

Development Control Committee



Title	Agenda											
Date	Wednesday 7 July 2021 **Please note this meeting will be held in person. The current coronavirus regulations and guidance for ensuring the health and safety is maintained for all persons present will apply**											
Time	10.00am											
Venue	**Please note the venue** The Apex 1 Charter Square Bury Saint Edmunds IP33 3FD											
Full Members	<p style="text-align: center;">Chair Andrew Smith</p> <p style="text-align: center;">Vice Chairs Mike Chester and Jim Thorndyke</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Conservative Group (10)</td> <td style="width: 33%;">Carol Bull Andy Drummond Susan Glossop Ian Houlder</td> <td style="width: 33%;">David Roach Peter Stevens Vacancy</td> </tr> <tr> <td>The Independent Group (5)</td> <td>Richard Alecock John Burns Jason Crooks</td> <td>Roger Dicker David Palmer</td> </tr> <tr> <td>Labour Group (1)</td> <td>David Smith</td> <td></td> </tr> </table>			Conservative Group (10)	Carol Bull Andy Drummond Susan Glossop Ian Houlder	David Roach Peter Stevens Vacancy	The Independent Group (5)	Richard Alecock John Burns Jason Crooks	Roger Dicker David Palmer	Labour Group (1)	David Smith	
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Labour Group (1)	Diane Hind											
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

Venue	The Apex 1 Charter Square Bury Saint Edmunds IP33 3FD
Contact information	Telephone: 01284 763233 Email: democratic.services@westsuffolk.gov.uk Website: www.westsuffolk.gov.uk
Access to agenda and reports before the meeting	The agenda and reports will be available to view at least five clear days before the meeting on our website.
Attendance at meetings	<p>This meeting is being held in person in order to comply with the Local Government Act 1972. At the time of producing this agenda, measures need to be applied to ensure the health and safety for all persons present is maintained. Ordinarily, West Suffolk Council encourages members of the public to attend its meetings but on this occasion, to comply with guidance, the public should only attend if it is necessary for them to do so. We will also be required to restrict the number of members of the public able to attend in accordance with the room capacity. If you consider it is necessary for you to attend, please let Democratic Services know in advance of the meeting so they can endeavour to accommodate you and advise you of the necessary health and safety precautions.</p> <p>Directions to the venue, including a map and location plan, are shown via the separate link on the agenda's webpage for this meeting.</p> <p>For further information about the venue, please visit https://www.theapex.co.uk/your-visit/</p> <p>The Council will endeavour to livestream this meeting and where this is possible, will provide links to the livestream on its website.</p>
Public participation	Members of the public have the right to speak at the Development Control Committee, subject to certain restrictions. Further information is available via the separate link on the agenda's webpage for this meeting.
Accessibility	If you have any difficulties in accessing the meeting, the agenda and accompanying reports, including for reasons of a disability or a protected characteristic, please contact Democratic Services at the earliest opportunity using the contact details provided above in order that we may assist you.

Recording of meetings	<p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.</p>
Personal information	<p>Any personal information processed by West Suffolk Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.</p>

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 via the separate link on the agenda's webpage for this meeting

Development Control Committee

Decision making protocol

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

Decision Making Protocol

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

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.

- Where a recommendation is to be altered as the result of consultation or negotiation:
 - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.

- Where a Member wishes to alter a recommendation:
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
 - Members can choose to;
 - delegate the detailed wording and reason to the Director (Planning and Growth);

- delegate the detailed wording and reason to the Director (Planning and Growth) 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 Director (Planning and Growth) and the Director (HR, Governance and Regulatory) (or Officers attending Committee on their behalf);
 - A final decision on the application will be deferred to allow associated risks to be clarified and conditions/refusal reasons to be properly drafted.
 - An additional officer report will be prepared and presented to the next Development Control Committee detailing the likely policy, financial and reputational etc risks resultant from overturning a recommendation, and also setting out the likely conditions (with reasons) or refusal reasons. This report should follow the Council's standard risk assessment practice and content.
 - In making a decision to overturn a recommendation, Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
- In all other cases, where Development Control Committee wishes to overturn a recommendation:
 - Members will clearly state the material planning reason(s) why an alternative decision is being made, and which will be minuted for clarity.
 - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/altered, together with the material planning basis for that change.
 - Members can choose to;
 - delegate the detailed wording and reason to the Director (Planning and Growth)
 - delegate the detailed wording and reason to the Director (Planning and Growth) 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/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/21/0110/RM - Land NW of Haverhill, Ann Suckling Road, Little Wratting

1 - 38

Report No: **DEV/WS/21/022**

Reserved matters application - submission of details under outline planning permission SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 127 dwellings, together with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as phase 2b as amended by plans received 14.5.21 increasing number of units to 129 and amendments to access, layout, scale, appearance and landscaping as summarised in covering letter dated 14.5.21

5. Planning Application DC/21/0623/FUL - Hillcrest Nursery, Barningham Road, Stanton

39 - 54

Report No: **DEV/WS/21/023**

Planning application - one temporary static caravan for a period of three years

6. Planning Application DC/21/0618/VAR - The Old Pumping Station, Lower Road, Hundon 55 - 72

Report No: **DEV/WS/21/024**

Planning application - Variation of conditions 2, 3, 8, 9, 10 12, 13 and 17 of DC/20/0227/VAR to allow alternative drainage and the submission of details for the construction of a. three dwellings and associated garages; b. pedestrian link to public footpath; c. alterations to existing access

7. Planning Application DC/21/0946/CLP - West Suffolk House, Western Way, Bury St Edmunds 73 - 80

Report No: **DEV/WS/21/025**

Application for a certificate of lawfulness for proposed use or development - extension to the existing sub-station building, reconfiguration of associated footpath and motorbike parking spaces

Development Control Committee

7 July 2021

Planning Application DC/21/0110/RM – Land NW of Haverhill, Ann Suckling Road, Little Wratting

Date registered:	16 February 2021	Expiry date:	09 July 2021
Case officer:	Penny Mills	Recommendation:	Approve application
Parish:	Haverhill Town Council	Ward:	Haverhill North

Proposal: Reserved matters application - submission of details under outline planning permission SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 127 dwellings, together with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as phase 2b as amended by plans received 14.5.21 increasing number of units to 129 and amendments to access, layout, scale, appearance and landscaping as summarised in covering letter dated 14.5.21

Site: Land NW Of Haverhill, Anne 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 conditions.

CONTACT CASE OFFICER:

Penny Mills

Email: penny.mills@westsuffolk.gov.uk

Telephone: 01284 757367

Background:

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

The application is part of the wider north west Haverhill site, which is 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 previously 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.

This southern part of phase 2 known as phase 2b was initially submitted with the northern parcel in planning application DC/16/0215/RM. However, it was withdrawn from that application to enable further work to take place to improve its character, layout and appearance.

Further changes have been made during the course of the application and additional information has been provided. Some consultee comments are to be finalised following consultation of the most recent plans. The committee will be updated on these responses.

1.0 Proposal:

- 1.1 The application seeks approval for the reserved matters (access, appearance, landscaping, layout and scale), for phase 2b of NW Haverhill, the outline approval granted under SE/09/1283.
- 1.2 The revised reserved matters application provides the details for 129 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:

Drawing / document title	Drawing/document number	Received
Design and layout		
Location plan	001 rev A	14.05.2021
Planning layout	002 rev G	23.06.2021

Massing Plan	003 rev P0	14.05.2021
Refuse and cycle plan	004 rev P0	14.05.2021
Boundary treatments	005 rev P0	14.05.2021
Materials Plan	006 rev P0	14.05.2021
Parking plan	007 rev P1	24.06.2021
Tenure plan	008 rev P0	14.05.2021
Character areas plan	009 rev P0	14.05.2021
Street scenes A-D	20-3072-010 rev D	23.06.2021
Street scenes E-f	077 rev A	21.06.2021
House types		
Alnmouth Floor Plans	020 rev P0	14.05.2021
Alnmouth Elevations - The Mews	021 rev P0	14.05.2021
Arden Elevations - The Mews	023 rev P0	14.05.2021
Arden Elevations - The Avenue	023 rev P0	14.05.2021
Belmont Elevations - Urban Square	026 rev P1	21.06.2021
Charnwood Floor Plans & Elevations - Urban Square	027 rev P0	14.05.2021
Charnwood Floor Plans & Elevations - The Avenue	028 rev P0	14.05.2021
Charnwood Floor Plans & Elevations - Rural Green Edge	029 rev P0	14.05.2021
Dallington Floor Plans	033 rev P0	14.05.2021
Dallington Elevations - Neighbourhood Square	034 rev P0	14.05.2021
Dallington Elevations - Urban Square	035 rev P0	14.05.2021
Danbury Floor Plans	036 rev P)	14.05.2021
Danbury Elevations - The Mews	037 rev P0	14.05.2021
Danbury Elevations - Urban Square	038 rev P0	14.05.2021
Epping Floor Plans	039 rev P0	14.05.2021
Epping Elevations - The Avenue	040 rev P0	14.05.2021
Epping Elevations - Urban Square	041 rev P0	14.05.2021
FOG V1 Floor Plans & Elevations - The Avenue	042 rev P1	21.06.2021
FOG V2 Floor Plans & Elevations - The Avenue	042.1 rev P1	21.06.2021
FOG V3 Floor Plans & Elevations - The Avenue	042.2 rev P1	21.06.2021
FOG V3.1 Floor Plans & Elevations - The Avenue	042.3 rev P1	21.06.2021
FOG V4 Floor Plans & Elevations - The Avenue	043 rev P1	21.06.2021
FOG V5 - Plots 119-120 - Floor Plans - Neighbourhood Square	044 rev P1	21.06.2021
FOG V5 - Plots 119-120 - Elevations - Neighbourhood Square	044 rev P1	21.06.2021
Greenwood Floor Plans & Elevations - Rural Green Edge	046 rev P0	14.05.2021
Grizedale Floor Plans	047 rev P0	14.05.2021
Grizedale Elevations - Neighbourhood Square	048 rev P0	14.05.2021

Heatwood Elevations - Rural Green Edge	050 rev P0	14.05.2021
Marston Floor Plans	051 rev P0	14.05.2021
Marston Elevations - Rural Green Edge	052 rev P0	14.05.2021
Saunton Floor Plans	053 rev P0	14.05.2021
Saunton Elevations - Rural Green Edge	054 rev P0	14.05.2021
Saunton Elevations - The Avenue	055 rev P0	14.05.2021
Sherwood Floor Plans	056 rev P0	14.05.2021
Sherwood Elevations - Rural Green Edge	057 rev P0	14.05.2021
Sherwood Elevations - The Avenue	058 rev P0	14.05.2021
Sherwood Elevations - Urban Square	059 rev P0	14.05.2021
Sherwood Corner Floor Plans	060 rev P0	14.05.2021
Sherwood Corner Elevations - Urban Square	061 rev P0	14.05.2021
Wareham Floor Plans	062 rev P0	14.05.2021
Wareham Elevations - Neighbourhood Square	063 rev P0	14.05.2021
Wareham Elevations - Urban Square	064 rev P0	14.05.2021
Wareham Elevations - The Avenue	065 rev P0	14.05.2021
Whiteleaf Floor Plans & Elevations - The Avenue	066 rev P0	14.05.2021
Whiteleaf Weatherboard Floor Plans & Elevations - Rural Green Edge	067 rev P0	14.05.2021
Brantham Floor Plans & Elevations - Neighbourhood Square	068 rev P0	14.05.2021
Flat Block 1 - Floor Plans	069 rev P0	14.05.2021
Flat Block 1 - Elevations	070 rev P1	21.06.2021
Flat Block 2 - Floor Plans	071 rev P0	14.05.2021
Flat Block 2 - Elevations	072 rev P1	21.03.2021
Single garage	073 rev P0	14.05.2021
Double garage	074 rev P0	14.05.2021
Landscape, ecology and drainage		
Detailed soft landscaping	JBA 18-351-40 rev D	22.06.2021
Detailed soft landscaping	JBA 18-351-41 rev D	22.06.2021
Detailed soft landscaping	JBA 18-351-42 rev D	22.06.2021
Detailed soft landscaping	JBA 18-351-43 rev D	22.06.2021
Ecological Constraints Plan	JBA-18-351-ECO12b rev B	22.06.2021
Ecological Enhancement Strategy	JBA-18-351-ECO14 rev A	22.06.2021
Manhole Schedules	E3838/555/A	June 2021
Drainage Construction Details	E3838/560	April 2021
Drainage Strategy	E3838-Haverhill-Drainage Strategy-Rev 3	July 2020
Pond 1 Layout & Sections	E4062/520/A	April 2021
Headwall & Flow Control Details	E4062/561/A	March 2021

Adoptable Drainage Easements Plan	045-E-SK100	May 2021
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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 The site, which is known as parcel 2b covers 2.93 hectares between Ann Suckling Road to the south and the proposed main vehicle route through the development to the north. The site is former agricultural land which rises to the north where it meets an existing hedgerow, part of which was previously removed to facilitate the development of the new road running through the strategic site.
- 3.3 To the south of the site there is existing residential development along Ann Suckling Road. The site is bounded to the east and west by existing hedgerows and ditches. Further to the west is the rest of the development site, which is currently undeveloped, former agricultural land. To the east there is a mix of existing development including the listed Chapel Farm Cottage and new development to the rear of Boyton Hall which is currently under construction.
- 3.4 There are no public rights of way within the site although the field edges are used as informal recreational and dog walking routes by local residents.

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 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.	Approved
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	Approved

	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	
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
DC/21/0615/RMA	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	Approved

5.0 Consultations:

5.1 The application has been subject to amendments and additional information has been submitted during the application to address concerns raised. 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.
Representations:

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QN8CNOPD07800>

5.3 Suffolk County Council is abbreviated to SCC in the consultation responses set out below.

5.4 **SCC Highways – No objection from highways to the amended proposals. There are some outstanding concerns which they advise**

are not sufficient to warrant refusal on highways grounds.

Comments made summarised below:

- Reliance on private drives on the periphery of the development for visitor spaces with lack of provision in the central areas. Concern that if the visitor spaces on private drives were covenanted to dwellings it may make them difficult to ensure availability.
- The poor distribution of visitor spaces could lead to obstructive parking on the street or footway. Therefore, recommend a kerbing and on street parking condition.
- Do not recommend covered parking arrangements as it can lead to storage.
- Note no details of electric vehicle charging provided.
- Issues noted in relation to section 38 adoption plan.
- Visibility splays shown are acceptable.
- Recommend all traffic calming build-outs have trees whether designed with low walls or flush to the carriageway. Specialist engineering tree solutions will be required for trees within 2.5 metres of the highway.
- Specific bin presentation points recommended for plots rather than on driveways.
- Communal cycle store details required. Information is needed on the racking and layout.
- We note that there are numerous locations where three utilities are proposed in the 1.0m service strips of the shared surface roads. We advise that there is often insufficient space for 3 services and streetlights. The applicant has not yet proposed any locations for streetlights but we advise that street lights with cabling/ducting should be shown on the utilities drawing.

5.5 **Anglian Water** – confirmed no comments to make

5.6 **SCC Lead Local Flood Authority:** Following a review of all the submitted documents approval recommended.
Informative recommended to be attached to any decision.

5.7 **West Suffolk Public Health and Housing** – no objection. Comments summarised below:

- Concerns raised over bedroom sizes in some properties.
- Noise mitigation measures previously proposed for the residential properties to the southern boundary of the Phase 2A would be sufficient and a further noise assessment relating specifically to Phase 2B is not considered necessary.

- Conditions recommended to secure the appropriate noise mitigation measures.

5.8 **West Suffolk Environment Officer** – Confirmed no comments

5.9 **West Suffolk Strategic Housing** - Strategic Housing are in support of this application and the following affordable housing mix which is proposed:

Rented

- 2 x 1 bed bungalow
- 11 x 1 bed flat
- 8 x 2 bed house
- 1 x 2 bed FOG
- 2 x 3 bed bungalow M4 (3)
- 3 x 4 bed house
- 1 x 5 bed house

Shared ownership

- 3 x 2 bed FOG
- 5 x 2 bed house
- 3 x 3 bed house

- One outstanding issue with the room sizes in the Belmont house type; bedroom 5 needs to be bigger for this unit to be occupied to maximum capacity.

** The applicant has subsequently submitted a revised floorplan for this dwelling with an amended internal arrangement making bedroom 5 larger. The strategic Housing Officer has confirmed that this is acceptable.*****

5.10 **Natural England** – confirmed no comments

5.11 **Suffolk Wildlife Trust** – holding objection (awaiting further comments)

- Concerned not sufficient buffer around the hedgerows on the site.
- Note sections of hedgerow removed and whilst buffering is shown it does not appear to be 4 metres.
- If removal of sections of hedgerow are required to facilitate the development then recommend a detailed method statement produced for the translocation of Sulphur Clover to a nearby receptor site.
- Potential impact on bats from external lighting – dark corridors to be retained around the site. Lighting strategy required.
- Measurable net gain in biodiversity required. Biodiversity enhancement strategy should be produced detailing the how the enhancements and recommendations made within the Ecological Constraints Plan are to be incorporated within the development, including their locations.

5.12 **West Suffolk Landscape and Ecology Officer** – comments summarised below.

Further comments in response to the additional and amended information are awaited. Members will be updated on these.

- Infrastructure application has not been agreed and is not currently fit for purpose. Recommended that the details of the sports field and play space are included in this RM so that they can be approved and subsequently provided in accordance with the phasing plan.
- Approved basin is in the green infrastructure area. A 3m easement needs to be shown. An access route from the southwest of the site around the SUDs feature to the green corridor and footpath network and to link with Ann Suckling Road would be an advantage.
- The development is immediately adjacent to the western POS known as the Central Linear Park. No room has been retained to provide a landscaped edge to the development such that the impact of the development is softened and screened to maintain the amenity of the new green corridor.
- Corridors shown to be used by commuting and foraging bats are required to be retained as a dark. It is recommended that the development is pulled back from this boundary and that a landscaping scheme which includes hedges, shrub planting, trees and bulbs is designed to provide an attractive boundary and buffer.
- No Arboricultural Impact Assessment, Arboricultural Method Statement or Tree Protection Plan has been submitted to support this application.
- Any hedgerow removal should be compensated through new planting and the plans should clearly show this.
- Eastern boundary - The planting on the eastern boundary of the site must be retained and further consideration should be given to how this boundary planting can be strengthened through complementary planting.
- The proximity of the turning head at 85/96 to the eastern green corridor path should also be adjusted to allow additional planting as an additional barrier, including to light.
- Allotment boundary - Please confirm the amount of space retained for the allotments. Is it consistent with the requirements in the outline?
- Levels - It would be useful to have plans that show the levels for this site to demonstrate that there is enough clearance between the development and the features that are to be retained.
- Remove all amenity grass in POS areas including adjacent to the eastern path – floral lawn could be used here as this type of grass can be mown when required. Alternatively, a grass mix specific to clay soils could be used.
- Small verge areas should be planted rather than grass to avoid the maintenance liability associated with mowing

- Trees should not overhang private car parking places
- The amenity afforded by the central green space is lost because it is surrounded and masked by car park spaces. The relationship between properties at plots 77-79 is too close. The front gardens of these properties should be deepened and separated from the POS by a path. A knee rail should also define the boundary of the property.
- Additional shrub planting in the green space would help to soften the impact of car parking on the edges. Bulbs would also add another layer of interest
- All hedges in POS to be mixed native. Blackthorn is to be used sparingly where it has room to sucker without causing damage.
- Consideration should be given to reduced use of thorny species close to PRow and cycle/ footpaths
- All trees to be at least 2.5m from highway infrastructure (including footways) and where less than 5m, a root-barrier should be used. Trees to be at least 5m from lighting columns. Hedges to be set back from the highway and from footways. Space should be retained to allow for maintenance of hedges.
- The replacement hedge for the section of G43 to the west of the entrance to be triple staggered row and to be planted on the alignment of the removed hedge. Grass seed mix below should be a hedgerow mix. Trees to be native trees. The objective is to replace what was lost.
- Hedgehog links should be shown. The linkages should be designed by an ecologist so they correspond to garden areas most likely to support hedgehogs.
- The LEMP should cover all areas to be managed – ie excluding private garden areas and include a plan of those areas illustrating the prescriptions to be applied.
- Reptiles – If the application is granted permission the Reptile Precautionary Method Strategy of site clearance should be implemented in full. Enhancements for reptiles are recommended in the report.
- GCN – The report recommends that enhancements to improve the site for GCN.
- Badgers –Based on the report previously submitted (dated October 2019) badger survey should be repeated prior to on-site construction.
- Breeding birds –Enhancements for breeding birds are recommended in the report.
- Bat activity report – Figure 3 in the report highlight the boundaries of this site are important for commuting and foraging bats. The report is clear that mitigation and compensation will be required to reduce the impacts of bat commuting routes becoming fragmented.

- Ecological constraints Plan Phases 2-6 and relief road – This report is out of date as it does not include information from a number of reports including the bat activity and wintering bird surveys. The report is also generic and does not tie down exactly where the measures are to be delivered. There is therefore a danger that the enhancement measures that cannot be retrofitted will not be delivered.
- The report recommends the retention of hedge H2 (G43 in the arb survey) with a 4m buffer and a sensitive lighting scheme. The proposals clearly require the removal of part of this hedgerow, and part of it already appears to have been removed.
- This is clearly contrary to the recommendations in this report, and the ES requires that loss of hedgerow should be minimised. Whilst part of the hedge may be required to facilitate access to the plot, this does not negate the need to mitigate the loss.
- No mitigation has been offered. It is recommended that a mitigation/compensation strategy specifically for the loss of this hedge is submitted. The strategy should also consider the Sulphur clover at the eastern extent of this hedge.
- The report recommends a number of ecological enhancement measures. There are no details of where these measures are to be secured in this application.

5.13 **Design Out Crime** (initial consultation only, no comments received for consultation on amended plans) – set out a number of areas of concern to be addressed to reduce opportunity for crime and make the development a safe, secure and desirable development to live in. Comments summarised below:

- Significant number of rear parking areas which is not recommended due to lack of surveillance and allowing for the opportunity of ASB or easy access to rear gardens. The FOG's positioned in these areas may provide a little surveillance into some of the area by residents when they are at home but their design could create other issues such as reducing surveillance to rear gardens.
- The access points in and out of the rear parking areas, could create Vehicle ASB with motorbikes, scooters and cycles racing through them and also gives offenders various options of exiting quickly. Police do not recommend this layout design.
- The majority of parking throughout the site assigned is "allocated parking" with very few garages on site. Dwellings should be designed with more in curtilage parking or garages.
- Visitor parking areas should be clearly defined with marked line marking, as "visitors" parking areas.
- More dwellings should have active gable end windows to increase surveillance.

- Car ports are not recommended as they do not provide secure storage for vehicles or property.
- For the allotments advise 1.8 m welded mesh fencing as it is anti-climb and vandal proof. Guidance given on security and management of the allotments.
- Some of the designs don't provide good visibility to the neighbouring dwellings door ways, which reduces surveillance to them. Front doors should be flush and in line with the building in order to provide good natural surveillance to the front door.
- Apartments will need access control and consideration for compartmentalisation to ensure that only residents can access their areas and that non-residents cannot access the building at all. This reduces the risk of burglary, cold calling and mis-use of drugs activity or rough sleeping in communal hallways. External mail facilities are required so that there is no need for postal access to individual flats and installation of smart meters for easy meter readings
- The balcony areas should not lead themselves to act as climbing aides onto each other.
- It is recommended that rear car parking areas that have garden fencing should be installed with 1.5 m close board with 300mm trellis topping to reduce the opportunity to climb over easily and offer more surveillance into the area.
- There are areas that have narrow rear access paths; fencing in these areas should also be 1.5 m close board with 300mm trellis topping. Defensive planting should also be positioned around walled areas.

5.14 **West Suffolk Urban Design Officer** – comments summarised below:

- Concerns raised regarding the scale, bulk and massing of the 3.5 storey flats particularly their relationship and proportions compared to adjoining buildings.
- Improvements noted to the streets and spaces in terms of hierarchy of spaces, greening of streets and less car dominance.
- Improvements to parking courts noted through breaking down into smaller spaces, introducing more flats over garages.
- Improved connectivity noted.

5.15 **SCC Planning Contributions Officer** – noted that 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** – comments copied below:

These revised plans show some attempt by Persimmon to address some concerns regarding previous submissions. However, there are a number of issues with these that I feel must be addressed.

Firstly, The urban design concept for this plot remains inappropriate. The quantity of properties planned has led to an overcrowded plot. The scope for having a density of 55 dwellings per hectare as currently planned, might be within permissible range but it is clear that the density of this site does not support the necessary parking infrastructure that an urban development would normally have access to, such as a car park or off street parking.

There is significant over-crowding of the site. Other developments in Haverhill have shown that a lack of visitor parking close to properties leads to kerb parking. These roads will not support this parking behaviour. These plans are highly likely to again result in congested roads/thoroughfares, where visitors will choose not use designated spaces due to the poor placement and proximity to the homes they will be visiting.

This desire to increase density to the upper margins by adding an additional 2 properties to previous plans further emphasises the lack of designed in consideration for the future well-being of the new community that will populate this plot.

It is essential that new developments are conducive to supporting the well-being of residents. These congested plans likely to cause difficulties, frustrations and possibly conflict for residents, regarding bins as well as the aforementioned parking.

Secondly, the Gateway design remains incongruous to the site as a whole. The 3 ½ storey concept, whilst offering less frontage at street level, continues to be overly excessive in its scope and over bearing in its nature. The 3 Storey design presented in the comments by the Urban Design team, fig 2, presents a far more agreeable approach to resolving the design of this part of the site, yet still adequately presents the Gateway concept.

The solution to this overcrowding must also not result in adding more 3 & 4 storey buildings to create more space. This site, with the high density will create a community that will both look & feel over crowded.

Plans for this plot must clearly demonstrate how this community will function once inhabited. If parking and bin placement cannot be resolved then plans should be submitted where there is a reduction in density that can still fall within the range permissible. These plans should try to avoid creating issues for residents by considering how this community will function once inhabited.

I remain concerned that the close proximity of the 2 ½ storey building to the listed Chapel Farm Cottages will negatively impact on these historic buildings and the space these 'Character' properties need that make them so valued.

As there is no off street parking for most houses. Plans must also show a

commitment to electric charging points for residents to access, and in doing so future proofing how this community will function when more electric vehicles will be on the site.

Car ports under FOGs must ensure the internal space allows residents to park and adequately exit their vehicle.

On a minor point, I request that some seating/bench and a bin is provided for the central shared green space, central to the plot so that facility can be added to the amenity, offering a place/point of rest for residents who might need it.

6.2 **Haverhill Town Council** – consultation response 09.06.21. Comments copied below:

The Council objected this proposal, the explanations for the objection are:

- **Urban Design:**
Councillors were interested to see the visualisations from Anne Suckling looking north, also on how the buildings on the SE corner and how it impacts Chapel Farm, under the current development plan. It was proposed that 3 story flats, not 3.5 story would be more suitable for the area.
- **Management objections:**
Access Problems at bin collection points. Distance in dragging to collection points, in some cases 70 to 100 metres. Dropped kerbs in getting to and at collection points
- **Highways:**
Not enough visitor parking spaces, no direct pedestrian connection to the middle of the development, this will lead to obstruction on the streets and footways. They recommend kerbing (such as 'Dutch' entrance kerb system) highlighting visitor parking. Recommend electric car chargers in covered areas. Recommend wider roads.
- **Environmental Health and Housing comments:**
The PHH report from March 2021 has concerns about room sizes and these do not appear to have been obviously addressed. Arden house type has a floor area below 9.5 sqm, only suitable as a single bedroom. Same in Bed 2 in Epping house type and bedroom 3 is floor area is under 6.5 sqm and only suitable for a child under 10, the same with bedroom 3 in bungalow A88B. Alnmouth house type bedroom 2 has less than floor area than 9.5sqm and only suitable for a single bedroom. All double bedrooms within the Corby apartments, all have floor areas less than 9.5sqm. A noise survey was last issued in 2017.
- The Town Council comments also reproduced comments from residents on Rowell Close and Falklands Road which are set out below:
 - Height and density of the development
 - Streets too narrow and not enough parking spaces.
 - Lack of Green Space, allotments are not public spaces, they are private rented areas.
 - With an extra two units this 2B phase is overdeveloped.
 - Room space in some below minimum standards.

- Request for additional information to be included in revised plans such as 3D illustrations on the views of the 3.5 Story building from Ann Suckling Road.
- Persimmon Homes are going against the Councils 2.5 story design code.
- No electric chargers in rear parking areas.
- The development does not include a clear infrastructure plan to support the development.
- Lack of community facilities planned within the development.

6.3 Public representations

112 nearby addresses were notified and a site notice was posted. 23 representations received from the following addresses:

- Chapel Farm Cottage
- The Willows
- 18 Boyton Close
- 4 Chase Close
- 1 Falklands Road
- 4 Falklands Road
- 6 Falklands Road
- 7 Falklands Road
- 24 Falklands Road
- 39 Falklands Road
- 46 Falklands Road
- 49 Falklands Road
- 9 Ganwick Close
- 3 Gurlings Close
- 12 Gurlings Close
- 21 Gurlings Close
- 12 Paske Avenue
- 1 Rowell Close
- 10 Rowell Close

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=QN8CNOPD07800>

Scale and extent of development

- Extent of development would be closer to Ann Suckling Road and the siting, scale, height and massing would result in a dominant form.
- Concrete jungle.
- Height is not in keeping.
- Density is too high.
- Flexibility should be applied in using earlier density targets.
- View through site from Ann Suckling Road is required.
- Area for allotments appears to be reduced.

Visual amenity and design

- Design is out of character
- Using flats as a gateway does not make sense, use trees or a grassy area.

- Flats will dominate the landscape as they are on higher ground.
- Council not previously supportive of 4 storey so why now?
- Lack of transition with surrounding development.
- Victorian theme not reflected.
- Victorian theme is retrograde step.
- Style of the flats is not in keeping with the area. It is more urban than rural.
- Visual impact of a flat roof building will be very bulky on the skyline.
- No landscaping or recreational areas for the flats.

Residential amenity

- Overshadow and overlook existing development.
- Impact from noise and disturbance.
- No communal area or play area for children.
- No recreational areas.
- House sizes are too small.
- When will the recreational areas be built.
- Noise impact for properties to the east as private drives now located here rather than backs of properties.

Landscape, ecology and drainage

- Impacts on wildlife.
- Foundations will affect drainage and cause flooding.
- Can there be communal orchard as well as allotments.
- Concern that the ditch will not be maintained.
- No additional hedging or planting on the eastern boundary.
- Lack of functional green space.

Highways and access

- Increased traffic towards Cambridge.
- Something to stop cyclists going straight onto Ann Suckling Road is needed.
- The path on the eastern edge should be wider for cycle and pedestrians.
- Impacts on footpaths which have disappeared.
- Impact on turning into Ann Suckling Road – it will be more hazardous.
- Concern allotment parking will be used by others.
- Walks fenced off including rights of way.
- Inadequate parking provision shared surfaces for pedestrian and cars is unsafe.
- Ann Suckling Road will become a rat run.
- Ann Suckling Road should be weight restricted.
- Where is the provision for electric vehicle charging?
- Parking should be next to dwellings.
- Streets are too narrow.

Other

- When will the school be delivered?
- Why are the playing fields so far away – why can't they be positioned so existing community can enjoy them as well?
- Impact on cost of existing dwellings.
- Loss of farmland.
- Allotment access should be from the development side.
- Impact on existing infrastructure without bringing employment. There are not sufficient amenities here.
- Utilities already stretched.
- Affordable housing concentrated in clumps.
- Water pressure issues.

- Channel the length of the bypass has broken drainage pipes

7.0 **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.

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:

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

Haverhill Vision 2031

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

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

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.

8.8 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.

- 8.9 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

- 8.10 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. 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.

- 8.11 The potential impact of the application proposals upon biodiversity interest is discussed later in this report.

Equality Act 2010

- 8.12 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

- 8.13 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.

Planning (Listed Buildings and Conservation Areas) Act 1990

- 8.14 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;

- 8.15 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.

- 8.16 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.

- 8.17 These statutory duties and the impact on heritage assets are discussed in

the 'other matters' section of this report.

Principle of Development

- 8.18 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.
- 8.19 National planning policies set out in the NPPF and the adopted masterplan and design code for this site are also key material considerations.
- 8.20 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 of as a strategic housing site. The masterplan was then produced, setting out the overarching vision for the site.
- 8.21 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.
- 8.13 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 alongside the first reserved matters application.
- 8.14 The density parameters for this parcel set out in the design code identify the majority of the parcel as having a density of between 45 and 55 dwellings per hectare. The southern and south eastern boundaries are identified as being suitable for a density of between 35 and 45 dwellings per hectare. These densities were based on the parameters set out in the outline application and the associated Environmental Statement.
- 8.15 The 129 dwellings proposed in this application equates to a density of 44 dwellings per hectare across the application site which is within the approved parameters.
- 8.16 In terms of the extent of the development, the size and location of the parcel is in broad accordance with the land use and landscape parameter plans conditioned with the outline consent and with the design code which further developed those plans. The parcel leaves sufficient room to the south to accommodate the required allotments and associated green space and the space to the east is commensurate with the space originally shown for this green corridor. To the west, the development is set away from the existing hedge and ditch, with the linear park proposed to the west of the ditch outside the scope of this application.

- 8.17 In terms of the scale of development, a height parameter plan was submitted with the outline consent and subsequently incorporated into the design code. This allows for heights across the majority of the parcel of up to 3.5 storeys with some areas on the southern and south eastern boundaries being limited to up to 3 storeys.
- 8.18 The majority of the proposed development is 2 storey a small number of single storey dwellings and some 2.5 storey properties. All these heights are well within the established parameters. However, on the northern edge of the development at the front of the site, four storey apartment buildings are proposed. These buildings have a flat roof design which results in the overall height being lower than the alternative and previously submitted 3.5 storey design, albeit with a differently perceived bulk.
- 8.19 The heights parameter plan is not conditioned on the outline consent and it therefore acts as a guiding principle rather than a fixed requirement. In this case it is considered that the use of a four-storey flat roof design which is not greater in overall height than a proposed 3.5 storey alternative could be acceptable in principle. However, this does not negate the need for the detail of the proposal to be scrutinised in terms of its impact and compliance with development plan policy.
- 8.20 In light of the above, it is considered that 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

- 8.21 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.
- 8.21 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.
- 8.22 This application falls within the character area known as Boyton Place in the design code. This area includes the local centre to the west and a further parcel to the south west of the application site. The design code envisages that this parcel will comprise predominantly contemporary architectural styles.

- 8.23 This parcel was initially submitted with the application for phase 2a to the north but was withdrawn from that application to allow for amendments to the made to the design approach and layout. Further changes have also been made during the life of this application.
- 8.24 The revised layout creates a clear hierarchy of routes and spaces across the parcel, with individual character areas including the central green space, a neighbourhood courtyard and urban mews spaces. Additional planting and tree pits have been used to green up the spaces and soften the streets and additional space has been provided on the periphery where the grain of development is also loser to give a lower density and a more informal feel.
- 8.25 Changes have been made to the design of the dwellings to give a more distinctive contemporary approach, using different window and door types to the previous parcels and a variety of different brick detailing to provide interest and variation to the buildings.
- 8.26 Concerns have been raised by members of the public, the Town Council and local members regarding the design approach and specifically the design of the apartment buildings in terms of their overall height, scale and incongruous appearance in this location.
- 8.27 The use of apartment buildings within the development is an accepted part of the design approach set out in the masterplan and the design code and it is a necessary part of achieving the required densities across the site. The initial scheme proposed in the previous application located the apartment buildings at the southern end of the site closer to Ann Suckling Road. It is acknowledged that the new position of the apartments in this application is on a higher part of the site. However, there are other factors that make this a good location for the apartment buildings. It is the furthest point from the existing development to the south and further from the listed building to the south east. It also fronts onto the main route through the wider development on the approach to the local centre and is closer to the area of public open space including a play area and sports pitches.
- 8.28 The previous application included four-storey apartments with a pitched roof arrangement. When this application was the submitted, the relocated apartments remained at four-storeys, but with a flat roof design to reduce the overall height. During the course of this application the applicant submitted a revised design for a three and a half storey building, with a pitched roof. This technically accorded with the parameter plan but resulted in a higher form of development, which sat awkwardly in the streetscene. This change in design also failed to overcome the concerns expressed by the Town Council, neighbours and the Ward Members. The applicant has therefore decided to revert to a four-storey flat roof design which has a lower overall height, which can be better assimilated into the streetscene at the front of the site.
- 8.29 The flat roof design gives a crisper, more contemporary feel. It also incorporates projecting brick work, a central projecting element and different materials to help break up the bulk of the building. This design approach accords with the character area set out in the design code and would help to create distinctive character for this part of the site. The

applicant has also advised that the flat roof design will enable the use of roof mounted solar arrays which would bring an additional benefit in terms of sustainability. The detail of these would be secured by condition.

- 8.30 Cross section drawings produced by the applicant demonstrate that the buildings would not be unduly prominent when viewed from Ann Suckling Road and would be mostly obscured by the intervening development. As such, whilst there are objections to this element of the scheme it is considered on balance that the design is an acceptable one in planning terms with no demonstrable harm such that the application could be refused on the grounds of design matters.
- 8.31 Design Out Crime Officer comments were received in relation to the first iteration of the plans raising some concerns with the proposals raising some specific concerns with aspects of the design and layout.
- 8.32 There is a balance to be struck between the principles of secure by design and other urban design requirements, but adhering to secure by design principles where possible can help to reduce crime in a development once built and occupied.
- 8.33 There is some tension between the use of parking courts and secure by design principles. However, parking courts will need to be used on this and other parcels both to allow for apartment buildings and to prevent the streets from being dominated by frontage parking.
- 8.33 The developer has responded to the concerns around parking courts and has made several changes. All fences within parking courts and narrow path routes are to be 1.5m close board fencing with 0.3m trellis fencing above to reduce the opportunity of people climbing over and add more natural surveillance. The areas have also been re-designed to have properties facing onto parking spaces where possible. The parking courts have also been improved by breaking down the larger parking areas into smaller spaces and introducing more flats over garages (FOGs) to provide additional natural surveillance. Parking courts also now have a single entry/exit point and plots with undercroft parking are closed off with close boarded fencing or walls to avoid through routes.
- 8.34 Car parking will be provided through a number of forms across this parcel and the rest of the development and it is not possible or desirable from a design perspective to insist that this is within garages or at the front of properties. Similarly, it is not possible for every property to be designed in such a way that the front door is flush with the whole front elevation.
- 8.35 The parcel is designed to be outwardly looking to the east and west to provide natural surveillance to the green corridors. The purpose of the green spaces is to provide important recreational routes through and around the wider site to encourage sustainable modes of travel and to provide green off-road routes to enhance amenity. These routes also connect the strategic green infrastructure across the wider site. Connectivity to these routes has been improved with access to the east and west and a path has been incorporated around the edge of the basin in the south west corner as suggested by the Landscape Officer.

- 8.35 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.
- 8.36 The Public Health and Housing Officer has confirmed that the noise mitigation measures previously proposed for the residential properties to the southern boundary of the Phase 2A would be sufficient for the dwellings on this parcel and a further noise assessment is not considered necessary. These mitigation measures would be secured by condition.
- 8.37 The Council's Public Health and Housing Officer also raised some concerns in terms of the bedroom sizes of some of the units. There have been some changes to the house types during the amendments which have removed some of units that were highlighted, although some do remain.
- 8.38 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 the requirements of the current policy.
- 8.39 Representations have raised concerns over the impact on the amenity of existing residents. In this respect, whilst the buildings would be visible from neighbouring properties it is considered that they would be sufficiently distant from any neighbouring properties to ensure that they would not have an adverse impact on amenity through overlooking or being overbearing.
- 8.40 Concerns have also been raised over the positioning of the dwellings on the eastern edge of the site, as a private drive is now proposed in this location rather than rear gardens. There is concern that this will cause noise and disturbance to properties to the east and the rationale behind this is questioned. Having properties backing on to this part of the site would provide a larger buffer, but it would remove any natural surveillance from the path and would do little to help deter anti-social behaviour or crime in these locations. Having an active frontage creates a safer and more attractive space and it is considered that the private drives, which will serve a limited number of properties, would not introduce an unacceptable level of noise and disturbance to neighbours.
- 8.41 Overall, it is considered that the proposed development would create a locally distinctive sense of place with architecture appropriate for the character area. The layout provides sufficient space for soft landscaping and street trees that will enhance the development and improve the quality of the built environment. There are also good links to the adjoining open spaces, which have appropriate levels of surveillance and create opportunities for circular walks within the wider development.
- 8.42 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..44 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.
- 8.45 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.
- 8.46 The road serving this parcel was approved in an earlier reserved matters application and 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.
- 8.47 A pedestrian and cycle crossing point is provided for this section of the road network to ensure there is a safe crossing to get to the playing fields to the north east of this site for those travelling from the south and to allow those in the northern part of the site safe crossing to the local centre and school to the south.
- 8.48 The wider connectivity through and around the site was set out in the design code, with a key requirement for a pedestrian route running north to south on the eastern edge of the parcel providing an off-road connection from Ann Suckling Road to the playing fields and open countryside to the north. A wider linear park is proposed to the west of this parcel, also running from north to south. This is outside the scope of this application, but the development is positioned to look out towards it to provide a degree of surveillance.
- 8.49 Representations have highlighted a concern about a lack of places for pedestrians to stop and rest both on this parcel and across the wider strategic site. It is considered that appropriate street furniture to include bins and appropriate seating could be secured by condition.
- 8.50 The internal road layout reflects the road hierarchy set out in the design code, with narrower, more intimate mews streets leading from a central street. A raised square at the centre of the parcel helps to aid traffic calming on the transitions to these smaller streets and landscaped buildouts have been incorporated into the streets themselves to further

slow down traffic and create a more pedestrian friendly space. Space is also provided for pedestrians off the carriageway along the property frontages.

- 8.51 Through the central square sufficient space has been provided to provide a separate route through for pedestrians alongside the carriageway as well as an off-road route through the central pocket park area. The specific details of and finish of this area and the shared surface street would be secured by condition to enable some flexibility in the design to enable the applicant to work with the highway authority to ensure and safe design that meets highways adoption standards.
- 8.52 The highways officer has noted some remaining concerns with aspects of the design, particularly the distribution of the visitor parking, whilst noting that they would not be sufficient to recommend a refusal of the development on highways grounds.
- 8.53 To address the concerns raised by the highway authority, additional visitor parking has been included more centrally within the parcel. The applicant has confirmed that visitor spaces will not be in the ownership of dwellings and a condition will be used to secure appropriate detailing and signage to ensure that these are available for use in perpetuity. A further kerb detailing condition would also be used as suggested by highways to design out obstructive parking on the footways.
- 8.54 On balance, is considered that the revised layout creates a safe and attractive network of streets and private drives. The layout also facilitates the off-road pedestrian link required along the eastern boundary.
- 8.55 In light of the above, the development is considered to be 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

- 8.56 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.
- 8.57 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, 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.

- 8.58 A number of concerns have been raised in relation to landscape and ecology and the applicant has submitted revised proposals and additional information to address these concerns. Further comments from Ecology and Landscape are awaited and the committee will be updated on that response.
- 8.59 The concerns in terms of landscape and ecology centred on the following issues:
- The removal of hedgerow and potential need for translocation of plants
 - Impact on retained hedges
 - Compensatory hedge planting
 - Impact on bats from external lighting
 - The inaccuracy of the ecological constraints plan and the lack of an ecological enhancement strategy with appropriate detail on biodiversity enhancement
 - Lack of space for strategic green infrastructure.
- 8.60 In terms of hedgerow removal and retention, part of the hedgerow at the north of the site has been removed to facilitate the primary road (as approved under reserved matters application DC/20/0615/RM). Whilst hedgerow retention is recommended where possible, it is accepted that there will be some locations where removal will be needed to facilitate road access. In this context the previous removal was acceptable on balance, subject to compensatory planting in this phase.
- 8.61 No further hedgerow removal is proposed in this application and a full arboricultural method statement and tree protection plan are required prior to the commencement of development, secured by condition on the outline consent. In addition to the tree and hedgerow protective fencing, the submitted ecological enhancement plan recommends that all habitat to be retained, including ditches, should be fenced to protect them from damage during construction. This can be secured by a further condition.
- 8.62 In terms of the botanical interests of the site and the need for translocation of species, the updated reports confirm that the rare sulphur clover and dwarf spurge, whilst present on the wider site, are not present on phase 2B. Bee orchids, whilst present on the wider site are also not present on this phase. As such no translocation of plants is required in association with this application.
- 8.63 In terms of the retained hedgerow, the submitted reports state a buffer zone of at least 4 metres from the hedge base, which is measured from the centre of the hedge, should be provided to ensure the hedgerow and its associated ground flora are not adversely affected by the development. The revised landscape plans show this 4-metre buffer and demonstrate that the proposed development would no longer encroach on it.
- 8.64 The amended landscape plans also show compensatory replacement hedge planting along the western half of the site frontage to create a new native hedge line. Additional planting would then extend this hedge all the way to

the western edge of the site. Further new hedge planting would continue down the western edge to meet the existing hedgerow further to the south. Native species hedge planting is also proposed along the majority of the eastern edge of the site, running from existing hedge in the north, down to the southern boundary of the site.

- 8.65 The soft landscaping proposals therefore secure a considerable amount of additional hedge planting in addition to the compensatory planting, which will provide better connected ecological corridors and enhance biodiversity.
- 8.66 In terms of mitigation measures, the report identifies that a sensitive lighting strategy is required to ensure that retained boundary features remain unlit by the development. The report recommends that a sensitive lighting strategy be agreed with the Local Planning Authority prior to construction works and this could be secured by condition.
- 8.67 In terms of ecological enhancement and biodiversity gains, the ecological enhancement plan identifies the scope for ecological enhancements to be incorporated within the proposed public open spaces, boundary treatments, private gardens and dwellings. The enhancements are based on the recommendations detailed within the species-specific survey reports and include:
- Retention and enhancement of existing hedgerows at site boundaries, where possible;
 - Planting of native or wildlife-attracting tree, shrub and wildflower species throughout the site;
 - Provision of a variety of bird boxes on proposed buildings, where possible;
 - Provision of 'Integrated Eco Bat Box' on proposed buildings, where possible; and
 - Provision of gaps for hedgehogs in fences (13-15cm x 13-15cm) bordering private gardens to allow their movement through the site, where possible.
- 8.68 The report and associated soft landscaping plans show approximately 106 trees to be planted across the site with native species including field maple, silver birch and hornbeam. The report states that 169 metres of native hedgerows and 210 metres of ornamental hedgerows are proposed to be planted across the site. Open space areas at the boundaries of the site will be seeded with wildflower meadow seed mix with some open space sections seeded with floral lawn mix and where existing boundary vegetation is retained it will be enhanced where possible with hedgerow seeded mix.
- 8.69 A number of integrated bat and bird boxes are proposed and the locations are indicated on the soft landscaping plans. Reptile hibernaculum is also proposed to be included at a suitable and secluded location to the southwest of the site.
- 8.70 Hedgehog friendly fencing installation is proposed across the site by leaving gaps in fences (about 13cm x 13cm) between domestic gardens and under gates to allow the free movement of hedgehogs across the site. This is noted on the soft landscaping plan although the details for the precise location can be secured by condition.

- 8.71 The Suffolk Wildlife Trust recommended that a Landscape and Ecological Management Plan be produced. This is also recommended in the submitted report and is already secured by a condition on the outline consent.
- 8.72 As stated earlier in the report the extent of the parcel allows for the required quantum of green spaces around it to facilitate the wider green infrastructure for the development which was secured with the outline consent. This is being dealt with under a separate reserved matters application and work is ongoing to provide a package of amendments to the local planning authority to overcome the concerns previously raised. The timing of the delivery of these spaces is secured within the S106 agreement associated with the outline planning permission.
- 8.73 In terms of the landscaping within the parcel, the applicant has sought to improve the planting at the periphery of the site and some of the more intrusive parking spaces have been removed. Visitor parking spaces have been retained around the central green space and it is accepted that these do not make a positive contribution to the amenity of that space. However, there is a balance to be struck in terms of the overall needs of the development and in this case, it is considered that the benefits of parking in this location outweigh the adverse effects. Additional planting has also been provided here to better screen the cars from the green space and provide a buffer for the adjacent dwellings. Feature trees have also been added to central space and the courtyard area.
- 8.74 Subject to the receipt of final landscape and ecology comments, it is considered that the proposed development, as amended, is acceptable in terms of ecology and landscape issues, provided that appropriate conditions are applied to secure the required mitigation and enhancement measures set out above.
- 8.75 The development would not introduce any adverse effects on protected species or sites, subject to following the recommendations of the submitted reports.
- 8.76 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.

Heritage impacts

- 8.77 The closest heritage asset to the application is Chapel Farm Cottage, a grade II listed building situated to the east of this development parcel.
- 8.78 The principle of residential development in this location has been established in the outline consent and as a result of this there will be an impact on the overall setting of this building as it changes from undeveloped agricultural land to a residential development. The development proposals at the eastern edge of the site closest to this building are within the height parameters set out at the outline stage and

generally, the number of buildings across the parcel above 2 storeys is low. The bat sensitive lighting strategy will remove obtrusive lighting from the eastern boundary of the site and this will also help to avoid further adverse effects on the setting of the building.

- 8.79 Development is set away from the eastern boundary with the green corridor and private drive providing a good degree of separation and scope to filter the views of the new houses from the listed building with additional tree planting along the eastern edge.

Other matters

Flooding and drainage

- 8.80 The development would be served by a previously consented drainage basin which would sit to the south of this parcel within the green space adjacent to Ann Suckling Road. This will be planted to enhance biodiversity and create an attractive addition to the green space.
- 8.81 The lead local flood authority has reviewed the latest drainage documentation and has confirmed that the proposals are acceptable.
- 8.82 Representations have raised a concern over the drainage ditch on the eastern side of the site and the need for regular maintenance to keep it clear from vegetation to avoid blockage and prevent flooding. The need for maintenance access to this ditch is noted and the scheme has been designed to ensure that access for maintenance can be achieved in line with the lead local flood authority's recommendations.

Affordable housing

- 8.83 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.
- 8.84 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.
- 8.85 The Strategic Housing Officer has confirmed that the mix of units indicated in this parcel meets the required mix and is acceptable, with all of the proposed affordable units being compliant with the National Space Standards.
- 8.86 Concern was raised regarding the room size of the fifth bedroom in a specific unit. However, this has been addressed through an amendment to the internal layout of that dwelling and the Strategic Housing Officer has confirmed that this is now acceptable.
- 8.87 Representations raised concerns over the clustering of the affordable housing on the parcel. Mixing the affordable housing throughout a site is desirable as it helps to create a balanced and mixed community. However, there is also an operational desire for registered housing providers to have properties located together. In this case the distribution of affordable

housing is in accordance with the Councils limits on clustering and the houses are also of the same design as the market units, helping to make them visually indistinguishable.

Waste collection

- 8.88 Concerns have been raised over the positioning of waste collection points in some locations within the site. Some of these concerns relate to the distances that bin crews would need to travel to collect the bins, and some relate to the distances that occupants would need to take their bins for collection.
- 8.89 In relation to the distances the crew would need to walk, this issue is principally related to the flats located within the parking courts. For these properties, the collection point would be just within the parking court, adjacent to the entrance. It is considered that this is a reasonable distance for collection crews to travel in a limited number of locations across the site. However, if this remained unacceptable to the waste service an alternative collection point could be provided closer to the kerb.
- 8.90 Turning to the distances occupants would need to take their bins, this is only an issue for those properties on the private drives at the periphery of the site. A technical solution to this would be to provide a further collection point further along the drive and ensure the specification of the surface is upgraded to be suitable for a collection vehicle.
- 8.91 In both cases technical solutions are available and can be secured through the details submitted to discharge the waste and recycling condition attached to the outline consent.

Summary and recommendation:

- 8.92 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.
- 8.93 The proposals are generally in accordance with the approved landscape and land use parameter plans. There is a slight departure from the height parameters set out in the design code in respect of the four storey flats at the front. However, the design approach results in an overall height that is lower than the 3.5 storey alternative and presents a design solution that would create a more distinctively contemporary entrance to this character area.
- 8.94 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.
- 8.95 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.

- 8.96 With the exception of the flats at the northern part of the site the development is well within the height parameters assessed at the outline stage. In this context and given the scope for additional planting on the eastern edge it is considered that the reserved matters details would not adversely affect the setting of the listed building.
- 8.97 The proposals would contribute to the delivery 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 east.
- 8.98 The Lead Local Flood Authority has confirmed that the proposed surface water drainage scheme is acceptable.
- 8.99 Subject to the receipt of final comments on landscape and ecology it is considered that there is appropriate space to secure the necessary planting details to soften the appearance of the development and deliver the biodiversity enhancements and mitigation outlined within the Environmental Statement. The proposals would not introduce any adverse effects on protected species, subject to conditions securing the recommendations of the ecology reports.
- 8.100 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.
- 8.101 It is recommended that planning permission be **APPROVED** subject to the conditions summarised below. (Fully worded conditions will be provided in a late paper.)

- Development in accordance with approved plans
- Submission of materials
- Kerbing and street parking
- Visitor parking retention, detailing and signage
- Final details of the building outs within the shared surface streets and the pedestrian routes through the central square
- Specialist tree pit details
- Cycle storage details for the flats
- Visibility splays provided and maintained
- Deliveries and construction
- Noise mitigation measures
- Noise levels post occupation
- Bat sensitive lighting strategy
- Pre-construction badger check
- Precautionary method for reptiles
- Protective fencing for retained habitats
- Biodiversity enhancements implementation
- Hedgehog permeable boundaries
- Design out crime measures
- Street furniture within open spaces
- Details of roof mounted solar in the flats

Documents:

All background documents including application forms, drawings and other

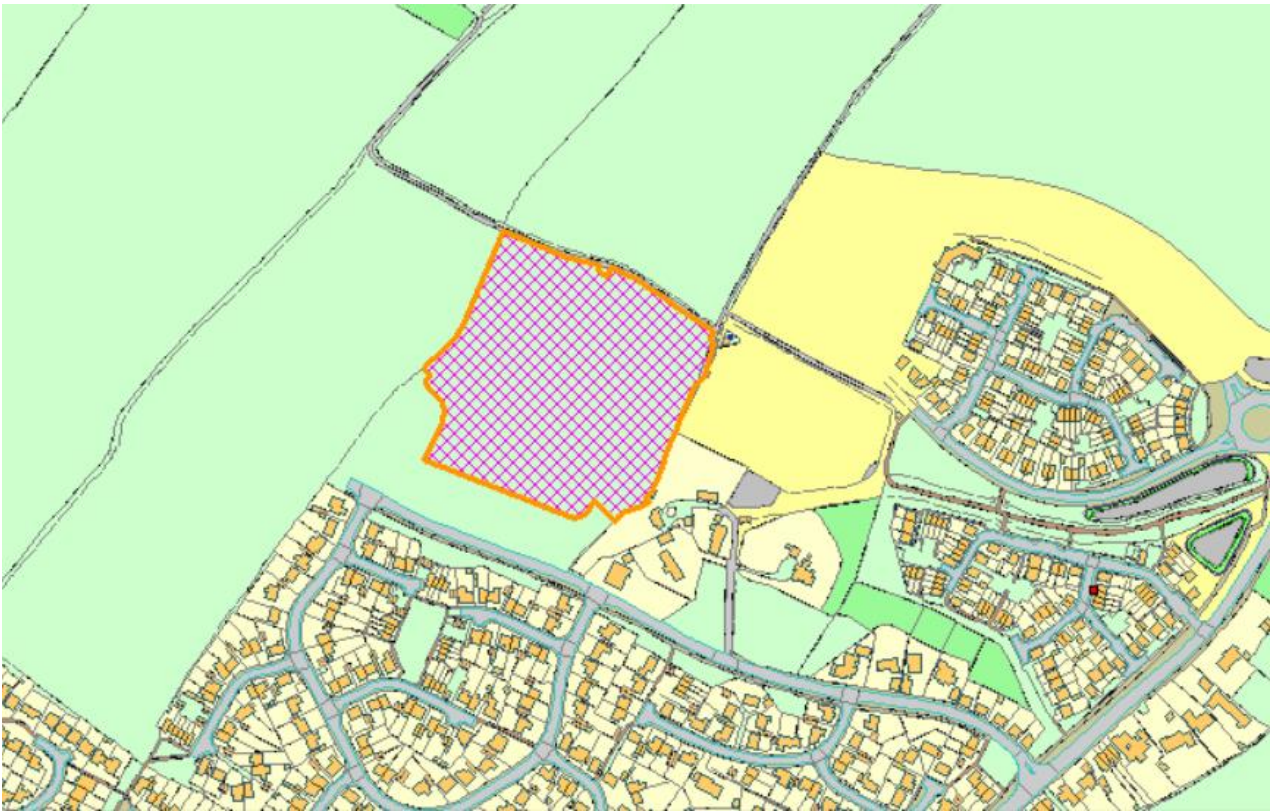
supporting documentation relating to this application can be viewed online

[DC/21/0110/RM](#)

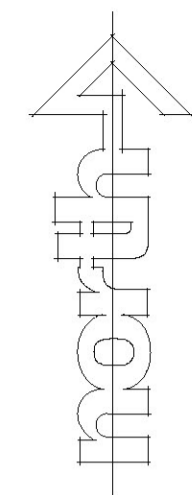
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DC/21/0110/RM – land NW of Haverhill, Anne Suckling Lane, Little Wratting



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PHASE 3A
PHASE 3B
DEVELOPMENT

TRE

FOOTBALL PITCH
54x35m

INFRASTRUCTURE ROAD



0.94 ACRES

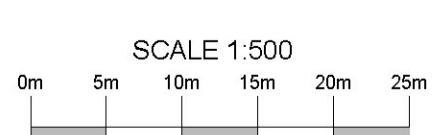
BCP/SP	LOTS SERVED
A	14
B	16.18
C	26
D	27.29
E	26.51-83
F	46
G	47
H	85-89
J	90
K	91-97
L	84-89
M	91-98
N	110-113
P	114-124
Q	127
R	128-129
BBP1	5.15
BBP1	54.64

Rev	Description	By	Date
G	Amended Visitor spaces and add further additional Visitor spaces. Plots 92 -95 moved back to pull private road away further	AH	21.06.21
F	Flat blocks updated with revised cycle store doors & brick piers added to link's	SN	07.06.21
E	Updated Flat Blocks to show RWP's and Gas Uni boxes as to the Technical Floor plan	AH	03.06.21
D	Updated Brantham & Flat Block to reflect Technical Floor plan	AH	17.05.21
C	Plot 129 moved back to allow more space for plot 129 parking spaces to reverse out	AH	22.04.21
B	Plot 19,37,107 changed from Sherwood to Sherwood corner. Grizedale Plot 114,125,125 handing changed	AH	21.04.21
A	Updated to Highways LPA, Design out crime and Landscaper comments	AH	15.04.21

TYPE	LOTS	TOTAL	SGM	BEDS	HT	PARKING
Private						
Arden	102, 103, 104, 110, 111, 112	6	51	2	2	2 Spaces
Armouth	12, 22, 23, 24, 32, 33, 34, 35, 36, 37, 38, 39, 40, 100, 101	16	60	2	2	2 Spaces
Darbury	70, 75, 81, 88, 89, 90	6	75	3	2	2 Spaces
Esplanade	41, 42, 66, 67, 68, 69, 70, 85, 108	11	71	3	2	2 Spaces
Sherwood	40, 88, 109	3	80	3	2	2 Spaces
Sherwood Ct	113, 117	2	80	3	2	2 Spaces
Sharnon	44, 45, 49, 49, 93, 94, 95	7	80	3	2	2 Spaces
Charwood	127, 30, 43, 53, 78, 84, 90, 109, 120	9	94	3	2	2 Spaces
Greenwood	85, 85, 86, 86, 121, 126	7	113	4	2	2 Spaces
Wintlesar	80, 82, 81, 82	4	117	4	2	2 Spaces
Wenton	73, 79, 87, 104	4	114	4	2	2 Spaces
Flakard	78, 48, 47, 86, 70, 113	6	52	2	2	2 Spaces
Carbrook	104, 95, 96, 99, 99	4	48	1	3.5	1 Spaces
Copdock	10, 20, 21, 81, 84	3	48	1	3.5	1 Spaces
Worston	26, 30, 55, 87, 80, 83	6	52	2	2	2 Spaces
TOTAL		90				

TYPE	LOTS	TOTAL	SGM	BEDS	HT	PARKING
Haverhill 1b, 2d	89, 90	2	50	1	1	1 Space
Armouth 1b, 3	15, 6, 8, 11, 12, 14, 15	6	48	1	3.5	1 Spaces
Copdock 1b, 3p	7, 10, 13	3	48	1	3.5	1 Spaces
Brantham 1b, 3p	116, 121	2	88	1	3.5	1 Spaces
Worham 2b, 4c	11, 2, 3, 4, 115, 116, 123, 124	6	80	2	2	2 P.S.
Flakard 2b, 4c	16	1	52	2	2	2 P.S.
Grizedale 4b, 11, 12, 122, 125	2	2	105	2	2	2 Spaces
Belmout 5b, 7c	71	1	119	5	2	1 Space
TOTAL		28				

TYPE	LOTS	TOTAL	SGM	BEDS	HT	PARKING
Barford 2b, 4c	75, 119, 120	3	52	2	2	2 P.S.
Wenton 3b, 4c	72, 73, 74, 76, 77	5	80	2	2	2 P.S.
Dallington 3b, 5c	17, 18, 117	3	94	3	2	2 P.S.
TOTAL		11				



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

Site Name:
Haverhill Phase 2B

Drawing:
Planning Layout

Scale@A1:
1:500

Date:
Jan '21

Drawn By:
AH

Checked By:
GL

Drawing No:
002

Rev:
G

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Development Control Committee 7 July 2021

Planning Application DC/21/0623/FUL – Hillcrest Nursery, Barningham Road, Stanton

Date registered:	9 April 2021	Expiry date:	4 June 2021 EOT 8 July 2021
Case officer:	Amey Yuill	Recommendation:	Refuse application
Parish:	Stanton	Ward:	Stanton
Proposal:	Planning application - one temporary static caravan for a period of three years		
Site:	Hillcrest Nursery, Barningham Road, Stanton		
Applicant:	Mr Robert Arnold		

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:

Amey Yuill

Email: amey.yuill@westsuffolk.gov.uk

Telephone: 01284 763233

Background:

This application was considered at the Delegation Panel on 1 June 2021 as the Parish Council did not object to the proposal, contrary to the officer's recommendation of REFUSAL.

It was agreed by the Delegation Panel that the matter should be referred to the Development Control Committee for determination.

Proposal:

1. This application seeks planning permission for a temporary static caravan for residential use for up to three years. It is proposed that the existing vehicular access of Hillcrest Nursery will be used to access the site and off-road parking will be provided next to the proposed caravan, with bin storage also on site.

Application supporting material:

2.
 - Application Form
 - Proposed Floor Plans and Elevations (Drawing No. 20243-02 A)
 - Site Layout and Location Plan (Drawing No. 20243-01 B)
 - Planning Statement
 - Supporting Letter
 - Land Contamination Questionnaire

Site details:

3. The site is located to the north of Hillcrest Nursery, within the applicant's ownership, on land which is outside of the housing settlement boundary and therefore within designated countryside, for planning purposes. The site sits on the northern side of Stanton, to the east of the B1111 (Barningham Road) and is currently a grassed paddock area. The site has a high hedge on its northern boundary and a broken, post and rail fence to the west, which runs parallel to the B1111. To the south of the application site sits a small collection of residential properties in a terrace formation known as Denbies, and to the east is land which forms part of Hillcrest Nursery, including an existing residential bungalow.

Planning history:

Reference	Proposal	Status	Decision date
DC/14/1268/FUL	Planning Application - Change of Use of greenhouse to coffee shop	Application Granted	28 October 2014
DC/20/0457/FUL	Planning Application - 1no. agricultural storage building	Application Granted	18 May 2020

Consultations:

4. **Public Health and Housing** – No objection but advised that should a further planning application be submitted to extend the temporary siting of the static caravan; a caravan site licence may be required.
5. **Environment Team** – Satisfied that the risk of contaminated land is low, however, advised that if permission is granted, if during development contamination is encountered which has not previously been identified, contact should be made with the Local Planning Authority.
6. **Suffolk Fire and Rescue Service** – Advice provided but no objection raised.
7. **Waste Management** – No comments.
8. **Suffolk County Council Highway Authority** – Further information was requested by the Highway Authority on 30 April 2021 regarding the field access to the west of the site. Following additional information being received and discussions with the Highway Authority, comments were submitted on 21 June 2021 stating they have no objections to the proposal subject to conditions to ensure the bin storage area and parking area are provided prior to the development being brought into use if granted, and that the field access to the west of the site is a maximum width of 1.5 metres to ensure it is used as a pedestrian access only, not a vehicle access.

Representations:

9. **Parish Council** – Stanton Parish Council did not object to the principle of a temporary static caravan on this site, however, raised concerns regarding the site being accessed directly onto the B1111 (Barningham Road) at the field entrance. It was further stated that they would object to any permanent building being erected on the site.
10. **Ward Councillor** – No comments received.
11. **Neighbour Representation** – Three sets of comments were received from two neighbours (No.4 Denbies and No.6 Denbies, Barningham Road).
12. No.4 Denbies comments were received on 01 May 2021 and 04 May 2021, objecting to the proposal for the following reasons:
 - Increased noise issues
 - Increased light pollution
 - Highway safety
 - Parking issues
 - Queries regarding discrepancies with plans and submitted information as well as removal of wild hedge
13. No.6 Denbies comments were received on 01 May 2021, objecting to the proposal for the following reasons:
 - Increased noise issues

- Increased light pollution
- Highway safety
- Queries regarding discrepancies with plans and submitted information as well as removal of wild hedge

Policy:

14. 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.

15. 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 DM5 Development in the Countryside
- Policy DM7 Sustainable Design and Construction
- Policy DM22 Residential Design
- Policy DM26 Agricultural and Essential Workers Dwellings
- Policy DM27 Housing in the Countryside
- Policy DM29 Rural Housing Exception Sites in St Edmundsbury
- Policy DM46 Parking Standards
- Core Strategy Policy CS2 - Sustainable Development
- Core Strategy Policy CS3 - Design and Local Distinctiveness
- Core Strategy Policy CS4 - Settlement Hierarchy and Identity
- Core Strategy Policy CS7 - Sustainable Transport
- Core Strategy Policy CS13 - Rural Areas
- Vision Policy RV1 - Presumption in favour of Sustainable Development
- Vision Policy RV3 - Housing Settlement Boundaries

Other planning policy:

16. National Planning Policy Framework (NPPF)

17. 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:

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

- Principle of Development
- Design and Impact on Character
- Impact on Neighbouring Amenity
- Highway Impact
- Other Matters

Principle of development

19. The application proposes a single, temporary dwelling in the form of a static caravan for a period of up to three years on the site. The application site is located on land designated as countryside for the purpose of planning and sits outside of all the Local Planning Authority's defined housing settlement boundaries within Stanton, of which there are three. Consideration, therefore, needs to be taken in protecting the countryside against unsustainable development, in accordance with DM5 and DM27 of the Joint Development Management Policies Document (2015), CS1, CS2, CS4, CS7, and CS13 of the St Edmundsbury Core Strategy (2010), and Paragraph 79 of the National Planning Policy Framework (2019) (NPPF).

20. Policy CS1 sets out the spatial strategy and Policy CS4 limits development outside of settlement boundaries unless exceptional circumstances apply. The proposal conflicts with both policies.

21. Policy DM5 states that in reference to residential accommodation within designated countryside a new or extended building will be permitted where it is for; b. affordable housing for local needs in accordance with other policy, e. a dwelling for a key worker essential to the operation of agriculture, forestry or a commercial equine-related business in accordance with the requirements of policy DM26 or g. the replacement of an existing dwelling on a one for one basis.

22. The proposal is not for affordable housing or a replacement dwelling, therefore, does not accord with points b or g. It has been stated that the static caravan is required to provide extra security on the site in relation to the haulage business under the applicant's ownership. However, this is

not an agricultural, forestry or commercial equine business and nothing more than anecdotal assertion has been made in this respect by the applicant. Therefore, and in any event, criterion a of policy DM26 is not relevant. Furthermore, the wider site already has a dwelling which is the applicant's current home, and this is to be retained. Therefore, the addition of a further residential unit is not considered to be essential for the operation of the business and does not meet the requirements within criterion a of policy DM5 or policy DM26.

23. Under criterion f of policy DM5 it is stated that dwellings within the countryside may be permitted where the proposal is for a small scale residential development of a small undeveloped plot in accordance with policy DM27. Policy DM27 states that proposals for new dwellings will be permitted in the countryside if the development is within a closely knit 'cluster' of 10 or more dwellings adjacent to or fronting an existing highway or the scale of the development consists of infilling a small undeveloped plot by one dwelling or a pair of semi-detached dwellings commensurate with the scale and character of the existing dwellings within an otherwise continuous built up frontage.
24. The site in question is not within a closely knit cluster of 10 or more dwellings adjacent or fronting a highway and does not involve the infilling of a small undeveloped plot within a built up frontage. The site is nearby other dwellings; however, this factor alone is an insufficient reason to justify approval. Therefore, the proposal is not considered to fall within any of the circumstances permitted by policy DM27 or criterion f of DM5.
25. Accordingly, the above analysis concludes material conflict with the provisions of the Development Plan, and this weighs heavily against the scheme.
26. Paragraph 79 of the NPPF provides two additional justifications for residential units in the countryside, which are not covered by policy DM5. Those being that the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets or that the design is of exceptional quality, in that it: (i) is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and (ii) would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area. With the proposal being for a temporary static caravan, neither of these reasons are considered to be relevant and no support can be drawn from the NPPF in this regard.
27. The site is at the northern edge of Stanton, a key service centre settlement with a good range of services and facilities. Whilst the site is beyond the settlement boundary for Stanton and so for planning policy purposes is in the countryside, the proposed dwelling would adjoin existing houses immediately to the south. It would also be a short distance from other houses and commercial premises in this part of Stanton. The proposed dwelling would not therefore be isolated. This reinforces the lack of support concluded above in relation to paragraph 79 of the NPPF, noting that the exemptions set out at paragraph 79 only apply in the case of isolated dwellings, which this site is not.

28. In terms of access to most services and facilities in Stanton, the site would be just within the margins of a reasonable walking distance, including in most part on a good footpath, with occasional streetlights, directly along the B1111, although the first approximately 300 metres would require walking on the grass verge with no streetlighting. The site also would be within easy cycling distance of village facilities. The Hillcrest Nurseries development is immediately south of the application site and contains amongst other things a farm shop/deli and coffee shop. Overall, future occupants of the proposal would not be reliant solely on the private car to access basic day-to-day services and facilities. The dwelling would also help to maintain the vitality of Stanton as a service centre village. There would also be no conflict with Policy CS4 of the Core Strategy Development Plan Document 2010 on managing impacts on climate change.
29. However, just because a proposal would not be isolated does not disengage the wider development plan framework which seeks to reasonably distinguish between settlements and countryside in terms of securing an overarching sustainable pattern of development that strikes an appropriate balance between maintaining a countryside resource and identifying opportunities for villages to grow and thrive. This is set out at Policy DM5 and further articulated at Policy DM27. This is consistent with national policy, especially at NPPF paragraph 78. This policy framework is also providing for a 5 year supply of deliverable housing land and therefore carries substantial weight.
30. The countryside designation around Stanton in the development plan provides reasonable certainty to the local community and others that as a matter of principle, development here would be carefully managed irrespective of whether they are isolated or not. The overarching and up-to-date development plan strategy is there to carefully manage development in the countryside including an allowance for modest infill development at Policy DM27. For the reasons set out above, the proposal, by reason of its established countryside location and character, would not be consistent with the over-arching policy framework as set out at Policies DM5 and DM27 and this weighs very heavily against the scheme.
31. The planning statement submitted with the application also makes reference to the permission being sought being temporarily for three years and also being personal to the applicant, as being potentially material. These two matters are discussed in more detail below.
32. In relation to the matter of it being temporary, advice given in the National Planning Policy Guidance (NPPG) at paragraph 013 explains that circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area, where it is expected that the planning circumstances will change in a particular way at the end of that period, or where a temporary planning permission may be appropriate to enable the temporary use of vacant land or buildings prior to any longer-term proposals coming forward.
33. In relation to these matters, the effect of the development on the area is known. A 'trial run' will not add materially to this. The effects arising from its unsuitable and unsustainable location are noted, as will be any effects

arising as may be concluded below in relation to the visual impacts. A trial run is not needed in this respect therefore. Furthermore, neither is it expected that the planning circumstances will change during any temporary period, and so this is not a reason to offset what is otherwise a very clear policy position. Finally, there is no 'longer term' proposal for this land that it might otherwise be appropriate to allow a temporary siting in the meantime.

34. It can be concluded therefore that none of the reasons indicated within the NPPG as being circumstances that might otherwise justify a temporary permission are relevant in this regard. The outcome is that determination should be made in accordance with the Development Plan, which for the reasons set out above, clearly indicates refusal.
35. The applicant further argues that the permission should be made personal to them. In this respect paragraph 015 of the NPPG states that there may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission. However, the reason cited by the applicant to justify the need for the residential static caravan relate to his personal circumstances and whilst of course respected these are not in planning terms deemed in any way exceptional and therefore are not considered to outweigh the strong policy conflict detailed above.
36. As a consequence, neither the suggestion that the proposal be allowed temporarily, nor the suggestion that it be granted on a personal basis, are sufficient to outweigh the strong policy conflict identified above.

Design and impact on character

37. 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 and policy DM22 states that all residential development proposals should maintain or create a sense of place and/or character by basing design on an analysis of existing buildings and landscape and utilising the characteristics of the locality to create buildings and spaces that have a strong sense of place and distinctiveness. Furthermore, policies CS2 and CS3 of the St Edmundsbury Core Strategy support this by stating that a high quality, sustainable environment will be achieved by conserving and, wherever possible, enhancing the character and quality of local landscapes, making a positive contribution to local distinctiveness, character, townscape and the setting of settlements and new development must create and contribute to a high quality, safe and sustainable environment, with proposals expected to address the understanding of the local context and how it will enhance the area.
38. Whilst the design of the static caravan, with its relatively simple, single storey form, is not deemed inappropriate per se, it remains of an inherently utilitarian appearance, and the siting of a residential structure in what is currently a paddock in the countryside is considered to be out of keeping with and harmful to the wider rural character of the site and area. The tall hedge to the north of the site does provide some screening of the proposed development, however, with the existing gap in the hedge to the west of the site, this will allow views of the proposed static caravan and any paraphernalia associated with a dwelling, which will

result in an urbanising effect and encroachment into the countryside. Therefore, the proposal is considered to be contrary to policies DM2, DM22, DM27, CS2 and CS3.

Impact on neighbouring amenity

39. Policies DM2 and DM22 seek to ensure that new development does not have a detrimental impact on residential amenity, nor the amenities of the wider area. Policy states the amenities of adjacent areas by reason of noise, smell, vibration, overlooking, overshadowing, loss of light or other pollution (including light pollution, or volume or type or vehicular activity generated), must be considered.
40. Three neighbour objections were received during the course of the application from occupiers of houses within the terrace known as Denbies, which are located to the south of the application site. The objections raised concerns regarding the proposal's risk at impacting their amenity due to increased noise issues and light pollution.
41. Due to the degree of separation between the proposed static caravan and the residential dwellings to the south of the site, paired with the proposal's single storey height and modest scale, officers do not consider the proposed development would have an adverse impact on the neighbouring amenity of any of the nearby dwellings by reason of overlooking, loss of light, increased light pollution, noise pollution nor an overbearing sense. The static caravan is positioned to the eastern side of the site, away from the neighbouring residential properties and with a fence and vegetation on the southern boundary of the site, this would provide further screening. Therefore, in terms of impacts on neighbouring amenity, the proposal is deemed to be acceptable.

Highway impact

42. Policy DM2 states that proposals for all development should produce designs that provide access for all, and that encourage the use of sustainable forms of transport through the provision of pedestrian and cycle links, including access to shops and community facilities; and produce designs, in accordance with standards, that maintain or enhance the safety of the highway network.
43. Initially the Highways Authority required further clarification regarding which access the proposal would be using for vehicles, as the proposed block plan indicated that there is an existing field access directly from the existing paddock onto the B1111, which they were not supportive of. However, it was confirmed that the only vehicular access to be used would be the existing vehicular access for Hillcrest Nursery, to the south west, which the Highways Authority have no objections to. Three conditions were suggested if permission is to be granted; relating to bin storage area and parking, and which should be provided in their entirety prior to the development being brought into use, and for the existing field access to the west of the site to be no more than 1.5 metres in width to ensure it is used by pedestrians only. The proposal is therefore considered to comply with DM2 in this regard.

Other matters

44. During the course of the application the Environment Team advised that based on the information provided and the temporary nature of the proposal, they were satisfied that the risk of contaminated land is low, however, advised that if during development, contamination is encountered which has not previously been identified then the developer should contact the Local Planning Authority. If permission is granted, a condition to control this recommendation is considered reasonable.
45. Policy DM7 of the Joint Development Management Policies Document requires developers to demonstrate water efficiency measures (and one of the options is 110 litres water use per person, per day), therefore, if the proposed development is granted it is considered reasonable to require the more stringent water efficiency measures set out in the Building Regulations be applied to this development, through the use of a condition.
46. 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.
47. 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.
48. The applicant has completed the required biodiversity checklist. Sufficient comfort therefore exists that the proposal would not negatively impact upon any biodiversity interests of importance. Enhancement could be conditioned if the matter was otherwise for approval.
49. The trees to the north of the site are non-native evergreen trees of limited amenity value. In any event, the proposal, noting its siting, is not considered to negatively impact upon these.

Conclusion:

50. The temporary siting of a residential static caravan on this site is considered harmful to the character of the countryside and wider area, and conflicts with the provisions of the development plan as a matter of principle. The justification for a temporary and personal consent cited by the applicant are not considered sufficient to outweigh this policy conflict.
51. The proposal is considered to be contrary to the provisions of the development plan, in particular policies DM5, DM26, DM27 of the Joint Development Management Policies Documents and policies CS2, CS3 and CS13 of the St Edmundsbury Core Strategy. It is also not considered to accord with the provisions of the National Planning Policy Framework (2019).

52. There are no other material considerations which outweigh the harm arising from the proposal being contrary to the development plan and its impact on the rural character of the area. On this basis the application is recommended for refusal.

Recommendation:

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

1. The St Edmundsbury Core Strategy (2010) via CS13 states that development outside of housing settlements, defined in policies CS1 and CS4, will be strictly controlled, with residential development outside of the settlement boundaries being resisted. The Joint Development Management Policies Document (2015) further supports both the NPPF and Core Strategy through policies DM5 and DM27. DM5 states that areas designated as countryside will be protected from unsustainable development and policy DM27 sets out the strict circumstances where dwellings will be permitted outside of settlement boundaries. The site falls outside of any designated settlement boundaries, showing a dwelling in the form of a static caravan. The proposed dwelling does not front a highway or form an infill within a continuous built up frontage, nor will it form a close knit cluster of 10 or more dwellings. Policy DM26 is not relevant as the dwelling is not for an agricultural, forestry or commercial equine essential worker. The proposal does not therefore meet the provisions of any of these policies and there are no material considerations, including the applicant's suggestions that the proposal be time limited and personal, that outweigh this very significant conflict with the Development Plan.
2. Policies DM2 and DM22 of the Joint Development Management Policies Document and the NPPF attach great importance to good design, expecting new developments to be visually attractive, responding to local character and reinforcing local distinctiveness. Furthermore, policies CS2 and CS3 of the Core Strategy state that a high quality, sustainable environment will be achieved by conserving and, wherever possible, enhancing the character and quality of local landscapes, making a positive contribution to local distinctiveness, character, townscape and the setting of settlements, and understanding the local context and how the development will enhance the area. The paddock where the residential static caravan is proposed, to the north of Hillcrest Nursery, is a rural setting with open countryside to its north boundary. The introduction of a dwelling in this location will have an urbanising impact, resulting in the material and harmful erosion of the countryside. The proposal is therefore contrary to the provisions of policies CS2 and CS3 of the Core Strategy, policies DM2 and DM22 of the Joint Development Management Policies Document and the National Planning Policy Framework 2019.

Documents:

54. All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/0623/FUL](https://www.dorset.gov.uk/DC/21/0623/FUL)

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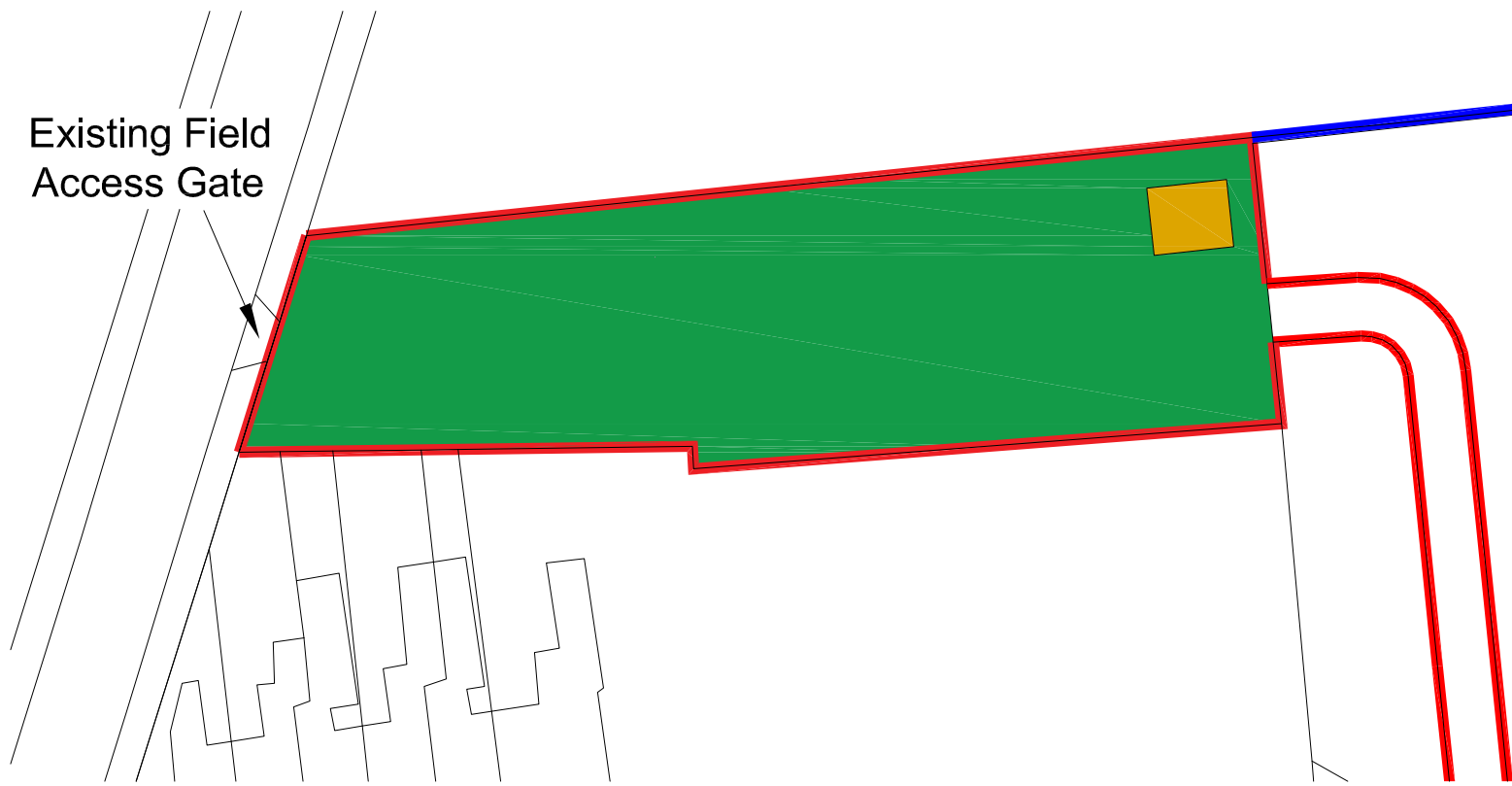


DC/21/0623/FUL - Hillcrest Nursery, Barningham Road, Stanton, IP31 2DU

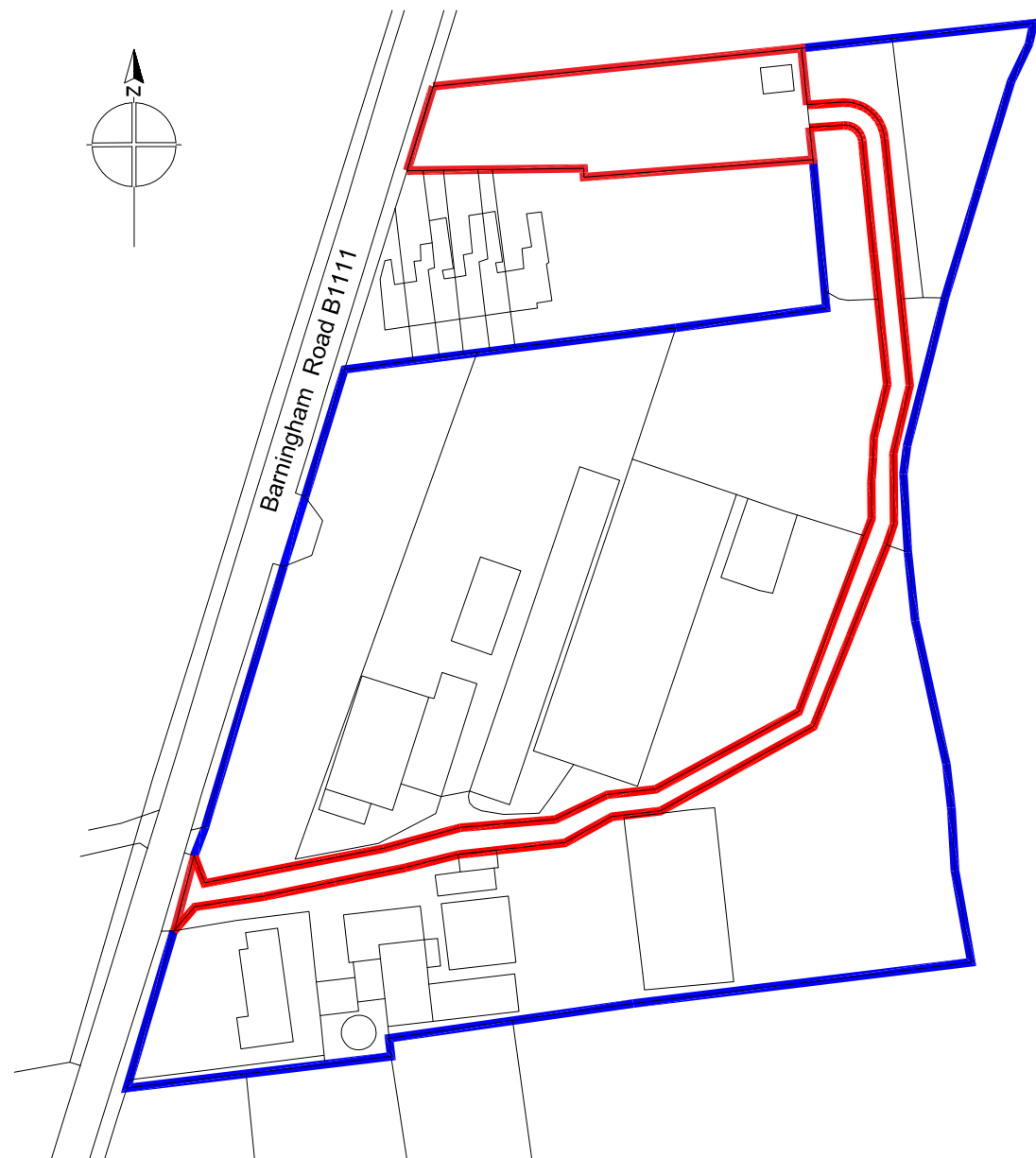
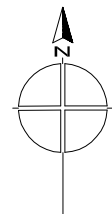


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Existing Field Access Gate



Existing Site Plan @ Scale 1:500



Location Plan @ Scale 1:1250

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Existing Field Access Gate

Bin Collection Point
Bin Store
Location of Static Caravan



Proposed Site Plan @ Scale 1:500

B	ADDITIONAL INFORMATION REQUESTED BY PLANNING DEPARTMENT: PARKING & BIN COLLECTION	23 / 04 / 21	HC
A	CLIENT ISSUE	11 / 03 / 21	HC
REV	AMENDMENT	DATE	CHKD

DRAWING STATUS **PLANNING**

PROJECT
**HILLCREST NURSERIES,
STANTON IP31 2DU**

DRAWING TITLE
**SITE LAYOUT & LOCATION
PLAN**

SCALE 1:500 & 1:1250 @ A3	DRAWN BY NR	DATE 03 / 21
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DRAWING NUMBER 20243-01	REVISION B
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Development Control Committee

7 July 2021

Planning Application DC/21/0618/VAR – The Old Pumping Station, Lower Road, Hundon

Date registered:	22 March 2021	Expiry date:	17 May 2021 – EOT 8 July 2021
Case officer:	Kerri Cooper	Recommendation:	Approve application
Parish:	Hundon	Ward:	Clare, Hundon and Kedington
Proposal:	Planning application - Variation of conditions 2, 3, 8, 9, 10 12, 13 and 17 of DC/20/0227/VAR to allow alternative drainage and the submission of details for the construction of a. three dwellings and associated garages; b. pedestrian link to public footpath; c. alterations to existing access		
Site:	The Old Pumping Station, Lower Road, Hundon		
Applicant:	Mr G Baber		

Synopsis:

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

Recommendation:

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

CONTACT CASE OFFICER:

Kerri Cooper

Email: kerri.cooper@westsuffolk.gov.uk

Telephone: 07971 534102

Background:

The application is referred to Development Control Committee as the application is contrary to the Development Plan and is recommended for APPROVAL.

Planning permission DC/19/1817/FUL for three dwellings was granted on 9th January 2020 following determination of the application by Development Control Committee on 8th January 2020. The principle of the development has therefore been established. This was followed by a subsequent planning permission that sought to vary conditions 2 (approved plans) and 11 (soft landscaping) of DC/19/1817/FUL.

Proposal:

1. This application seeks to vary conditions 2 (approved plans), 3 (contamination), 8 (construction method statement), 9 (disposal of surface water), 10 (tree protection), 12 (biodiversity enhancements), 13 (materials) and 17 (discharge of surface water) of DC/20/0227/VAR.
2. The application being considered seeks permission for amendments to the previously approved drainage strategy and the submission of details in relation to imposed conditions.
3. Planning permission was approved under application DC/19/1817/FUL for the construction of three dwellings and associated garages on the former pumping station site in Hundon. In addition, with alterations to the existing access serving the site and the provision of a pedestrian link along the eastern boundary.

Application supporting material:

4. Information submitted with the application as follows:
 - Application Form
 - Landscape Details
 - Drainage Details
 - Ecology Survey
 - Flood Risk Assessment
 - Land Contamination Assessment
 - Construction Method Statement
 - Site Location and Layout
5. The full list of plans and documents, which are relevant to the proposed development are detailed in full within Condition 2 in the recommendations section of the report.

Site details:

6. The site comprises an area of brownfield land measuring 0.24 hectares and lies on the western edge of the village of Hundon. The site was previously occupied by Suffolk Automatic Transmission who undertook car servicing and repairs, before they relocated elsewhere. The site includes buildings comprising workshops and porta cabins.

7. The site is bounded by a public byway (Galley Lane) which runs along the eastern boundary. The site lies immediately adjacent to the Housing Settlement Boundary for Hundon and is therefore located in the Countryside for planning purposes. The entrance to the site is within Flood Zones 2 and 3.

Planning history:

Reference	Proposal	Status	Decision date
DC/16/1238/OUT	Outline Planning Application (All matters reserved) - 8no. dwellings	Application Refused	16 December 2016
DC/18/0659/OUT	Outline Planning Application (All matters reserved) - 5 no. dwellings	Application Returned	
DC/18/0661/OUT	Outline Planning Application (all matters reserved) - 2no. dwellings	Application Refused	13 August 2018
DC/19/1817/FUL	Planning Application - (i) 3no. dwellings and associated garages (ii) pedestrian link to public footpath (iv) alterations to existing access	Application Granted	9 January 2020
DC/20/0227/VAR	Planning Application - Variation of conditions 2 and 11 of DC/19/1817/FUL to allow use of amended plans and amendment to landscaping implementation for (i) 3no. dwellings and associated garages (ii) pedestrian link to public footpath (iii) alterations to existing access	Application Granted	4 June 2020
DCON(A)/20/0227	Application to discharge conditions 8 (construction method Statement) and 10 (arboricultural method statement) of application DC/20/0227/VAR	Application Granted	18 December 2020

Consultations:

8. **Environment and Transport – Highways** – No objection.
9. **Public Health and Housing** – No objection.
10. **Environment Agency** – No objection.
11. **Environment Team** – No objection, recommend the removal of condition 3 of DC/20/0227/VAR.

12. **SCC Floods and Water** – Following the submission of further information, no objection and recommend the re-wording of the drainage conditions.

Representations:

13. **Parish Council** - No objection.
14. **Ward Member** - No comments received.
15. **Neighbours** - No representations received

Policy:

15. 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.

16. 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:

17. Joint Development Management Policies Document 2015

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in the Countryside

Policy DM6 Flooding and Sustainable Drainage

Policy DM7 Sustainable Design and Construction

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards

Policy DM22 Residential Design

Policy DM27 Housing in the Countryside

Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

Policy DM45 Transport Assessments and Travel Plans

Policy DM46 Parking Standards

18. St Edmundsbury Core Strategy 2010

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy

Core Strategy Policy CS2 - Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Core Strategy Policy CS4 - Settlement Hierarchy and Identity

Core Strategy Policy CS7 - Sustainable Transport

Core Strategy Policy CS13 - Rural Areas

19. Rural Vision 2031

Vision Policy RV1 - Presumption in favour of Sustainable Development

Vision Policy RV3 - Housing settlement boundaries

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:

Legal Context

22. Once planning permission has been granted development must take place in accordance with the permission and any conditions attached to it. New issues may arise after planning permission has been granted, which require modification of the approved proposals. Where the modifications are fundamental or substantial a new planning application will need to be submitted. Where less substantial changes are proposed there are two options for amending a proposal that has planning permission. Firstly, a non-material amendment can be sought, and secondly an application to amend conditions attached to the planning permission, including seeking

to make minor material amendments, commonly known as a section 73 application.

23. The extent of the changes proposed to the consented scheme can be considered 'minor material amendments'. The changes proposed do not fundamentally or substantially change the proposal, rather the changes seek to amend certain design elements. Officers are therefore satisfied that the changes are 'minor material' and can be considered as such under section 73. This application therefore seeks to vary conditions 2, 3, 8, 9, 10, 12, 13 and 17 to allow an alternative drainage scheme and the submission of details.
24. Following advice being sought by West Suffolk Council's Legal Team, it was considered that the application should be determined by the Development Control Committee, as the previous applications were. This is because the proposal remains contrary to the provisions of the development plan and the result of a section 73 application is to grant a new permission.
25. The main issues to be considered in the determination of the application are:
- Principle of Development
 - Flood Risk and Drainage
 - Acceptability of the variation of conditions 3, 8, 10, 12, and 13
 - All Other Matters

Principle of Development

26. Planning permission for three dwellings was granted on 9 January 2020 following determination of the application by Development Control Committee on 8 January 2020. The principle of the development has therefore been established and the development could be constructed in accordance with the approved plans without further recourse to the Local Planning Authority.
27. This was then followed by a subsequent planning permission that sought to vary conditions 2 (approved plans) and 11 (soft landscaping) of DC/19/1817/FUL.
28. The application being considered seeks permission for amendments to the previously approved drainage, conditions 9 and 17, together with the submission of details in respect of conditions 3, 8, 10, 12 and 13. Whilst the principle of development has already been established it is important to set out the current context of the application in relation to the Development Plan.
29. Since the determination of applications DC/19/1817/FUL and DC/20/0227/VAR, there have been no changes to policy, relevant legal and legislative requirements or West Suffolk Council's five-year housing land supply.
30. 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.

31. The development proposal was considered against Development Plan Policies and the objectives of the National Planning Policy Framework. In this case there was a clear conflict with development plan policy in respect of housing in the countryside and this carries significant weight against the proposal. In such circumstances, a development should only be approved where there are clear material planning considerations which indicate a decision contrary to the provisions of the plan would be more appropriate in planning terms.
32. The application site was considered to be situated in a sustainable location, in close proximity to the service and facilities in Hundon. The proposed scheme also sought to develop brownfield land, without any harm arising to the rural economy as a consequence of the loss of an existing employment site. These factors weighed significantly in support of the scheme.
33. The improvement in the quality of the built environment and positive effect on visual amenity and the character of the area as a result of the introduction of a well-designed development also carried considerable weight in favour of the scheme. Furthermore, modest economic gains and biodiversity improvements also carried limited weight in favour of the scheme.
34. Aside from the fact that the development is positioned outside the defined Housing Settlement Boundary, the proposal was considered to accord with all other relevant development plan policies and would, subject to the use of conditions, be acceptable in terms of drainage, highway safety and residential amenity.
35. On balance, it was therefore considered that taken together, the factors weighing in favour of the scheme, which constitute clear material planning considerations would outweigh the identified policy conflict.
36. Given that there is an extant planning permission for the construction of the three dwellings it is considered that the principle of development is well established.
37. The remainder of this report will assess the detail of the changes proposed to the drainage and submission of details in relation to the imposed conditions.

Flood Risk and Drainage

38. Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).
39. Policy DM6 of the Joint Development Management Policies Document states that proposals for all new development will be required to submit schemes appropriate to the scale of the proposal detailing how on-site drainage will be managed as to not cause or exacerbate flooding elsewhere.

40. Conditions 9 and 17 of the previously approved schemes relate to the drainage strategy of the proposed development. Within this application, changes are sought to the surface water drainage.
41. The entrance and frontage of the application site is located in Flood Zones 2 and 3, the remainder of the site is situated within Flood Zone 1. The proposed development has been designed as for the dwellings and garages to be located outside of Flood Zones 2 and 3.
42. A flood risk assessment accompanied the previous applications, which the Environment Agency assessed and considered that there would be no additional impact on flooding as a result of the proposed development. As a result of the changes to previously approved drainage, a revised flood risk assessment has been submitted within this application which concludes that the changes to the drainage strategy do not increase the risk of flooding.
43. The Lead Local Flood Authority has reviewed the submitted details and is satisfied that the revised drainage layout and details acceptable. It is considered in principle that sufficient space has been dedicated to drainage infrastructure and an appropriate scheme can be achieved. It is recommended that conditions 9 and 17 of DC/20/0227/VAR, are re-worded to reflect the revised and approved drainage strategy.

Acceptability of the variation of conditions 3, 8, 10, 12 and 13

44. Details have been submitted in respect of conditions 3 (Land Contamination), 8 (Construction Method Statement), 10 (Tree Protection), 12 (Biodiversity Enhancements) and 13 (Materials) of planning permission DC/20/0227/VAR.
45. The application is supported by a letter report undertaken by EPS Ltd, reference UK19.4509B dated 18th March 2021. This report supplements EPS's previous Phase II Geoenvironmental Assessment, issue 2, reference UK19.4509 dated 27th August 2019). The March 2021 report provides the findings of investigations and some validation sampling following the demolition of structures on the site and removal of a previously unknown underground storage tank. The report gives further recommendations for remedial measures including the requirement for clean cover soils, a vapour proof membrane and barrier pipe for clean water supplies. The Environment Team has concluded that the findings of this supplementary investigation and the associated recommendations are acceptable. Condition 3 of DC/20/0227/VAR may therefore be removed as part of this variation.
46. Conditions 8 and 10 were submitted to the Local Planning Authority for consideration under discharge of condition application DCON(A)/20/0227. The details contained in the construction method statement and set out in the arboricultural statement were considered acceptable. No further changes are proposed to the detail. As such, it is recommended that these conditions are varied to reflect the approved details.
47. The facing materials of the proposed dwellings comprise a combination of red brick and weatherboarding, with a clay pantile roof. The materials proposed are considered to be sympathetic and will result in a high-quality

finish and visually attractive development. Furthermore, the ecological enhancement measures set out within the Skilled Ecology Report dated January 2021 are proportionate to the nature of the proposed development. It is therefore considered that these conditions are varied to reflect the approved details.

All Other Matters

48. The changes proposed to the approved scheme do not raise any issues in relation to the design and layout, highways and impact on residential amenity, and therefore do not alter the assessment made at the time planning permission was granted in January 2020 and June 2020.

Conclusion:

49. In conclusion, the principle of the development has been established for the reasons cited above. The changes to allow an alternative drainage system are not considered to raise any adverse impacts and are therefore acceptable. In addition, the details submitted in relation to conditions 3, 8, 10, 12 and 13 are considered acceptable and can enable these conditions to be re-worded accordingly.

Recommendation:

50. 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 planning permission DC/19/1817/FUL, 9 January 2023.

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, unless otherwise stated below:

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

Reference number	Plan type	Date received
Exceedance Flow Path Plan 14761-09	Other	14 June 2021
(-)	Arboricultural Method Statement	19 March 2021
Construction Method Statement	Other	19 March 2021
(-)	Ecological survey	19 March 2021
(-)	Flood risk assessment	19 March 2021
(-)	Land contamination assessment	19 March 2021
(-)	Drainage strategy	19 March 2021
Drainage Calculations	Other	14 June 2021

Letter from Drainage Consultant	Supplementary information	14 June 2021
14761-01 Rev D	Drainage plans	14 June 2021
(-)	Application form	19 March 2021
(-)	Tree protection plan	19 March 2021
18033-13	Topographic survey	19 March 2021
18033-13	Drainage strategy	19 March 2021
18033-50	Materials	19 March 2021
(-)	Application form	6 February 2020
18033-11	Proposed elevations & floor plans	6 February 2020
18033-10	Proposed elevations & floor plans	6 February 2020
18033-09 REV A	Proposed elevations & floor plans	6 February 2020
18033-05 Rev F	Location plan	13 November 2019
JBA 19/146-03 Rev A	Hard landscape proposals	3 September 2019
18033-07	Proposed elevations	3 September 2019
(-)	Planning statement	3 September 2019
(-)	Arboricultural assessment	3 September 2019
(-)	Design and access statement	3 September 2019
(-)	Landscape plan	3 September 2019
Marketing Report	Other statements	3 September 2019
(-)	Land contamination assessment	3 September 2019
(-)	Ecological survey	3 September 2019
(-)	Transport assessment	3 September 2019
(-)	Notice served	23 September 2019
(-)	Application form	3 September 2019
18033-08 REV B	Location & block plan	6 February 2020

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

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

- 4 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be

dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

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

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

- 6 Demolition or construction works shall not take place outside 8:00am hours to 6:00pm hours Mondays to Fridays and 8:00am hours to 1:30pm hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

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

- 7 The development hereby approved shall be carried out in complete accordance with the approved Construction Method Statement received on 3 December 2020, unless otherwise agreed in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period.

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

- 8 The strategy for the disposal of surface water (Drainage Strategy Parts 1, 2, 3 & 4 Dated: Sep 2020 Ref: 14761 Rev B) and the Flood Risk Assessment (FRA) (Flood Risk Assessment Parts 1 & 2 Dated: Jul 2020 Ref: 14761) shall be implemented as approved in writing by the Local

Planning Authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

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

- 9 Prior to commencement of development, the approved tree protection measures contained within the Arboricultural Method Statement (dated 25 November 2020 Ref: JBA 19/146 AR02 by James Blake Associates), shall be implemented in full and shall be maintained and retained until the development is completed.

Within the root protection areas the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

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

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

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

- 11 The biodiversity enhancement measures contained in the Biodiversity Enhancement Measures for Development (dated January 2021 by Skilled Ecology) shall be installed prior to first occupation and thereafter retained as so installed.

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.

- 12 The development hereby permitted shall be constructed entirely of the materials detailed on the submitted plan / drawing No.(s) - 18033-50.

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

- 13 The means to prevent the discharge of surface water from the development onto the highway as set out in the approved drainage strategy (Drainage Strategy Parts 1, 2, 3 & 4 Dated: Sep 2020 Ref: 14761 Rev B) shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

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

- 14 The dwelling(s) hereby approved shall not be occupied until the 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. The higher standards for implementation of water efficiency measures set out in the Building Regulations are only activated if they are also a requirement of a planning condition attached to a planning permission.

- 15 The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No 18033-08 Rev B and made available for use prior to occupation. It shall be retained thereafter in its approved form.

Reason: To ensure that accesses are located at an appropriate position to avoid multiple accesses which would be detrimental to highway safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 16 Prior to first use of the development hereby permitted, the existing access onto the site shall be properly surfaced with a bound impervious material for a minimum distance of 10 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason: To secure appropriate improvements to the existing vehicular access and to prevent hazards caused by loose materials being carried out into the highway, in accordance with policy DM2 of the West Suffolk Joint

- 17 Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point and a distance of 120metres to the northwest and 43metres to the southeast metres in each direction along the edge of the metalled carriageway from the centre of the access. Notwithstanding the provisions of Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any Order revoking and re-enacting that Order) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the area of the visibility splays.

Reason: To ensure vehicles exiting the access have sufficient visibility to enter the public highway safely and vehicles on the public highway have sufficient warning of a vehicle emerging to take avoiding action in the interests of road safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 18 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. 18033-08 Rev B for the purpose of loading, unloading, manoeuvring and parking of vehicles shall be provided. Thereafter the area(s) shall be retained and used for no other purpose.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided, in accordance with policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

- 51.All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/0618/VAR](https://www.suffolk.gov.uk/DC/21/0618/VAR)

Case officer: Kerri Cooper Phone: 07971 534102

DC/21/0618/VAR - The Old Pumping Station , Lower Road, Hundon



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Schedule of Areas:

Plot	Bedrooms	Floor Area m ²	sqft	Approx volume m ³
1	4	145	1,560	440
2	4	160	1,720	500
3	4	160	1,720	500
Totals	12	465	5,000	1,400

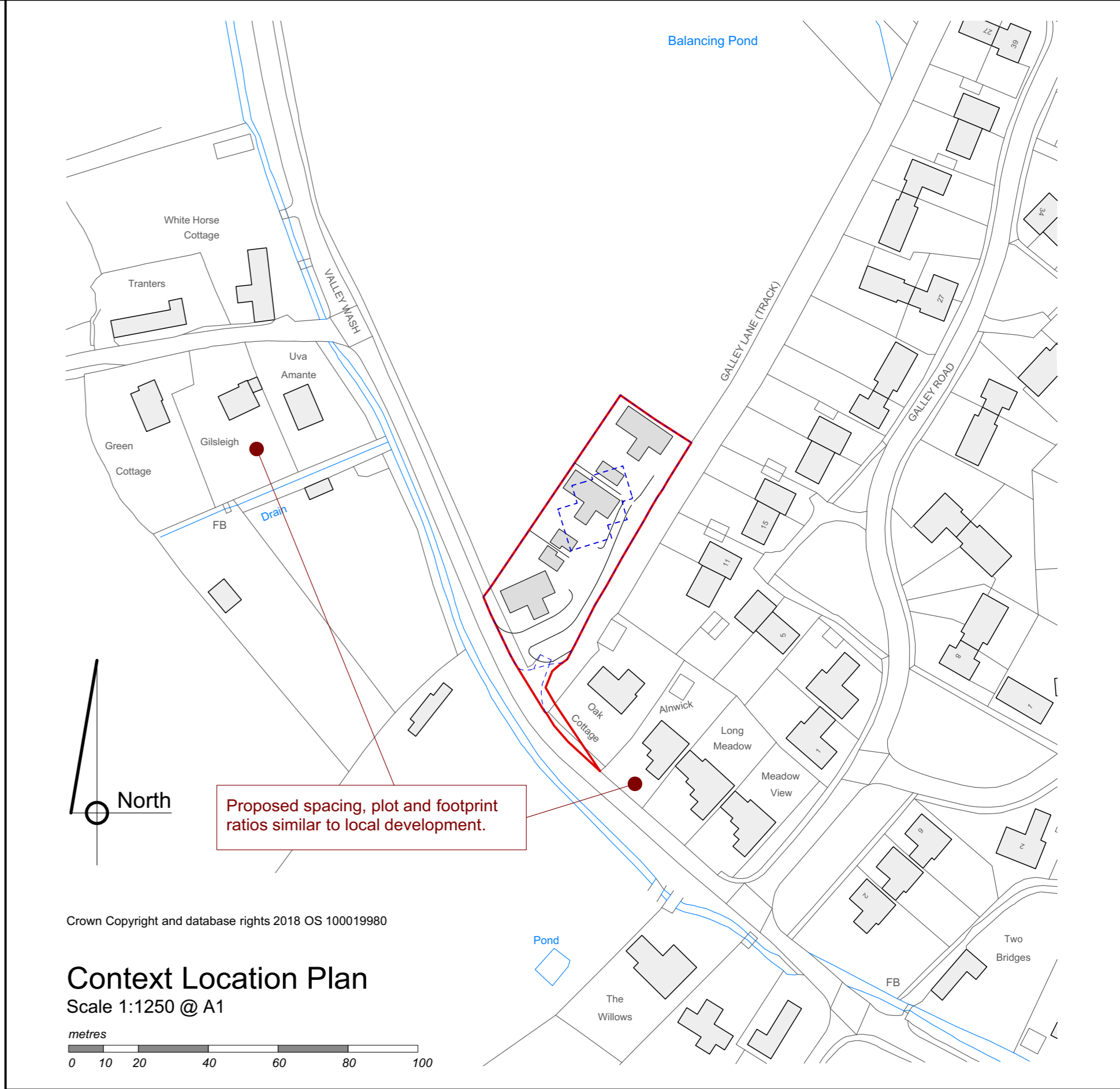
Buildings removed:
External Floor Area: Approx. 295m² Proposal uplifts by circa 170m² / 34%
External Volume: Approx. 1,170m³ Proposal uplifts by circa 230m³ / 20%



- Bird Boxes:**
 2 x Schwegler 1B - **1B(1) & 1B(2)**
 1 x Schwegler 2H - **2H**
 1 x Schwegler 1SP - **1SP**
- Bat Boxes:**
 1 x Schwegler 1FF - **1FF**
 1 x Schwegler 2F - **2F**

Trees at west side of Galley Lane cropped to boundaryline and new/ supplementary hedging planted as shown.

Existing trees at east side of Galley Lane shown indicatively.



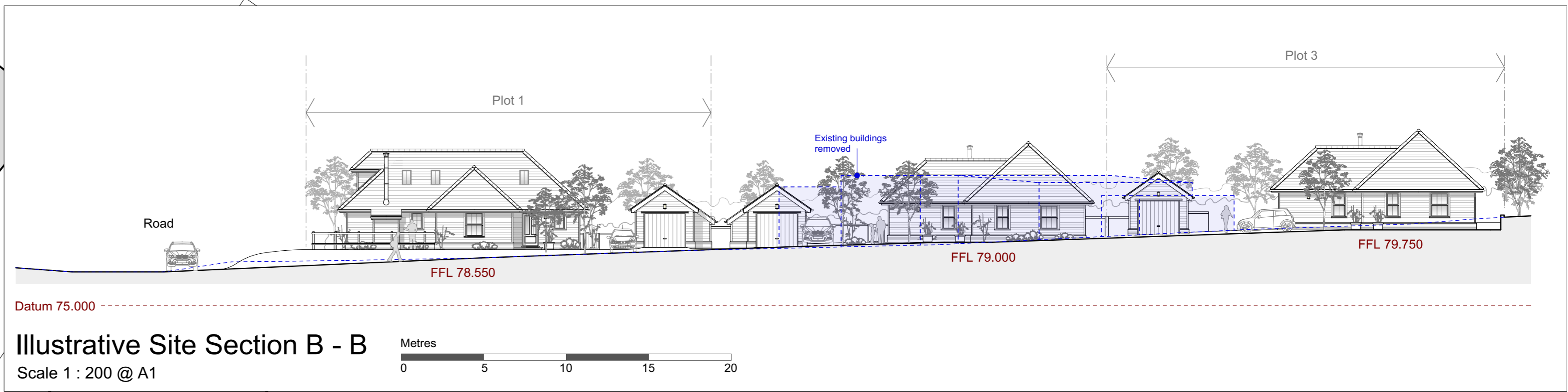
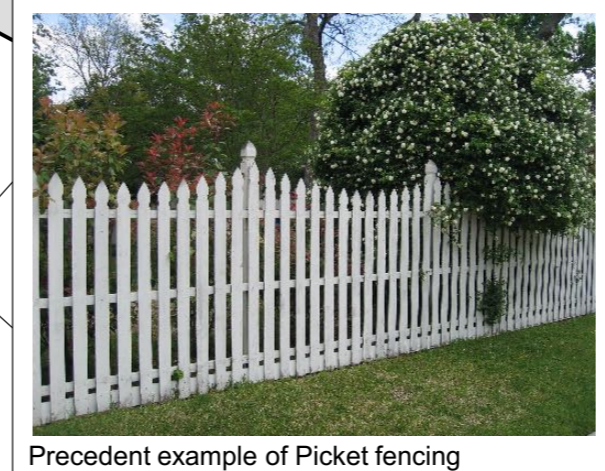
Improved access set out to accommodate parameters as previously approved (alterations to access Ref. SE/12/0059/FUL)

New, 6metre radius kerb improving south side of replacement access

Approximate line of highway boundary

New channel drain preventing surface water run-off.

Access to Oak Cottage maintained as existing with improvements to visibility in both directions



Schematic Site Plan
 1 : 200 @ A1

Contractor is responsible for all setting out and must check dimensions on site before work is put in hand. Written dimensions only to be taken, this drawing must not be scaled. JAP Architects to be immediately notified of suspected omissions or discrepancies. ©

Revisions

Revision	Description	Date
A	Revised following meeting with client.	23.01.20
B	Minor Amendments.	29.01.20

J·A·P ARCHITECTS
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 TELEPHONE (01787) 279490 - E-MAIL enquiries@japarchitects.co.uk
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RIBA

J·A·P Architects

Project: Redevelopment of 'The Old Pumping Station', Hundon. For Ragilbury Roots Ltd

Title: Proposed Site Plan (post planning consent - Ref: DC/19/1817/FUL)

Scale 1 : 200/100/1250 @ A1 Date December 2019 Revisions

Drawing No. **18033-08**

Revision	A	B
1		

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Development Control Committee

7 July 2021

Planning Application DC/21/0946/CLP – West Suffolk House, Western Way, Bury St Edmunds

Date registered:	27 April 2021	Expiry date:	22 June 2021 EOT 09 July 2021
Case officer:	Connor Vince	Recommendation:	Approve Application
Parish:	Bury St Edmunds Town Council	Ward:	Minden
Proposal:	Application for a certificate of lawfulness for proposed use or development - extension to the existing sub-station building, reconfiguration of associated footpath and motorbike parking spaces		
Site:	West Suffolk House, Western Way, Bury St Edmunds		
Applicant:	Oliver Ingwall-King		

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:

- 1. The application is referred to Development Control Committee as West Suffolk Council is the applicant.**

Proposal:

2. The application seeks a Lawful Development Certificate for a proposed development. In this instance, an extension to the existing substation building, and the reconfiguration of an associated footpath and motorbike parking spaces is proposed to be undertaken. The certificate is sought to confirm whether the proposal is permitted development and therefore, lawful.
3. The provision of a battery storage area was also originally included. However, this was intended to be installed on the existing car parking area of the site. This parking was required by condition on the substantive approval to be retained, and the battery storage element would conflict with this condition. As a consequence, these works could not be permitted development and were therefore removed from the proposal.

Application supporting material:

- Application Form
- Location Plan
- Existing Site Plan
- Existing Block Plan
- Existing Floor Plans
- Existing and Proposed Roof Plans
- Existing and Proposed Elevations
- Existing and Proposed Sections
- Proposed Elevations
- Proposed Block Plan
- Proposed Site Plan
- Decision of SE/07/0105

Site details:

4. The application site is situated at West Suffolk House, Western Way, within the settlement boundary for Bury St. Edmunds. The application site comprises of the substation outbuilding subject to this application and vehicular and motorcycle parking. The wider site comprises of West Suffolk House and includes associated vehicular, motorcycle and cycle parking, as well as other associated buildings used by West Suffolk Council.

Planning history:

5. No relevant planning history.

Consultations:

6. Given the nature of the application, a technical judgement having regard to the nationally set permitted development regulations, it is not necessary to carry out consultations.

Officer comment:

7. The issues to be considered in the determination of this application are an assessment of this development against the provisions of Part 12 Class A of the General Permitted Development Order (2015) (GPDO), which is included below.

'A. The erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of —
(a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;
(b) lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structures or works required in connection with the operation of any public service administered by them.

Interpretation of Class A

A.1 For the purposes of Class A, "urban development corporation" has the same meaning as in Part 16 of the Local Government, Planning and Land Act 1980 (urban development)(a).

A.2 The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.'

Schedule 2, Part 12, Class A of the General Permitted Development Order 2015

8. The application is to be considered against the criteria set out above and the relevant conditions listed in the GPDO, Schedule 2, Part 12, Class A. This section covers development by local authorities.
9. Under Class A the following limits and conditions apply:

Permitted development

- 10.'A. The erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of—
 - (a) any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;'
- 11.The substation building is considered to be an ancillary building within this context. Paragraph A.2 of Part 12, Class A of the GPDO as set out above (paragraph 9) provides the parameters for buildings to qualify as 'ancillary' within this class. The proposed extension to the substation building measures 5.40 metres in depth, 4.49 metres in width and 3.255 metres in height (flat roof). Paragraph A.2 states that works should not exceed 4 metres in height or 200 cubic metres in capacity. The proposed extension

meets these criteria and is therefore considered to comply with the provisions of Class A.

12.The works involve the minor resiting of three motorcycle stands by approximately 2 metres. This change is considered sufficiently insignificant so as to be considered de-minimus in planning terms.

13.A more significant wider reconfiguration of the vehicular and cycle parking arrangements at the site had originally been proposed as a result of the provision of a battery container to be installed at the site. However, condition 6 attached to the original planning permission (SE/07/0105) granted for West Suffolk House requires the approved parking areas to be retained. Therefore, neither a reconfiguration of the car park nor the loss of spaces to install the battery storage element can be undertaken using permitted development rights. The applicant has therefore removed this element from the proposal accordingly.

Conclusion:

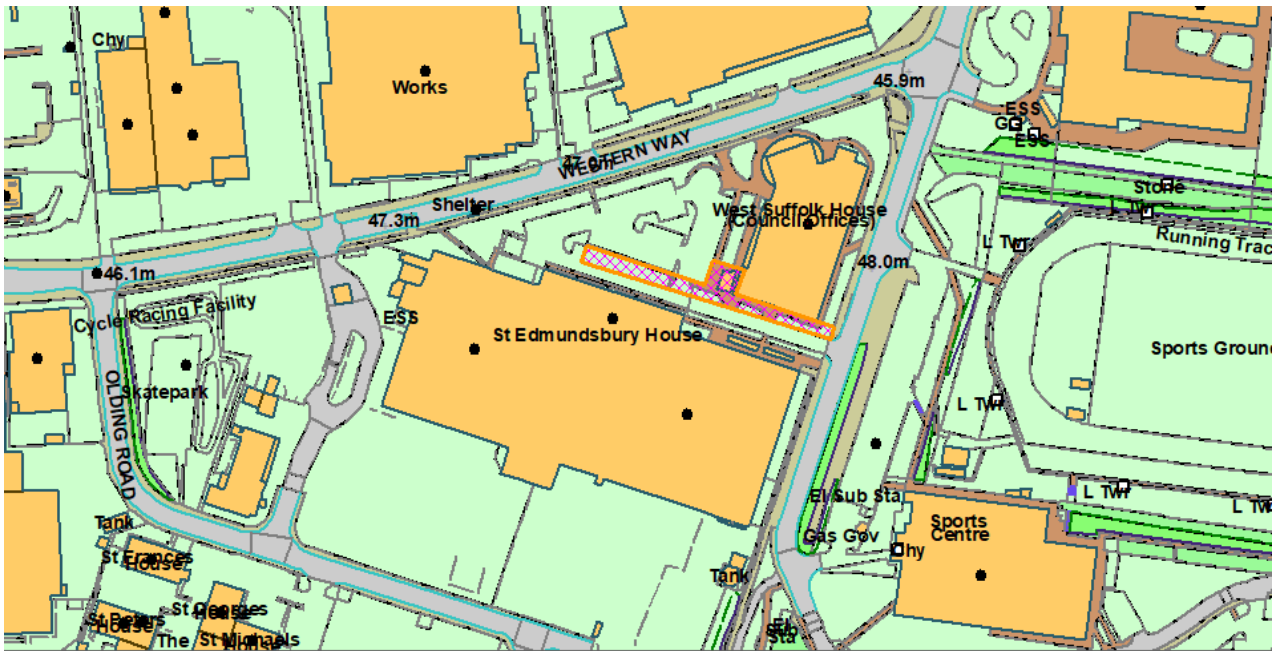
14.In conclusion the extension to the existing substation building and the reconfiguration of the footpath and motorbike parking spaces are considered to comply with the relevant provisions of the GPDO and are therefore lawful.

Recommendation:

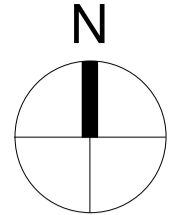
15.It is recommended that a Certificate of Lawful Development is **GRANTED**.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/0946/CLP](https://www.suffolk.gov.uk/DC/21/0946/CLP)



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0m 25m 50m 75m 100m 125m

VISUAL SCALE 1:1250 @ A1

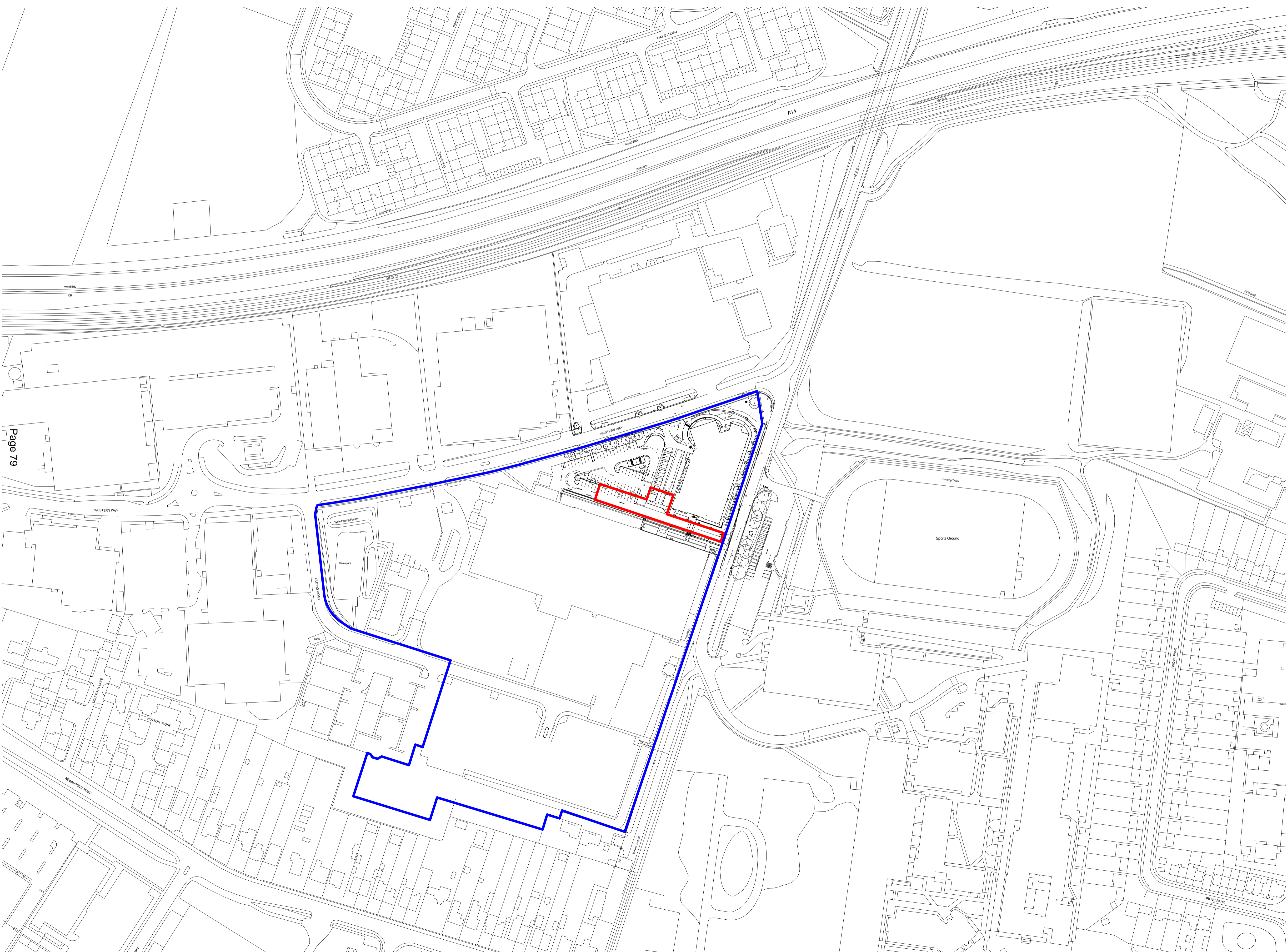
NO DIMENSIONS TO BE SCALED FROM THIS DRAWING

CDM - RESIDUAL HAZARDS The following are considered to be significant risks relevant to this drawing, which could not be fully mitigated or removed through design:

None identified

Application Area (990m²)

Ownership Boundary



Page 79

P01 Issued for Planning 23.04.21 CPO RTG

Revision Date Dm Chk

This document references the following files:
Reference Name Status Revision
WES051-XX-ZZ-M3-A-0001 30 P01.1

Client
West Suffolk Council

Project
**Battery Energy Storage System
Western Way Development**

Drawing Title
**Location Plan
Site
Planning**

Suitability Status
S2 - Suitable for Information

Job No. Scale Size Rev
210248 1:1250 @ A1 P01

Drawing Number
WES051 - PEV - XX - XX - DR - A - 9000

Client Code Originator Zone Level Type Role Number



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