Policies Document. DM2 in particular seeks to ensure that proposal for all new development should not result in any adverse impacts on the local character of the area and any adverse impacts to residential amenity.

Impacts on Character of the Area / Street Scene

28. Policy DM2 states that proposals for all development should recognise and address the key features and the character of the areas within which they are to be based. Policy DM22 further states that all residential development proposals should maintain or create a sense of place and/or character by basing design on an analysis of existing buildings and landscape and utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness.

29. As the application is an outline with all matters reserved, matters of appearance, scale, landscaping and layout are not therefore to be considered at this stage. However, it must be assessed whether it is possible that an acceptable scheme could be achieved under any subsequent reserved matters.

30. The Inspector stated in considering the appeal under reference APP/F3545/W/19/3236562 that:

'the established pattern of development within Glebe Close is consistent with individual and paired dwellings mirrored on opposite sides, and Nos 8 and 9 at the end facing back along the street. The appeal site is located primarily out of view from the street, with only limited views of the near end between Nos 9 and 10, although the extent of visibility of any dwelling on the site would depend on scale and layout'.

31. The Inspector considered that development of this site would not amount to harmful backland development in its usual meaning of a new building located wholly to the rear of an existing property. Therefore, noting the planning Inspector's comments it is not considered the proposed development would result in a harmful effect upon the character and appearance of the area, and that a scheme could be advanced as part of the reserved matters submission that provided a dwelling with an acceptable impact upon the character and appearance of the area. Therefore, the application is considered to be in accordance with policy DM2 and policy CS3.

Impacts on Amenity

32. Policy DM2 seeks to ensure that new development does not have a detrimental impact on residential amenity. The Authority previously refused application DC/20/1273/OUT on the basis of the effects upon amenity, and this was a matter that went to the heart of the previous appeal.

33. The application site lies at a right angle to No.9 and alongside the side boundary to No.10 access to the site would be via the existing driveway to No. 9.

34. The appeal Inspector, in considering this point, stated:

'The proposal is for a single dwelling, the scale of which could be controlled through reserved matters. Any increase in vehicular movements, and the disturbance arising thereof, must be considered in the context of the existing residential character of the area. Within this context I consider that the impact of a single dwelling would be modest. Vehicles approaching the properties at the end of the road (Nos 6-11) are already likely to shine headlights onto the front of No 9. The siting of the access to the appeal site is such that no additional disturbance from this or from the noise of cars entering or leaving the appeal site is likely to occur to the occupants of No 10 due to the separation distance and the presence of the garage to that property lying between the house and shared boundary with the appeal site. Any additional noise disturbance to No 9 would be limited to that from a single household. This could be mitigated through control of the scale of development, layout and landscaping at reserved matters stage'.

35. Therefore, noting the planning inspector's comments it is not considered that the development would be harmful to the surrounding residential amenity, and that adequate control on the effects could be placed through

consideration at the reserved matters stage. Therefore, the proposal accords with policies DM2 and DM22.

36. Public Health and Housing commented on the application stating that they support the application subject to the condition of site construction hours in order to protect amenity, which is considered to be reasonable in this instance. Public Health and Housing also commented stating a condition of no burning of waste should be added however, this is covered under different legislation and therefore not considered necessary in this instance.
37. A condition requiring details of boundary treatments to be submitted at the reserved matters stage will be added in order to safeguard the residential amenity of the neighbouring occupiers of property No. 9, in accordance with DM2.

Ecological Impacts

38. Policy DM11 states that development will not be permitted unless suitable and satisfactory measures are in place to reduce the disturbance to protected species and which either maintain the population on site or provide alternative suitable accommodation. Section 40 of the Natural Environment and Rural Communities Act 2006 requires that public authorities (which explicitly include the Local Planning Authority) must have regard to the purpose of conserving biodiversity.
39. Policy DM12 seeks to ensure that, where there are impacts to biodiversity, development appropriately avoids, mitigates or compensates for those impacts. The policy requires that all development proposals promote ecological growth and enhancements.
40. The proposal is located within an existing residential curtilage and does not result in the loss of any valued landscapes, a material conflict with policies DM10, DM11 or DM12 has not been identified. However, the ecological enhancement condition will be added to allow for improvements to the site.

Highway Matters

41. At paragraph 110, the 2019 NPPF provides that applications for planning permission should, where it is possible to do so, enable safe use of the public highways for all stakeholders. The extent to which this is required will of course be dependent upon and commensurate to the scale of development proposed. Policy DM2 requires that development accords with highway standards and maintains or enhances the safety of the highway network. Policy DM46 requires that proposals have regard to the adopted parking standards.
42. The planning inspector under APP/F3545/W/19/3236562 dismissed the appeal on Highway grounds. However, the Inspector stated that the proposal could provide safe and suitable access onto the highway for a single dwelling, as the existing access is used for this purpose. The Inspector also considered that there is enough space within the appeal site to provide parking and turning space for a single dwelling. However, no information was provided before the appeal regarding the arrangements

for vehicular access or off-street parking provision for No 9. The Inspector concluded at that stage that whilst a safe access for the proposed dwelling could be provided, insufficient information had been provided to show that the development proposed would make an acceptable provision for off-street parking for both the host property and existing dwelling. It was for this reason and this reason alone that the previous appeal for a single dwelling in outline terms was dismissed.

43. However, following the resubmission of this application further negotiation has taken place. An amended block plan has been provided showing the proposed access and parking provision for the existing dwelling has been provided. Further, confirmation that a dropped curb application has been approved by SCC was submitted. The Highway Authority stated that the alternative parking spaces for the donor dwelling are to the front, which is to be accessed from a new dropped kerb. This therefore will free up the existing driveway as a dedicated driveway for the proposed dwelling.

44. The Highway Authority has therefore now confirmed a 'no objection' to the application subject to conditions relating to vehicular access, parking and manoeuvring and cycle storage. The Highway Authority added the condition of parking and manoeuvring states that areas shown on the amended block plan for the purposes of manoeuvring and parking have been provided and thereafter that those areas shall be retained and used for no other purposes, this condition ensures there will not be a conflict on the access of the application site and neighbouring property of no. 9.

45. Therefore, the application is now considered to be acceptable from a Highway perspective and in accordance with policies CS3 and DM46.

Other Matters

46. Section 3.4.2 of the Suffolk Guidance for Parking provides that "*Access to charging points should be made available in every residential dwelling.*" Policy DM2(I) 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 (e) provides that '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.' In addition, DM14 of the Joint Development Management Planning Policies Document seeks to ensure that development proposals include measures, where relevant, to limit emissions and reduce pollution. The Environmental Team commented on the application stating that the risk from contaminated land is low. The Environmental Team then recommended some advice notes and that if permission were to be granted then an electric charging condition should be added, which is considered to be reasonable in this instance.

47. 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 relation to water consumption. Therefore, if approval was recommended a condition should be applied 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.

48. Comments have been received from a third party regarding drains and sewage capacity. Comments have been sought from Anglian Water following these matters. Anglian Water commented stating that after reviewing the development, it falls under the minimum threshold for assessment and therefore have no comments to make. Anglian Water have a statutory duty to provide sewerage capacity to meet the needs of any development.
49. Third party/parish comments have been received in relation to the proposal, raising concern that it would lead to unacceptable levels of congestion/parking and also in relation to the suitability of the access. The Highway Authority stated that the alternative parking spaces for the existing dwelling are to the front, which is to be accessed from a new dropped kerb. This therefore should free up the existing driveway as a dedicated driveway for the proposed dwelling. The Inspector stated that the proposal could provide safe and suitable access onto the highway for a single dwelling, as the existing access is used for this purpose. The Inspector also considered that there is enough space within the appeal site to provide parking and turning space for a single dwelling. Following the amended block plan and the confirmation of the dropped curve application the Highway Authority confirmed no objection to the application subject to conditions. Therefore, the application is considered acceptable from a Highway perspective.
50. Third party comments have been received in relation to impacts relating to harm upon the proposal leading to harm upon the neighbouring amenity by increased vehicular access movements leading to disturbance and noise. This has been discussed in the amenity section whereby the Inspector stated the application could be achieved without harm to amenity. As discussed, the weight to be attached to the Inspector's comments is significant.
51. Third party comments received to the proposal leading to overlooking effects. The details of the scale and size of the proposed dwelling can be decided at the reserved matters stage. However, the Inspector concluded that a dwelling could be achieved without harm to neighbouring amenity, and this is a significant material consideration in assessing this present application noting the nature of the proposal is identical.
52. Comments stating that the application site is cramped are noted. However, the planning inspector concluded that the application will not lead to harm upon the character of the area, which is discussed in the character of area and street scene section.

Conclusion:

53. The objections received in relation to this application have been taken into consideration in the matter, and as part of the planning balance. Noting the appeal decision fall-back position which dismissed the application on Highway Matters only due to lack of information and allowed the application on character and amenity reasons. Following negotiations with the Highway Authority and the agent providing an amended block plan and confirmation of a dropped curve the Highway Authority confirmed the application was acceptable. Therefore, officers are now satisfied that the

application has overcome the Highway matters and the application is therefore considered to be acceptable.

54. In summary therefore, 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:

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

1. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:- i) The expiration of three years from the date of this permission; or ii) The expiration of two years from the final approval of the reserved matters; or, In the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. Prior to commencement of development details of the access, appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

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

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

Plan Type	Reference No:	Date on Plan	Date Received
Site Location Plan	SP1	14.07.2020	14.07.2020
Amended Block Plan	SP2	17.08.2020	18.08.2020

Reason: To define the scope and extent of this permission

4. 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.

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

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.

6. Prior to the dwelling hereby permitted being first occupied, the vehicular accesses onto the highway for the proposed dwelling and for the donor dwelling shall both be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.

Reason: To prevent loose material from being brought onto the highway and to secure appropriate improvements to the vehicular access in the interests of highway safety.

7. The use shall not commence until the areas within the site shown on the Amended Block Plan for the purposes of manoeuvring and parking of vehicles have been provided and thereafter that those areas shall be retained and used for no other purposes.

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

8. At the time of submission of the reserve matters application details of the areas to be provided for the cycle storage for the proposed dwelling 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 ensure the provision and long term maintenance of adequate on-site space for secure cycle storage, in accordance with Suffolk Guidance for Parking (2019).

9. No construction site machinery or plant shall be operated, noise works shall be carried out and no construction related deliveries taken at or despatched from the site except between the hours of 0800-1800 Monday

to Friday, 0800-1300 Saturday and not at any time on Sundays or Bank or Public Holidays.

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

10. At the time of submission of the reserve matters application details of western boundary of the site have been submitted to an 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.

11. 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.

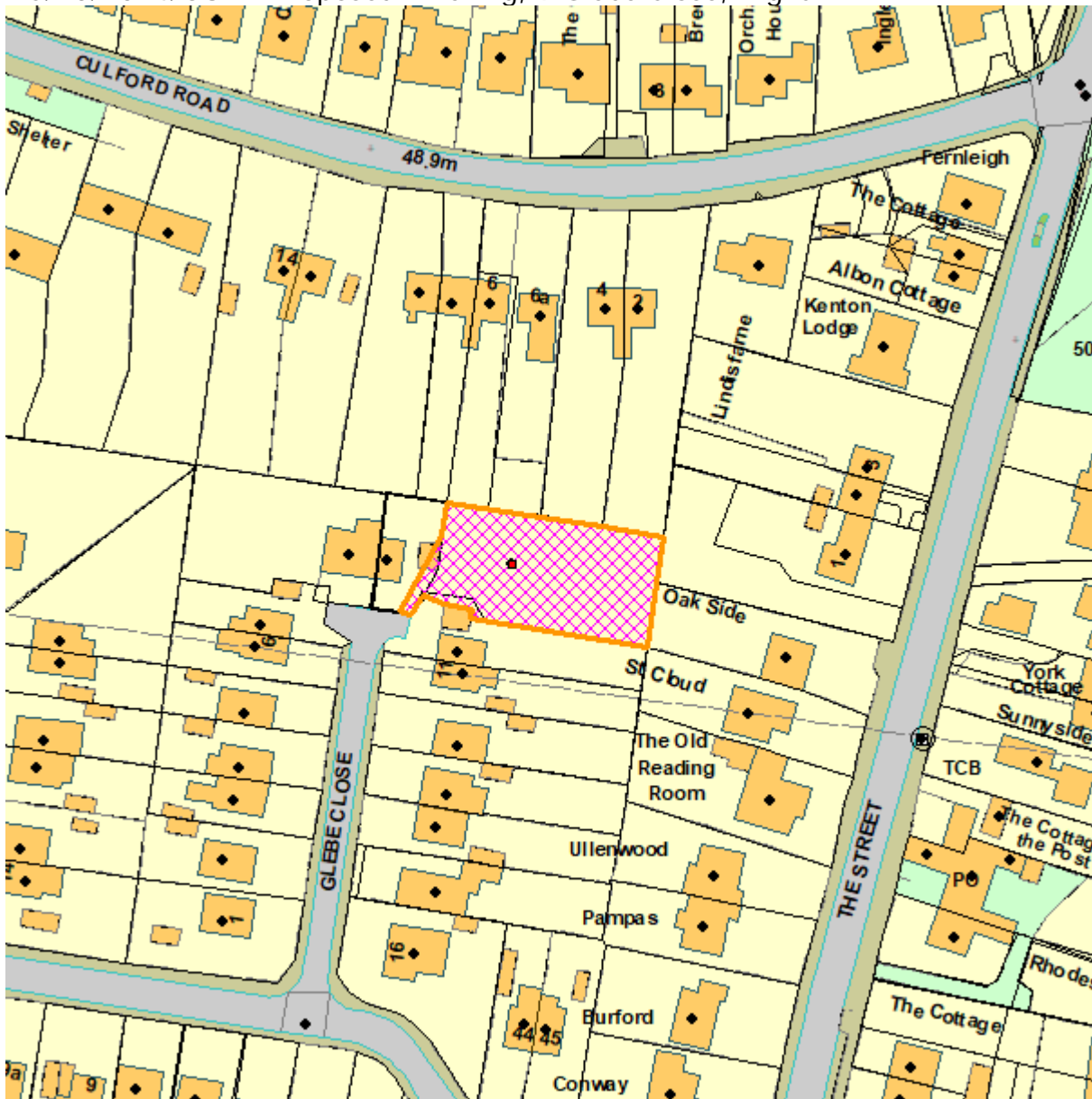
Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online <DC/20/1074/OUT>



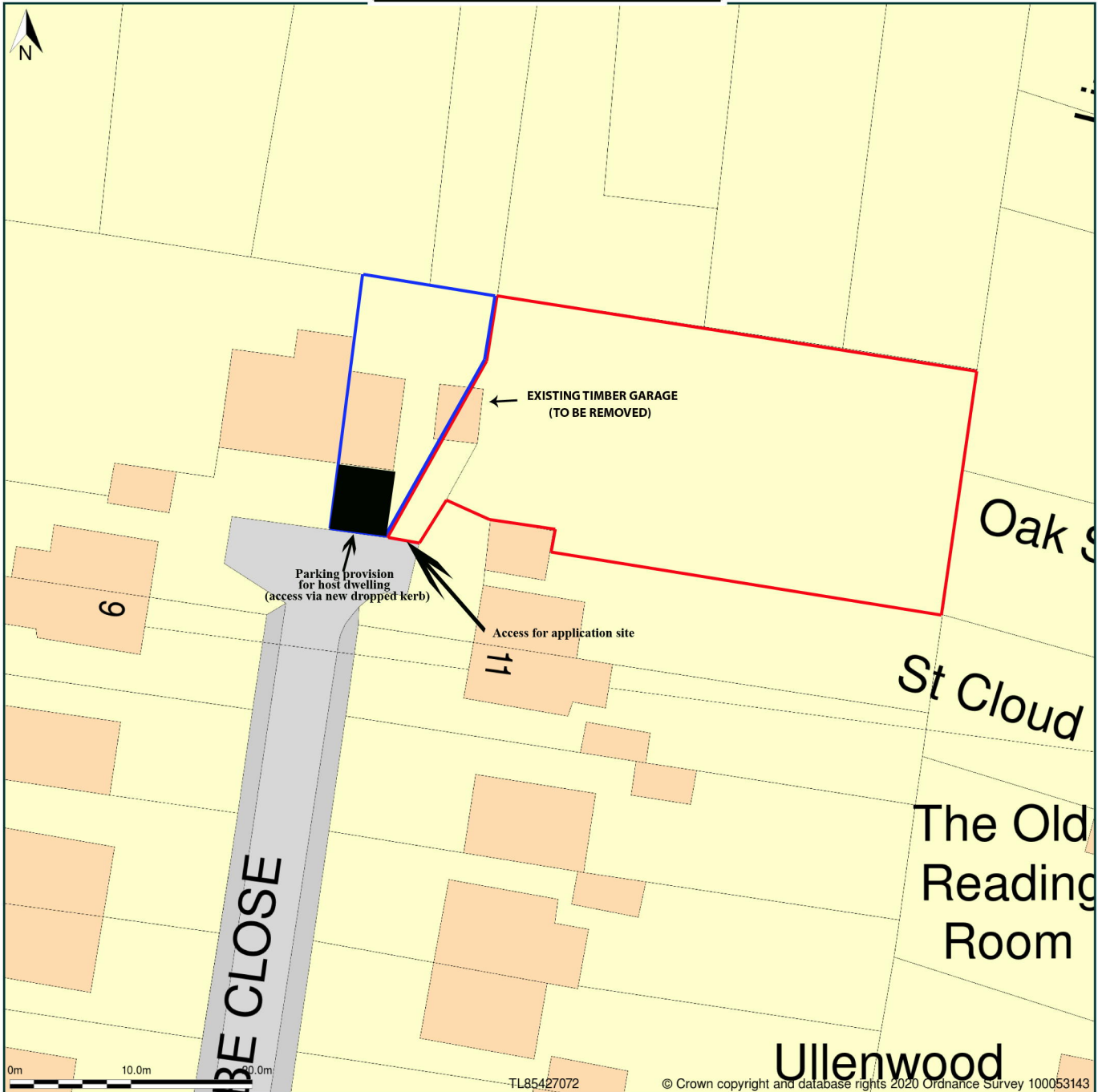
DC/20/1074/OUT – Proposed Dwelling, 9 Glebe Close, Ingham



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**Outline Application (all matters reserved)
for 1no. dwelling and installation of a dropped
kerb at 9, Glebe Close, Ingham, IP31 1NL**
SITE PLAN

Date: 17th August 2020 Scale: 1:500 @A4 Drawing Number: SP2
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Block Plan shows area bounded by: 585383.2, 270680.62 585473.2, 270770.62 (at a scale of 1:500), OSGridRef: TL85427072. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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