

# Development Control Committee

<b>Title</b>	<b>Agenda</b>		
<b>Date</b>	<b>Wednesday 4 August 2021</b>		
<b>Time</b>	<b>10.00 am</b>		
<b>Venue</b>	<b>Conference Chamber West Suffolk House</b> Western Way Bury St Edmunds, IP33 3YU		
<b>Full Members</b>	<p style="text-align: center;"><b>Chair</b> Andrew Smith</p> <p style="text-align: center;"><b>Vice Chairs</b> Mike Chester and Jim Thorndyke</p> <p><b>Conservative Group (10)</b> Carol Bull Ian Houlder Andy Drummond David Roach Susan Glossop Peter Stevens Brian Harvey</p> <p><b>The Independent Group (5)</b> Richard Alecock Roger Dicker John Burns David Palmer Jason Crooks</p> <p><b>Labour Group (1)</b> David Smith</p>		
<b>Substitutes</b>	<p><b>Conservative Group (5)</b> Nick Clarke Sara Mildmay-White John Griffiths David Nettleton James Lay</p> <p><b>The Independent Group (2)</b> Trevor Beckwith Andy Neal</p> <p><b>Labour Group (1)</b> Diane Hind</p>		
<b>Interests – declaration and restriction on participation</b>	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.		
<b>Quorum</b>	Six Members		
<b>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</b>			
<b>Committee administrator</b>	<b>Helen Hardinge</b> - Democratic Services Officer <b>Telephone</b> 01638 719363 <b>Email</b> <a href="mailto:helen.hardinge@westsuffolk.gov.uk">helen.hardinge@westsuffolk.gov.uk</a>		

<b>Venue</b>	<p><b>Conference Chamber</b>  <b>West Suffolk House</b>          Western Way          Bury St Edmunds          IP33 3YU</p>
<b>Contact information</b>	<p>Telephone: 01284 763233          Email: <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a>          Website: <a href="http://www.westsuffolk.gov.uk">www.westsuffolk.gov.uk</a></p>
<b>Access to agenda and reports before the meeting</b>	<p>The agenda and reports will be available to view at least five clear days before the meeting on our website.</p>
<b>Attendance at meetings</b>	<p>This meeting is being held in person in order to comply with the Local Government Act 1972. Measures have been applied to ensure the health and safety for all persons present at meetings. We may also be required to restrict the number of members of the public able to attend in accordance with the room capacity.</p> <p>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 that apply to the meeting.</p> <p>For further information about the venue, please visit <a href="https://www.westsuffolk.gov.uk/contact-us.cfm">https://www.westsuffolk.gov.uk/contact-us.cfm</a></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>
<b>Public participation</b>	<p>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.</p>
<b>Accessibility</b>	<p>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.</p>
<b>Recording of meetings</b>	<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>

<b>Personal information</b>	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: <a href="https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm">https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm</a> or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.
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## 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

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## Development Control Committee

### Decision making protocol

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

#### Decision Making Protocol

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

- Where an application is to be deferred, to facilitate further information or negotiation or at an applicant's request.
- Where a recommendation is to be altered as the result of consultation or negotiation:
  - The presenting Officer will clearly state the condition and its reason or the refusal reason to be added/deleted/changed, together with the material planning basis for that change.
  - In making any proposal to accept the Officer recommendation, a Member will clearly state whether the amended recommendation is proposed as stated, or whether the original recommendation in the agenda papers is proposed.
- Where a Member wishes to alter a recommendation:
  - In making a proposal, the Member will clearly state the condition and its reason or the refusal reason to be added/deleted/changed, together with the material planning basis for that change.
  - In the interest of clarity and accuracy and for the minutes, the presenting officer will restate the amendment before the final vote is taken.
  - Members can choose to;
    - delegate the detailed wording and reason to the 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/alterd, 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. Minutes**

**1 - 20**

To confirm the minutes of the meetings held on 23 June 2021 and 7 July 2021 (copies attached).

**4. 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.

**5. Planning Application DC/21/0110/RM - Land NW of Haverhill, Ann Suckling, Little Wratting**

**21 - 88**

Report No: **DEV/WS/21/026**

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 123 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 and 21.07.2021)

**6. Planning Application DC/20/2066/RM - Land at Rabbit Hill Covert, Station Road, Lakenheath**

**89 - 108**

Report No: **DEV/WS/21/027**

Reserved matters application - submission of details approved under outline planning permission F/2013/0345/OUT for access, layout, scale, appearance and landscaping (not EIA) for up to 81 dwellings and associated works (as amended)



**7. Planning Application DC/19/2155/FUL - Storage Tank, Station Yard, Station Road, Barnham 109 - 130**

Report No: **DEV/WS/21/028**

Planning Application - Continued use of heating fuel storage and distribution business (Class B8), retention of 4no. oil storage tanks, installation of 5th oil storage tank, office portacabin and lighting

**8. Planning Application DC/21/1366/FUL - West Suffolk House, Western Way, Bury St Edmunds 131 - 144**

Report No: **DEV/WS/21/029**

Planning application - Installation of battery container, and associated foundations and fencing

**9. Planning Application DC/21/1214/ADV - 21-27 Menta Business Centre, Hollands Road, Haverhill 145 - 154**

Report No: **DEV/WS/21/030**

Application for advertisement consent - one externally illuminated fascia sign

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# Development Control Committee



**Minutes** of a meeting of the **Development Control Committee** held on **Wednesday 23 June 2021** at **10.00 am** in Exhibition Hall 3, Floor 1, Rowley Mile Conference Centre, Millennium Grandstand, Newmarket Racecourse (Rowley Mile), Newmarket, CB8 0TF

Present **Councillors**

Richard Alecock  
Carol Bull  
Mike Chester  
Terry Clements  
Roger Dicker  
Andy Drummond  
Susan Glossop  
Ian Houlder

Andy Neal  
David Palmer  
David Roach  
Andrew Smith  
David Smith  
Peter Stevens  
Jim Thorndyke

132. **Election of Chair 2021/2022**

The Lawyer opened the meeting and asked for nominations for the Chair of the Committee for 2021/2022.

Councillor Carol Bull nominated Councillor Andrew Smith as Chair and this was seconded by Councillor Mike Chester.

There being no other nominations and no objections, it was unanimously

**RESOLVED:**

That Councillor Andrew Smith be elected Chair for 2021/2022.

Councillor Smith then took the Chair for the remainder of the meeting.

133. **Election of Vice Chairs 2021/2022**

The Chair sought nominations for the two positions of Vice Chair.

Councillor Peter Stevens nominated Councillor Jim Thorndyke and this was seconded by Councillor David Roach.

Councillor Susan Glossop nominated Councillor Mike Chester and this was seconded by Councillor Ian Houlder.

There being no other nominations and no objections, it was unanimously

**RESOLVED:**

That Councillors Mike Chester and Jim Thorndyke be elected as Vice Chairs for 2021/2022.

134. **Welcome**

The Chair then formally commenced the meeting and welcomed all present to the Development Control Committee, with special reference made to Councillor Terry Clements who was attending his first meeting as a newly appointed member of the Committee.

The Chair took the opportunity to thank Members and Officers for their valued input and support during the 15 virtual meetings of the Committee that had been held since March 2020 and outlined the reasons why the meeting was being held at Rowley Mile Racecourse, Newmarket.

A number of housekeeping matters and guidance were highlighted to all. Lastly, the Chair reminded the Committee that item 10 had been withdrawn from the agenda.

135. **Apologies for absence**

Apologies for absence were received from Councillors John Burns and Jason Crooks.

136. **Substitutes**

The following substitution was declared:

Councillor Andy Neal substituting for Councillor John Burns.

137. **Minutes**

The minutes of the meeting held on 28 April 2021 were confirmed as a correct record, with 14 voting for the motion and with 1 abstention, and were signed by the Chair.

138. **Declarations of interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

139. **Public Speaking Protocol**

The Service Manager (Planning – Development) advised the Committee that in light of meetings no longer taking place remotely it had been necessary to update the Committee's Public Speaking Protocol to reflect the new arrangements.

Approval was now sought by the Committee to formally adopt the revised protocol for use.

It was proposed by Councillor Peter Stevens, duly seconded by Councillor Andy Drummond and with the vote being unanimous, it was resolved that

## Decision

The attached document "Guide to Having Your Say on Planning Applications" be **APPROVED** for use for the Development Control Committee.

140. **Planning Application DC/21/0367/FUL - Milton House, Thurlow Road, Withersfield (Report No: DEV/WS/21/015)**

**Planning Application - five dwellings (following demolition of existing house)**

This application was referred to the Development Control Committee as the proposed scheme was on the same site as a previous application which was refused by the Committee in September 2020. In addition, the Parish Council had voiced objections to the application.

As part of his presentation the Principal Planning Officer outlined the previous application and the reasons for refusal, as set out in Appendix 1 of Report No DEV/WS/21/015. He also highlighted the changes made to the scheme in the current proposal.

The Committee was shown videos of the site by way of a virtual 'site visit'.

Officers were recommending that the application be approved, subject to conditions as set out in Paragraph 64 of the report.

Speakers: Denis Elavia (neighbouring objector) spoke against the application

Councillor Terry Rich (Withersfield Parish Council) spoke against the application

Councillor Peter Stevens (Ward Member: Withersfield) spoke on the application

David Barker (agent) spoke in support of the application

During the debate some of the Committee continued to voice concern in respect of highway flooding. The Case Officer reminded Members of the sustainable drainage strategy submitted by the applicant; in response to which the Highways Authority and the Lead Local Flood Authority had not raised objection.

Comments were also made by Members on the attractiveness of the proposal but that it was not considered in keeping with the surrounding area. Councillors also made reference to overdevelopment and the potential urbanisation of the village.

Councillor Roger Dicker spoke in support of the application and highlighted that the site was within the development boundary and the Conservation Officer had not objected.

Councillor Peter Stevens proposed that the application be refused for reasons 2, 3 and 4 as listed as the previous refusal reasons in Appendix 1 (excluding

reason 1 which related to highway flooding). This was duly seconded by Councillor Ian Houlder.

The Service Manager (Planning – Development) explained that as the refusal reason relating to highway flooding had been disregarded it would not be necessary to invoke the Decision Making Protocol in this instance.

Accordingly, upon being put to the vote and with 11 voting for the motion and 4 against it was resolved that

### Decision

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

1. Section 72 of the Town and Country Planning (Conservation Areas and Listed Buildings) Act 1990 requires the Local Planning Authority to have special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Furthermore, Joint Development Management Policies DM17, DM1, DM2 and DM22, all of which, seek to protect heritage assets and ensure good design appropriate for the character and context of the site. The site is wholly within the Withersfield conservation area and in this case the courtyard style layout of a group of 5 dwellings, would depart from the mainly linear form of this part of the village harming its appearance. The loss of a significant tree on the frontage of the site is also considered to be harmful to the character of the conservation area as it forms part of a group of trees contributing to its amenity. The application does not therefore preserve or enhance the conservation area and does not accord with Joint Development Management Policies DM17, DM1 and DM2. Having regard to paragraph 196 of the NPPF, the less than substantial harm to the significance of a designated heritage asset (Withersfield conservation area) is not outweighed by any public benefit.
2. Joint Development Management Policy DM12 states that for all development, measures should be included, as necessary and where appropriate, in the design for all developments for the protection of biodiversity and the mitigation of any adverse impacts. Additionally, enhancement for biodiversity should be included in all proposals, commensurate with the scale of the development. In this case scale of development proposed, 5 dwellings including hard-surfaced areas and parking, results in very space for new planting and biodiversity enhancements to replace the three trees and grassed areas being lost. The loss of trees also represents a loss of habitat for bats and birds. The proposed mitigation set out in the Design and Access Statement is not considered sufficient outweigh this harmful impact representing a net loss in biodiversity. The development does not therefore accord with Joint Development Management Policy DM12.
3. Thistledown Cottage adjoining the site to the south currently has a relatively open aspect to its northern boundary, with ground floor windows to the gable end of the dwelling. The proposed development introduces a new dwelling of significant scale and form within 5 metres

of the gable end. This is considered to be overbearing and harmful to the existing amenity of this dwelling. Furthermore, the Old Bakery to the north west of the site currently enjoys a relatively verdant boundary to Milton House. Proposed plot 6 would be sited close to this existing boundary resulting in the loss of existing vegetation and trees. A two-storey dwelling would be positioned within 5 metres of the existing boundary. This would result in harm to the amenity of the Old Bakery by virtue of over-bearing and additional noise disturbance. This would be contrary to Joint Development Management Policy DM2, which amongst other things, requires new development to avoid harm to existing residential amenity.

*(Shortly after commencing this item it became apparent that Members of the Committee were having difficulty in viewing one of the screens which displayed the Case Officer's presentation to the meeting. The Chair therefore permitted a short adjournment in order to allow Democratic Services Officers time in which to relocate some of the screens within the room to ensure that Committee Members were able to adequately view the display. Once completed, the Chair reconvened the meeting and apologised for the interruption.)*

141. **Planning Application DC/20/2212/HH - Woodlands, The Pound, Hawstead (Report No: DEV/WS/21/016)**

**Householder planning application - three bay cart lodge and machinery store with first floor guest accommodation above**

This application was referred to the Development Control Committee following consideration by the Delegation Panel and in view of the fact that the Parish Council objected to the proposal which was in conflict with the Officers' recommendation of approval, subject to conditions as set out in Paragraph 42 of Report No DEV/WS/21/016.

As part of his presentation the Planning Assistant showed videos of the site by way of a virtual 'site visit'.

Attention was drawn to the supplementary 'late papers' which were issued following publication of the agenda and which set out additional comments received from the Parish Council.

Speaker: Councillor Phil Baker (Hawstead Parish Council) spoke against the application

Councillor Terry Clements (Ward Member: Horringer) opened the debate advised the Committee that Hawstead had unique mature tree-lined entrances to the village and all properties were set back from the road. He raised concern at the number of trees that the proposal would require to be removed and stated that the cart lodge would be better placed closer to the existing property and further from the road.

The Case Officer informed the Committee that none of the trees concerned were protected by a TPO and, as the site was not within the Conservation Area either, the removal of them would not require consent. Furthermore, the

Council's Tree Officer had confirmed that the trees were not worthy of a TPO and had not objected to the application.

Councillor Clements then proposed that the application be refused, contrary to the Officer recommendation, due to the size/scale of the proposal and it being not in keeping with the character of the village. This was duly seconded by Councillor Ian Houlder.

Upon being put to the vote and with 5 voting for the motion and 10 against the Chair declared the motion lost.

Councillor Roger Dicker then proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Mike Chester.

Upon being put to the vote and with 9 voting for the motion and 6 against, it was resolved that

### Decision

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

- 1 The development hereby permitted shall be begun not later than three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- 3 Prior to commencement of development a detailed Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS), in accordance with BS 5837:2012 - Trees in relation to construction - Recommendations, shall be submitted to and approved in writing by the Local Planning Authority. The TPP shall show the extent of root protection areas, details of ground protection measures and fencing to be erected around the trees, including the type and position of these. The protective measures contained within the scheme shall be implemented prior to commencement of any development, site works or clearance in accordance with the approved details and shall be maintained and retained until the development is completed. The AMS shall include details of all construction measures within the root protection areas of those trees on and adjacent to the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation for hard surfaces, boundary treatments and service routes. The TPP and AMS shall include a schedule of monitoring and a programme of arboricultural supervision. The development shall be carried out in accordance with the approved TPP and AMS unless agreed in writing by the Local Planning Authority.
- 4 Prior to completion of the development hereby approved, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include 3x standard (10-12cm girth) Acer campestre in the locations shown on drawing 'UTC-0585-P05-TPP'. Planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier



and defect period shall be provided. All tree planting shall be carried out in accordance with those details and at those times.

Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season.

- 5 The cart lodge hereby permitted shall be occupied only in conjunction with and for purposes ancillary to the residential use of the existing dwelling known as Woodlands to which it is associated and together they shall form a single dwelling house.
- 6 Before the cart lodge hereby permitted is first occupied/brought into use, the three rooflight windows in the rear / south west elevation shall be fitted with obscure glass to Pilkington glass level 4 privacy or an equivalent standard and shall consist only of non-operable fixed lights and shall be retained in such form in perpetuity.

*(On conclusion of this item the Chair permitted a short comfort break before reconvening and continuing with the meeting.)*

142. **Planning Application DC/21/0640/HH - 60 The Street, Barton Mills**  
**\*\*WITHDRAWN FROM AGENDA 21/06/2021\*\***

The Chair advised earlier in the meeting that this item had been **WITHDRAWN** from the agenda.

143. **Application DC/21/0536/P14JPA - Vicon House, Western Way, Bury St Edmunds (Report No: DEV/WS/21/018)**

**Prior Approval Application under Part 14 of the Town and Country Planning (General Permitted Development) Order 2015 - Installation of 319 roof mounted solar photovoltaic panels to northern and western sections of building**

This application was referred to the Development Control Committee because West Suffolk Council was the applicant.

Members were advised that the Local Planning Authority was satisfied that the proposal met the criteria set out within the relevant regulations and that prior approval was not required, as set out in the Officers' recommendation at Paragraph 10 of Report No DEV/WS/20/018.

Councillor Peter Stevens proposed that the Officers' recommendation be accepted and this was duly seconded by Councillor Susan Glossop.

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

Decision

**PRIOR APPROVAL IS NOT REQUIRED** as to the design or external appearance of the development.

144. **Application DC/21/0537/P14JPA - Mildenhall Hub, Sheldrick Way, Mildenhall (Report No: DEV/WS/21/019)**

**Prior Approval Application under Part 14 of the Town and Country Planning (General Permitted Development) Order 2015 - Installation of 410 roof mounted solar photovoltaic panels to north western wing of building**

This application was referred to the Development Control Committee because West Suffolk Council was the applicant.

Members were advised that the Local Planning Authority was satisfied that the proposal met the criteria set out within the relevant regulations and that prior approval was not required, as set out in the Officers' recommendation at Paragraph 10 of Report No DEV/WS/20/019.

Councillor Andy Neal raised a question with regard to the battery storage facility, in response the Service Manager (Planning – Development) explained that whilst it was not a material planning consideration in respect of the application before the Committee she would seek an answer on the matter outside of the meeting and would report back to Councillor Neal directly.

Councillor Andy Neal proposed that the Officers' recommendation be accepted and this was duly seconded by Councillor Richard Alecock.

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

Decision

**PRIOR APPROVAL IS NOT REQUIRED** as to the design or external appearance of the development.

145. **Planning Application DC/21/0750/FUL - Brandon Sports Centre, Church Road, Brandon (Report No: DEV/WS/21/020)**

**Planning application - two external condensation units on west elevation**

This application was referred to the Development Control Committee because West Suffolk Council was the applicant.

Officers were recommending that planning permission be granted subject to conditions, as set out in Paragraph 21 of Report No DEV/WS/21/020.

Councillor David Palmer proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Andy Drummond.

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

Decision

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

- 1 The development hereby permitted shall be begun not later than three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.

146. **Planning Application DC/21/0676/FUL - 36 High Street, Haverhill (Report No: DEV/WS/21/021)**

*(Councillor David Smith declared a non-pecuniary interest in this item in light of the fact that he had taken part in Haverhill Town Council's consideration of the application. However, Councillor Smith stressed that he would keep an open mind and listen to the debate prior to voting on the item.)*

**Planning application - a. change of use from financial services (class E(c)) to a hot food takeaway (Sui Generis) b. external extraction and ventilation system to the rear c. redecoration of shop frontage**

This application was referred to the Development Control Committee because West Suffolk Council was the landlord of the property.

Attention was drawn to an error within Report No DEV/WS/21/021 and it was clarified that Route 66 Diner was at 42a High Street.

As part of her presentation the Planning Officer showed videos of the site by way of a virtual 'site visit'.

Reference was also made to the detailed comments circulated to Committee Members by Councillor John Burns in connection with the application which the Officer responded to.

Speaker: Owen Pike (agent) spoke in support of the application  
*(Mr Pike did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on his behalf.)*

Councillor David Roach proposed that the application be approved, as per the Officer recommendation, and this was duly seconded by Councillor Andy Drummond.

Upon being put to the vote and with 14 voting for the motion and 1 against, it was resolved that

Decision

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

1. The development hereby permitted shall be commenced no later than 3 years from the date of this permission.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
3. Before the premises hereby approved is open to the public all plant and equipment, including the kitchen ventilation and extracting system, shall be installed in accordance with the 'Supporting Information on the Proposed Extraction System and Plant' submitted on 26 March 2021, and the Proposed Floor Plans and Proposed Elevations, Drawing Nos: 20119-10 and 20119-11 respectively, submitted on 29 March 2021. The installation shall include suitable noise and odour mitigation measures as detailed in the schematic Drawing No. PJES/04 –Mechanical Extract Scheme D (Carbon Filter system) in Appendix A. Thereafter the system shall be retained and maintained in complete accordance with the approved details unless the written consent of the Local Planning Authority is obtained for any variation.
4. The opening hours of the premises shall be restricted to between 11:00 and 23.45 hours Sunday to Thursday, Bank and Public Holidays and between 11:00 and 00:00 hours on Friday and Saturday. All customers shall have vacated the premises by the stated closing times.
5. Deliveries to the premises shall only take place between 08:00 and 18:00 hours on Mondays to Saturdays. There shall be no deliveries on Sundays, Bank or Public Holidays.

The meeting concluded at 12.52 pm

**Signed by:**

**Chair**

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# Development Control Committee



**Minutes** of a meeting of the **Development Control Committee** held on **Wednesday 7 July 2021** at **10.00 am** in the The Apex, Charter Square, Bury St Edmunds, Suffolk, IP33 3FD

Present            **Councillors**

**Chair** Andrew Smith

**Vice Chairs** Mike Chester and Jim Thorndyke

Carol Bull

Andy Neal

John Burns

David Palmer

Roger Dicker

David Roach

Andy Drummond

David Smith

Susan Glossop

Peter Stevens

Brian Harvey

**In attendance**

Elaine McManus (Ward Member: Haverhill North)

147. **Welcome**

The Chair welcomed all present to the Development Control Committee and a number of housekeeping matters and guidance were highlighted to all.

The Committee was advised that it had not been possible for the minutes of the last meeting on 23 June 2021 to be appended due to the short stretch of time between the two meetings. These would therefore be included on the agenda for the subsequent meeting on 4 August 2021.

Lastly, the Chair informed Members that if Stage 4 of the Government's road map was implemented on 19 July 2021 then the intention would be for the Committee's August meeting to be held at West Suffolk House.

148. **Apologies for absence**

Apologies for absence were received from Councillors Richard Alecock, Jason Crooks and Ian Houlder.

149. **Substitutes**

The following substitutions were declared:

Councillor Andy Neal substituting for Councillor Richard Alecock; and Councillor Brian Harvey substituting for Councillor Ian Houlder

150. **Declarations of interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

151. **Planning Application DC/21/0110/RM - Land NW of Haverhill, Ann Suckling Road, Little Wratting (Report No: DEV/WS/21/022)**

*(Councillors John Burns and David Smith each declared a non-pecuniary interest in this item in light of the fact that they had taken part in Haverhill Town Council's consideration of the application. However, they stressed that they would keep an open mind and listen to the debate prior to voting on the item.)*

**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**

This application was referred to the Development Control Committee following call-in from Ward Member (Haverhill North) Councillor Joe Mason. In addition, the Town Council had voiced objections to the application.

The Principal Planning Officer explained that the application was part of the wider North West Haverhill site which was one of two strategic growth sites for Haverhill identified in the adopted Core Strategy. The application before the Committee sought approval of the details for part of the second phase of residential development.

Members were advised that the site had previously been the subject of a significant public engagement process through the preparation and adoption of a concept statement and 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.

The Officer clarified that phase 2 of the strategic site fell within two broad character areas defined in the approved Design Code; Wratting Gardens to the North (the character area for phase 1) and Boyton Place to the South which incorporated the local centre and was envisaged as being more contemporary in appearance.

The 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.

Attention was drawn to the supplementary 'late papers' which had been circulated after the agenda had been published and which set out the proposed conditions in detail. The Principal Planning Officer made reference to an error within the papers where it inaccurately referenced 127 dwellings, which had been increased to 129 units via amended plans.

Lastly, the Committee was informed that three further late public representations had been received since circulation of the late papers. The Officer read out a summary of the objections contained therein, all of which covered topics which had been previously covered by earlier representations and which were referenced within Report No DEV/WS/21/022.

Officers were recommending that the application be approved, subject to conditions as set out in the supplementary late papers.

Speakers: Brad Strachan (neighbouring objector and on behalf of fellow neighbouring objectors) spoke against the application  
Councillor Elaine McManus (Haverhill Town Council) spoke against the application  
Stuart McAdam (agent) spoke in support of the application

Councillor John Burns opened the debate and spoke at length on the detailed history of the site. He voiced concerns on the lack of infrastructure and questioned the sustainability of the development.

His primary objection related to the 4 storey flat roofed units which he argued were an overdevelopment, out of keeping and would be intrusively visible by the majority of the town due to the elevation of the application site.

Councillor David Smith also addressed the meeting and echoed many of the points made by Councillor Burns. His largest concern was also the 4 storey units and the visual impact they would have.

Councillor Peter Stevens stressed that the site was former rolling countryside and therefore the design of the roof blocks was important to mitigate the visual impact. He also raised concern about wider cumulative traffic impacts of the development.

The Principal Planning Officer responded to these and other questions/comments as follows:

- The cumulative highways impact was considered at outline stage of the application;
- The level of parking per unit and for visitors complied with parking standards;
- The density of the scheme was established at outline stage of the application;
- Green space was secured as part of the Section 106; and
- Design Out Crime had been included within the scheme seeking approval.

Councillor John Burns queried the number of electric charging points to be included which he considered to be insufficient. Accordingly, he proposed that the application be deferred in order to allow Officers additional time in which to work with the applicant to address some of the concerns raised by the Committee; principally relating to the 4 storey units, the density and electric charging point provision.

Councillor David Roach sought clarity of the process in respect of outline/reserved matters applications and continued to voice concern at the density of the scheme. He stated that he felt unable to support a deferral motion.

Councillor Mike Chester then duly seconded the motion for deferral.

Councillor Andy Drummond raised a query as to the motion proposed and the Chair clarified that whilst Councillor Roach did not second the motion for deferral he did not propose an alternative motion.

Accordingly, upon being put to the vote and with 7 voting for the motion, 6 against and with 1 abstention it was resolved that

#### Decision

Consideration of the application be **DEFERRED** in order to allow Officers additional time in which to work with the applicant to address some of the concerns raised by the Committee; principally relating to the 4 storey units, the density and electric charging point provision.

*(Councillor Roger Dicker joined the meeting at 10.10am during the Case Officer's presentation of this item, accordingly he was advised by the Chair that he would be unable to take part in the vote on this application.)*

152. **Planning Application DC/21/0623/FUL - Hillcrest Nursery, Barningham Road, Stanton (Report No: DEV/WS/21/023)**

*(Councillor Jim Thorndyke declared a non-pecuniary interest in this item in light of the fact that he was acquainted with the applicant. However, he stressed that he would keep an open mind and listen to the debate prior to voting on the item.)*

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

This application was referred to the Development Control Committee following consideration by the Delegation Panel and in view of the fact that the Parish Council did not object to the proposal which was in conflict with the Officers' recommendation of refusal, for the reasons set out in Paragraph 53 of Report No DEV/WS/21/023.

As part of her presentation the Planning Officer showed videos of the site by way of a virtual 'site visit'.



Attention was drawn to Paragraph 19 of the report which inaccurately stated that there were three housing settlement boundaries within Stanton, when there were actually four.

Speakers: Councillor Jim Thorndyke (Ward Member: Stanton) spoke on the application  
Jonny Rankin (agent) spoke in support of the application

In response to queries concerning the definition of a 'key worker' under Policy DM5, the Service Manager (Planning – Development) gave further explanation.

Councillor Roger Dicker proposed that the application be refused, as per the Officer recommendation, and this was duly seconded by Councillor Carol Bull.

Upon being put to the vote and with 11 voting for the motion and 3 against, it was resolved that

### Decision

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.

153. **Planning Application DC/21/0618/VAR - The Old Pumping Station, Lower Road, Hundon (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**

This application was referred to the Development Control Committee because the application was contrary to the Development Plan and was recommended for approval, subject to conditions as set out in Paragraph 50 of Report No DEV/WS/21/024.

The Senior Planning Officer explained that planning permission was granted under DC/19/1817/FUL for three dwellings at the Development Control Committee on 8 January 2020. The principle of development had therefore been established.

This was followed by a subsequent planning permission that sought to vary conditions No 2 (approved plans) and No 11 (soft landscaping) of DC/19/1817/FUL.

As part of her presentation the Officer explained that the applicant had requested that the proposed wording of condition No 8 be slightly amended from that which was set out in the report to aid clarity.

Speaker: Michael Hendry (agent) spoke in support of the application  
*(Mr Hendry did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on his behalf.)*

Councillor David Roach proposed that the application be approved, as per the Officers' recommendation, and this was duly seconded by Councillor Andy Drummond.

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

Decision

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

- 1 The development hereby permitted shall be begun not later than three years from the date planning permission DC/19/1817/FUL, 9 January

2023.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
- 3 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.
- 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.
- 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.
- 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.
- 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.
- 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 fully implemented prior to first occupation or an alternative scheme as approved in writing by the Local Planning Authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.
- 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.
- 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.
- 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.
  - 12 The development hereby permitted shall be constructed entirely of the materials detailed on the submitted plan / drawing No.(s) - 18033-50.
  - 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.
  - 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.
  - 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.
  - 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.
  - 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.
  - 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.

*(On conclusion of this item the Chair permitted a short comfort break before reconvening and continuing with the meeting.)*

154. **Planning Application DC/21/0946/CLP - West Suffolk House, Western Way, Bury St Edmunds (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**

This application was referred to the Development Control Committee because West Suffolk Council was the applicant.

The Planning Officer explained that 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 and this parking was required by condition on the substantive approval for West Suffolk House to be retained, meaning the battery storage element could not be classed as 'permitted development' under the relevant regulations.

As a consequence, the battery storage area was removed from the proposal and Officers were therefore recommending that a Certificate of Lawful Development was granted, as per the recommendation in Paragraph 14 of Report No DEV/WS/21/025.

Councillor John Burns proposed that the Officers' recommendation be accepted and this was duly seconded by Councillor Andy Neal.

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

Decision

A Certificate of Lawful Development be **GRANTED**.

The meeting concluded at 12.24pm

**Signed by:**

**Chair**

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## **Development Control Committee**

### **4 August 2021**

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

**Date registered:** 16 February 2021      **Expiry date:** 06 August 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 123 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 and 21.07.2021).

**Site:** Land NW of Haverhill, Ann Suckling Road, Little Wratting

**Applicant:** Mr Stuart McAdam – Persimmon Homes (Suffolk)

#### **Synopsis:**

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

#### **Recommendation:**

It is recommended that the Committee resolve to approve the amended application subject to the conditions.

#### CONTACT CASE OFFICER:

Penny Mills

Email: penny.mills@westsuffolk.gov.uk

Telephone: 01284 757367

## Background:

**This application was considered by the Development Control Committee in on 7 July 2021 following a call-in from the local Ward Member (Councillor Joe Mason) and objections from Haverhill Town Council.**

**The Committee deferred consideration of the application in order to allow Officers additional time in which to work with the applicant to address some of the concerns raised by the Committee; relating to the four storey units, the density and electric charging point provision.**

**This report should be read in conjunction with the July Committee Report and associated late papers, which are attached as Working Papers One and Two respectively.**

### 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 123 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:

- 2.1 Following the July Committee amended plans have been submitted revising the height and design of the flats, providing additional parking and information in relation to electric vehicle charge points.
- 2.2 Amended soft landscaping drawings have also been provided in response to the Ecology and Landscape comments.
- 2.3 The reduction in the number of units has led to a change in the plot numbering. As plot numbers are listed on the elevations and floor plans these drawings have also been reissued.
- 2.4 The full list of plans and documents to be considered are set out below:

Drawing / document title	Drawing/document number	Received
Design and layout		
Location plan	001 rev A	14.05.2021
Planning layout	002 rev H	21.07.2021
Massing Plan	003 rev P2	21.07.2021
Refuse and cycle plan	004 rev P2	21.07.2021
Boundary treatments	005 rev P2	21.07.2021
Materials Plan	006 rev P2	21.07.2021
Parking plan	007 rev P2	21.07.2021
Tenure plan	008 rev P2	21.07.2021
Character areas plan	009 rev P2	21.07.2021
Street scenes A-D	20-3072-010 rev E	21.07.2021
Street scenes E-f	077 rev B	21.07.2021



House types		
Alnmouth Floor Plans	020 rev P1	21.07.2021
Alnmouth Elevations - The Mews	021 rev P1	21.07.2021
Arden Floor plans	022 rev P2	21.07.2021
Arden Elevations - The Mews	023 rev P1	21.07.2021
Arden Elevations - The Avenue	023 rev P1	21.07.2021
Belmont Elevations - Urban Square	026 rev P2	21.07.2021
Charnwood Floor Plans & Elevations - Urban Square	027 rev P1	21.07.2021
Charnwood Floor Plans & Elevations - The Avenue	028 rev P1	21.07.2021
Charnwood Floor Plans & Elevations - Rural Green Edge	029 rev P1	21.07.2021
Dallington Floor Plans	033 rev P1	21.07.2021
Dallington Elevations - Neighbourhood Square	034 rev P1	21.07.2021
Dallington Elevations - Urban Square	035 rev P1	21.07.2021
Danbury Floor Plans	036 rev P1	21.07.2021
Danbury Elevations - The Mews	037 rev P1	21.07.2021
Danbury Elevations - Urban Square	038 rev P1	21.07.2021
Epping Floor Plans	039 rev P1	21.07.2021
Epping Elevations - The Avenue	040 rev P1	21.07.2021
Epping Elevations - Urban Square	041 rev P1	21.07.2021
FOG V1 Floor Plans & Elevations - The Avenue	042 rev P1	21.07.2021
FOG V2 Floor Plans & Elevations - The Avenue	042.1 rev P2	21.07.2021
FOG V3 Floor Plans & Elevations - The Avenue	042.2 rev P2	21.07.2021
FOG V3.1 Floor Plans & Elevations - The Avenue	042.3 rev P	21.07.2021
FOG V4 Floor Plans & Elevations - The Avenue	043 rev P	21.07.2021
FOG V5 - Plots 119-120 - Floor Plans - Neighbourhood Square	044 rev P	21.07.2021
FOG V5 - Plots 119-120 - Elevations - Neighbourhood Square	044 rev P	21.07.2021
Greenwood Floor Plans & Elevations - Rural Green Edge	046 rev P1	21.07.2021
Grizedale Floor Plans	047 rev P1	21.07.2021
Grizedale Elevations - Neighbourhood Square	048 rev P1	21.07.2021
Heatwood floor plans	049 rev P1	21.07.2021
Heatwood Elevations - Rural Green Edge	050 rev P1	21.07.2021
Marston Floor Plans	051 rev P1	21.07.2021
Marston Elevations - Rural Green Edge	052 rev P1	21.07.2021
Saunton Floor Plans	053 rev P1	21.07.2021

Saunton Elevations - Rural Green Edge	054 rev P1	21.07.2021
Saunton Elevations - The Avenue	055 rev P1	21.07.2021
Sherwood Floor Plans	056 rev P1	21.07.2021
Sherwood Elevations - Rural Green Edge	057 rev P1	21.07.2021
Sherwood Elevations - The Avenue	058 rev P1	21.07.2021
Sherwood Elevations - Urban Square	059 rev P1	21.07.2021
Sherwood Corner Floor Plans	060 rev P1	21.07.2021
Sherwood Corner Elevations - Urban Square	061 rev P1	21.07.2021
Wareham Floor Plans	062 rev P1	21.07.2021
Wareham Elevations - Neighbourhood Square	063 rev P1	21.07.2021
Wareham Elevations - Urban Square	064 rev P1	21.07.2021
Wareham Elevations - The Avenue	065 rev P1	21.07.2021
Whiteleaf Floor Plans & Elevations - The Avenue	066 rev P1	21.07.2021
Whiteleaf Weatherboard Floor Plans & Elevations - Rural Green Edge	067 rev P1	21.07.2021
Brantham Floor Plans & Elevations - Neighbourhood Square	068 rev P1	21.07.2021
Flat Block 1 – Floor Plans	069 rev P1	21.07.2021
Flat Block 1 - Elevations	070 rev P3	21.07.2021
Flat Block 2 - Floor Plans	071 rev P2	21.07.2021
Flat Block 2 – Elevations	072 rev P3	21.07.2021
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 F	19.07.2021
Detailed soft landscaping	JBA 18-351-41 rev F	19.07.2021
Detailed soft landscaping	JBA 18-351-42 rev F	19.07.2021
Detailed soft landscaping	JBA 18-351-43 rev F	19.07.2021
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

### 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 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 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 landscaping (replacement hedge) for the construction of (i) residential development (ii) primary school (iii) local centre including retail and community uses (iv) public open space (v) landscaping (vi) infrastructure, servicing and other associated works	Approved

DCON(H)/09/1283/RM	Application to Discharge Conditions A2 (Alignment), A4 (Arboricultural Method Statement), A5 (Soft Landscaping) , A6 (Landscape and Ecological Management Plan), A8 (Archaeology) and A9 (Excavation and Ground Levels) of SE/09/1283	Pending consideration
DC/20/0614/RM	Reserved Matters Application - Submission of details under SE/09/1283 for the infrastructure for Phases 2-6, Comprising of the Internal Estate Roads, Drainage, POS, Landscaping, Sports Pitches and Allotments	Pending consideration
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 previous consultation responses are set out in paragraphs 5.1 to 5.15 in working paper one. The landscape and ecology comments are set out in the previous late papers, attached as working paper two.

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=QN8CNO PD07800>

5.3 Following the July committee, updated comments were received from the Suffolk Wildlife Trust, which are copied below:

Thank you for sending us further details of this application, we wish to withdraw our holding objection for the following reasons:

We have read the Ecological Constraints Plan (James Blake Associates Ltd, July 2020 Revision A- June 2021) and the Ecological Mitigation and Enhancement Strategy (James Blake Associates Ltd, June 2021) and we are satisfied with the recommendations of the consultant. We request that these are implemented in full, via a condition, should permission be granted.

5.4 West Suffolk Strategic Housing has confirmed that the revised affordable housing mix is acceptable.

## **6.0 Representations:**

6.1 Previous representations are summarised in paragraphs 6.1 to 6.3 of working paper one. They are also available to read in full online:

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QN8CNO PD07800>

6.2 Local Ward Members, the Town Council and all those who made representations during the course of the application have been advised on the amendments which have been received.

6.3 Members will be updated on any further comments that have been received at Committee.

## **7.0 Policy:**

7.1 The relevant planning policies are set out in paragraph 7.0 of working paper one.

## **8.0 Officer comment:**

8.1 The main legal requirements remain unchanged and are set out in paragraphs 8.2 to 8.17 of working paper one.

### **Principle of the Development**

8.2 The overall conclusions in terms of the principle of the development, as set out in working paper one remain unchanged.

8.3 The reduction in the height of the proposed flats from four storey to three storey means that the proposals fully comply with the height parameters set out in the design code.

8.4 The removal of the fourth floor of the flats has also reduced the overall number of units proposed to 123, which equates to a lower overall density of 42 dwellings per hectare.

8.5 It is considered that the amended proposals are broadly in accordance with the approved parameter plans and are 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**

8.6 The majority of the assessment in terms of design, layout and amenity, set out in working paper one, remains unchanged. However, the applicant has made an amendment to the design and scale of the flats proposed at the front of the site.

- 8.7 These have been reduced from four to three storey and the design has changed from flat roof to a pitched roof building. The proposed buildings retain some of the previous design elements including the use of a darker grey brick at the ground floor as well as brick detailing.
- 8.8 The revised design would create a more traditionally proportioned building and roof scape when viewed both from a distance and within the site. However, it would also still retain sufficient detailing in line with the other house types on this parcel to create a distinctive building rather than replicating the architectural approach on the previous parcels.
- 8.9 In the debate at the July Planning Committee, concerns were raised regarding the comments made the Design Out Crime Officer. The applicant has reiterated in their recent submission that a number of improvements have been made during the course of the application. They have highlighted the following design changes:
- The fences within parking courts and narrow path routes have been changed to 1.5m close-board fencing with 0.3m trellis fencing above (rather than 1.8 metres fences), as requested by the Design Out Crime Officer. This will reduce the opportunity of people climbing over and add more natural surveillance into the rear parking courts.
  - Rear parking arrangements have been redesigned to have properties facing onto parking spaces.
  - 800mm Dwarf wall with 1m railings have been introduced within the parking courts to allow for improved surveillance
  - Parking courts amended so to have only one entry/exit for vehicles
  - Plots with under croft parking are closed off with close boarded fencing/walls to avoid through routes
  - Visitor parking is now labelled "VP".
  - Additional gable windows added where possible for improved surveillance.
- 8.10 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. On balance it is considered that appropriate measures for designing out crime have been included in the overall design and further security measures can be secured through a condition.
- 8.11 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.
- 8.12 The development is 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

- 8.13 The majority of the assessment in terms of access and movement, set out in working paper one, remains unchanged. However, the applicant has made changes in terms of the number and distribution of visitor parking and additional information has been provided in respect of electric vehicle charging points.
- 8.14 As a result of the reduction in units, an additional four parking spaces have been allocated for visitor parking at the front of the site. Two additional parking spaces have also been provided in the centre of the site in the Mews lanes, improving the provision of visitor spaces in a central part of the development.
- 8.15 Overall an additional 6 visitor spaces have been provided, bringing the total number to 38. This is greater than the number of spaces required by the adopted parking standards, which would equate to 30.75 spaces for a development of this size (the requirement is 0.25 per dwelling). Spaces for individual dwellings have been provided in accordance with the standards and where garages are required to serve as a space, they meet the sizes required by the parking standards.
- 8.16 In terms of electric vehicle charging it should be noted that this is not something the local planning authority can insist upon at the reserved matters stage where it has not been secured on the outline permission. Nevertheless, the applicant has provided a drawing showing the revised (increased) plots with electric vehicle charging spurs to facilitate future provision.
- 8.17 At the July committee concerns were raised during the debate over the wider traffic impacts associated with this development.
- 8.18 The overall impact of the traffic generated by the site was considered as part of the assessment of the original application, and the mitigation required was assessed at that time. An extensive package of highways mitigation was secured through Section 106 obligations and through planning conditions and highways agreements. The delivery of the relief road was secured as part of this package and a bond paid to the County Council on commencement. The road is required to be completed within five years of commencement of the development, or prior to the construction of the 500th dwelling, whichever is the sooner.
- 8.19 As the outline permission has been granted it is not possible to request further mitigation for the full site or reject a reserved matters application on those grounds, unless new matters are raised by the layout of an individual parcel, that could not have reasonably been predicted by the details provided at outline.
- 8.20 It is considered that the proposed layout creates a safe and attractive network of streets and private drives with sufficient parking for occupants and visitors. The layout also facilitates the off-road pedestrian link required along the eastern boundary.

8.21 The development is therefore 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**

8.22 The assessment in terms of landscape and ecology, set out in working paper one and confirmed in the consultee comments set out in working paper two, remains unchanged. However, there have been some consequential changes to the landscaping as a result in the reduction in the number of units.

8.23 Additional landscaping has been provided in the northern parking court due to less spaces now being required. Two feature trees are also proposed at the gateway to the development.

8.24 The applicant has detailed a bench and litter bin within the central open space area and have advised that a bench will be incorporated into the layout along the eastern edge.

8.25 It is considered that the proposed development, as amended, is acceptable in terms of ecology and landscape issues, subject to the use of conditions to secure the required mitigation and enhancement measures.

8.26 The development would not introduce any adverse effects on protected species or sites, subject to following the recommendations of the submitted reports.

8.27 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**

8.28 The assessment in terms of heritage impacts, set out in working paper one, remains unchanged.

### **Flooding and Drainage**

8.29 The assessment in terms of flooding and drainage, set out in working paper one, remains unchanged.

### **Affordable housing**

8.30 The majority of the discussion in terms of affordable housing set out in working paper one remains unchanged. There have been consequential changes to the affordable housing mix as a result of the reduction in the number of units. However, the overall amount of affordable housing provided, the mix and the tenure split remain acceptable and in



accordance with the requirements of the S106 legal agreement secured with the Outline.

### **Waste collection**

- 8.31 The assessment in terms of waste collection, set out in working paper one, remains unchanged.

### **Other matters**

- 8.32 Previous representations highlighted concerns regarding the provision of strategic infrastructure for the wider site and these concerns were also raised by members in the debate at the July Committee.
- 8.33 Whilst it is not directly relevant to the determination of these reserved matters, the concern for the appropriate provision of open space and infrastructure is a legitimate one and warrants clarification within this report.
- 8.34 The outline permission secured a network of open spaces to provide a variety of functions. There will be structural landscaping, informal green space, allotments, sports pitches and three equipped play areas including a neighbourhood play area which will have a multi-use games area in addition to other play equipment. The development will also include a primary school and community facilities as well as a local centre with the potential for retail development.
- 8.35 The timing of the delivery of this infrastructure is secured in the S106 and conditions and is linked to the level of occupations on each parcel as it is developed. It will therefore not be possible for the applicant to simply continue to deliver housing without the requisite open space and infrastructure to go with it.

### **Summary and recommendation:**

- 8.36 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.
- 8.37 The revised proposals are generally in accordance with the approved landscape and land use parameter plans. The reduction in the height of the flats to a three storey building means that there is no longer any departure from the height parameters set out in the design code.
- 8.38 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.
- 8.39 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.

- 8.40 The development is well within the height parameters assessed at the outline stage. Within 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.
- 8.41 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.
- 8.42 The Lead Local Flood Authority has confirmed that the proposed surface water drainage scheme is acceptable.
- 8.43 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.
- 8.44 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.
- 8.45 It is considered that the applicant has taken on board the comments made by members and amended the proposals accordingly. It is therefore recommended that planning permission be approved subject to conditions.
- 9.00 It is recommended that planning permission be **APPROVED** subject to the following conditions:

The recommended conditions are set out below:

1. Approved Plans and documents

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

Drawing / document title	Drawing/document number	Received
Design and layout		
Location plan	001 rev A	14.05.2021
Planning layout	002 rev H	21.07.2021
Massing Plan	003 rev P2	21.07.2021
Refuse and cycle plan	004 rev P2	21.07.2021
Boundary treatments	005 rev P2	21.07.2021
Materials Plan	006 rev P2	21.07.2021
Parking plan	007 rev P2	21.07.2021
Tenure plan	008 rev P2	21.07.2021
Character areas plan	009 rev P2	21.07.2021
Street scenes A-D	20-3072-010 rev E	21.07.2021
Street scenes E-f	077 rev B	21.07.2021
House types		
Alnmouth Floor Plans	020 rev P1	21.07.2021
Alnmouth Elevations - The Mews	021 rev P1	21.07.2021
Arden Floor plans	022 rev P1	21.07.2021

Arden Elevations - The Mews	023 rev P1	21.07.2021
Arden Elevations - The Avenue	023 rev P1	21.07.2021
Belmont Elevations - Urban Square	026 rev P2	21.07.2021
Charnwood Floor Plans & Elevations - Urban Square	027 rev P1	21.07.2021
Charnwood Floor Plans & Elevations - The Avenue	028 rev P1	21.07.2021
Charnwood Floor Plans & Elevations - Rural Green Edge	029 rev P1	21.07.2021
Dallington Floor Plans	033 rev P1	21.07.2021
Dallington Elevations - Neighbourhood Square	034 rev P1	21.07.2021
Dallington Elevations - Urban Square	035 rev P1	21.07.2021
Danbury Floor Plans	036 rev P1	21.07.2021
Danbury Elevations - The Mews	037 rev P1	21.07.2021
Danbury Elevations - Urban Square	038 rev P1	21.07.2021
Epping Floor Plans	039 rev P1	21.07.2021
Epping Elevations - The Avenue	040 rev P1	21.07.2021
Epping Elevations - Urban Square	041 rev P1	21.07.2021
FOG V1 Floor Plans & Elevations - The Avenue	042 rev P1	21.07.2021
FOG V2 Floor Plans & Elevations - The Avenue	042.1 rev P2	21.07.2021
FOG V3 Floor Plans & Elevations - The Avenue	042.2 rev P2	21.07.2021
FOG V3.1 Floor Plans & Elevations - The Avenue	042.3 rev P	21.07.2021
FOG V4 Floor Plans & Elevations - The Avenue	043 rev P	21.07.2021
FOG V5 - Plots 119-120 - Floor Plans - Neighbourhood Square	044 rev P	21.07.2021
FOG V5 - Plots 119-120 - Elevations - Neighbourhood Square	044 rev P	21.07.2021
Greenwood Floor Plans & Elevations - Rural Green Edge	046 rev P1	21.07.2021
Grizedale Floor Plans	047 rev P1	21.07.2021
Grizedale Elevations - Neighbourhood Square	048 rev P1	21.07.2021
Heatwood floor plans	049 rev P1	21.07.2021
Heatwood Elevations - Rural Green Edge	050 rev P1	21.07.2021
Marston Floor Plans	051 rev P1	21.07.2021
Marston Elevations - Rural Green Edge	052 rev P1	21.07.2021
Saunton Floor Plans	053 rev P1	21.07.2021
Saunton Elevations - Rural Green Edge	054 rev P1	21.07.2021
Saunton Elevations - The Avenue	055 rev P1	21.07.2021
Sherwood Floor Plans	056 rev P1	21.07.2021
Sherwood Elevations - Rural Green Edge	057 rev P1	21.07.2021
Sherwood Elevations - The Avenue	058 rev P1	21.07.2021
Sherwood Elevations - Urban Square	059 rev P1	21.07.2021
Sherwood Corner Floor Plans	060 rev P1	21.07.2021
Sherwood Corner Elevations - Urban Square	061 rev P1	21.07.2021
Wareham Floor Plans	062 rev P1	21.07.2021
Wareham Elevations - Neighbourhood Square	063 rev P1	21.07.2021

Wareham Elevations - Urban Square	064 rev P1	21.07.2021
Wareham Elevations - The Avenue	065 rev P1	21.07.2021
Whiteleaf Floor Plans & Elevations - The Avenue	066 rev P1	21.07.2021
Whiteleaf Weatherboard Floor Plans & Elevations - Rural Green Edge	067 rev P1	21.07.2021
Brantham Floor Plans & Elevations - Neighbourhood Square	068 rev P1	21.07.2021
Flat Block 1 – Floor Plans	069 rev P1	21.07.2021
Flat Block 1 - Elevations	070 rev P3	21.07.2021
Flat Block 2 - Floor Plans	071 rev P2	21.07.2021
Flat Block 2 – Elevations	072 rev P3	21.07.2021
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 F	19.07.2021
Detailed soft landscaping	JBA 18-351-41 rev F	19.07.2021
Detailed soft landscaping	JBA 18-351-42 rev F	19.07.2021
Detailed soft landscaping	JBA 18-351-43 rev F	19.07.2021
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

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

## 2. Badger check – pre-commencement

Prior to the commencement of the development a further supplementary survey for badger shall be undertaken to inform the preparation and implementation of ecological measures required. The supplementary survey shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.

Reason: The condition is required prior to commencement to allow the LPA to discharge its duties under the Protection of Badgers Act 1992 and ensure protected species are adequately protected during construction works in accordance with the Environmental Statement associated with the permission, policies DM2 and DM11 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

## 3. Construction Environmental Management Plan for biodiversity– pre-commencement

Prior to the commencement of development, a Construction Environmental Management Plan for biodiversity (CEMP biodiversity) shall be submitted to the local planning authority and agreed in writing.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.

- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: The CEMP is required prior to construction as it includes safeguards which must be put in place before construction takes place. The reason for the CEMP is to conserve protected and priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species). Also, to safeguard existing habitats and species in accordance with policies DM2, DM11 and DM12 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

#### 4. Sensitive lighting strategy – pre-above ground construction

A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species). Also to ensure protected species are adequately protected during construction works in accordance with the Environmental Statement associated with the permission, policies DM2 and DM11 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

#### 5. Precautionary reptile method strategy – adherence during works

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

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

6. Final detailed landscape proposals for plots and open space – pre-above slab level.

Prior to any construction works above slab level taking place, final detailed soft landscaping plans shall be submitted to the local planning authority and agreed in writing. The plans shall include full details of the ecological mitigation and compensation measures and the biodiversity enhancement measures required to address the points set out in the Place Services Landscape and Ecology response dated 30<sup>th</sup> June 2021.

The details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

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

7. Materials and details – pre-above slab level

No development above slab level shall take place until details of the external materials to be used in the construction of the buildings and details of the fenestration (including fenestration colour and depth of reveals), doors, garage doors, porches, balconies and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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, and to ensure a palette of materials that delivers a distinctive character area in accordance with the Design Code.

8. Footway protection - pre-above slab level

No above ground construction shall take place until details of a footway protection strategy to prioritise pedestrians and protect the footways from inappropriate parking, has been submitted to the local planning authority and agreed in writing. The development shall be carried out in full accordance with the approved details.

Reason: To promote and protect sustainable forms of transport and to promote a healthy and safe community, with access for all, in accordance with policies DM2, and DM22 of the Joint Development Management Policies Document 2015 and chapter 8 and 9 of the National Planning Policy Framework 2019

9. Visitor parking - pre-above slab level

No above ground construction shall take place until details of the visitor parking designation and the lining or signage to promote use as well as the future management arrangement where spaces do not form part of the adopted highway. The spaces shall be provided and maintained in accordance with the approved details.

Reason: To ensure appropriate visitor parking is available to discourage obstructive parking within the street or on the footway in accordance with policies DM2, and DM45 of the Joint Development Management Policies Document 2015 and chapter 8 and 9 of the National Planning Policy Framework 2019

10. Shared surface street details – prior to commencement of that part of the development

Prior to the commencement of the construction of the shared surface streets, final details of the proposed landscaped buildouts and the pedestrian routes shall be submitted to the local planning authority and agreed in writing. The details shall include precise details of the size and form of the buildouts, the materials to be used in construction and the proposed planting.

Reason: To ensure a final design which creates a safe, attractive pedestrian friendly space that enhances the character of the development in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

11. Tree Pit details - prior to installation

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

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

## 12. Cycle storage for the apartments – pre-above slab level for the apartments

Prior to any development above slab level taking place for the apartments, full details of the secure cycle storage for the occupants of those buildings shall be submitted to the local planning authority and agreed in writing. The storage shall accommodate adult and children's cycles and non-standard cycles. Full details of any racking systems shall be provided as part of the scheme. The storage shall be provided in accordance with the approved details prior to the first occupation of the building to which it relates.

Reason: To ensure the provision of adequate cycle parking to promote sustainable transport in accordance with the North West Bury St Edmunds Masterplan, policies DM2, and DM22 of the Joint Development Management Policies Document 2015 and chapter 8 and 9 of the National Planning Policy Framework 2019

## 13. Designing out crime - pre-above slab level

No construction above slab level shall take place until details of the measures and strategies to design out opportunities for crime have been submitted to and approved in writing by the Local Planning Authority. The measures shall include, but not be limited to:

- Details of the anti-crime features to be provided for each dwelling,
- Details of measures to improve the safety of rear access paths including but not limited to gates and boundary treatments.
- Details of access control to communal areas for flats.

All work shall be carried out in accordance with the approved details.

Reason: To ensure that the development is appropriately designed to reduce the likelihood of crime in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

## 14. Roof mounted solar– pre-installation

Prior to the installation of any roof mounted solar panels, full details shall be submitted to the local planning authority and agreed in writing. The panels shall be installed in accordance with the agreed details.

Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, and to ensure that panels are located to reduce the impact on visual amenity so far as is practicable.

## 15. Noise (internal) – pre-occupation

Prior to occupation of the proposed dwellings, noise mitigation measures shall be implemented, as required, so as to ensure that the internal ambient noise levels within each dwelling, with windows closed, do not exceed an LAeq (16hrs) of 35 dB(A) within bedrooms and living rooms between the hours of 07:00 to 23:00 and an LAeq (8hrs) of 30dB(A) within bedrooms between the hours of 23:00 to 07:00, in accordance with the current guideline levels within BS8233:2014 - Guidance on sound insulation and noise reduction for buildings.



Reason: To protect the amenities of future occupiers of the development.

16. Noise (external) – pre-occupation

Prior to occupation of the proposed dwellings, noise mitigation measures shall be implemented, as required, to ensure that the noise level within the external amenity areas of each dwelling do not exceed an LAeq of 50 dB(A), in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.

Reason: To protect the amenities of future occupiers of the development.

17. Street furniture within open spaces – pre-occupation

Prior to the first occupation of the dwellings, the street furniture for the open spaces, to include bins and benches, shall be fully installed in accordance with details previously submitted to the local planning authority and agreed in writing.

Reason: To ensure a final design which creates a safe, attractive pedestrian friendly and usable spaces what enhances the character of the development in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

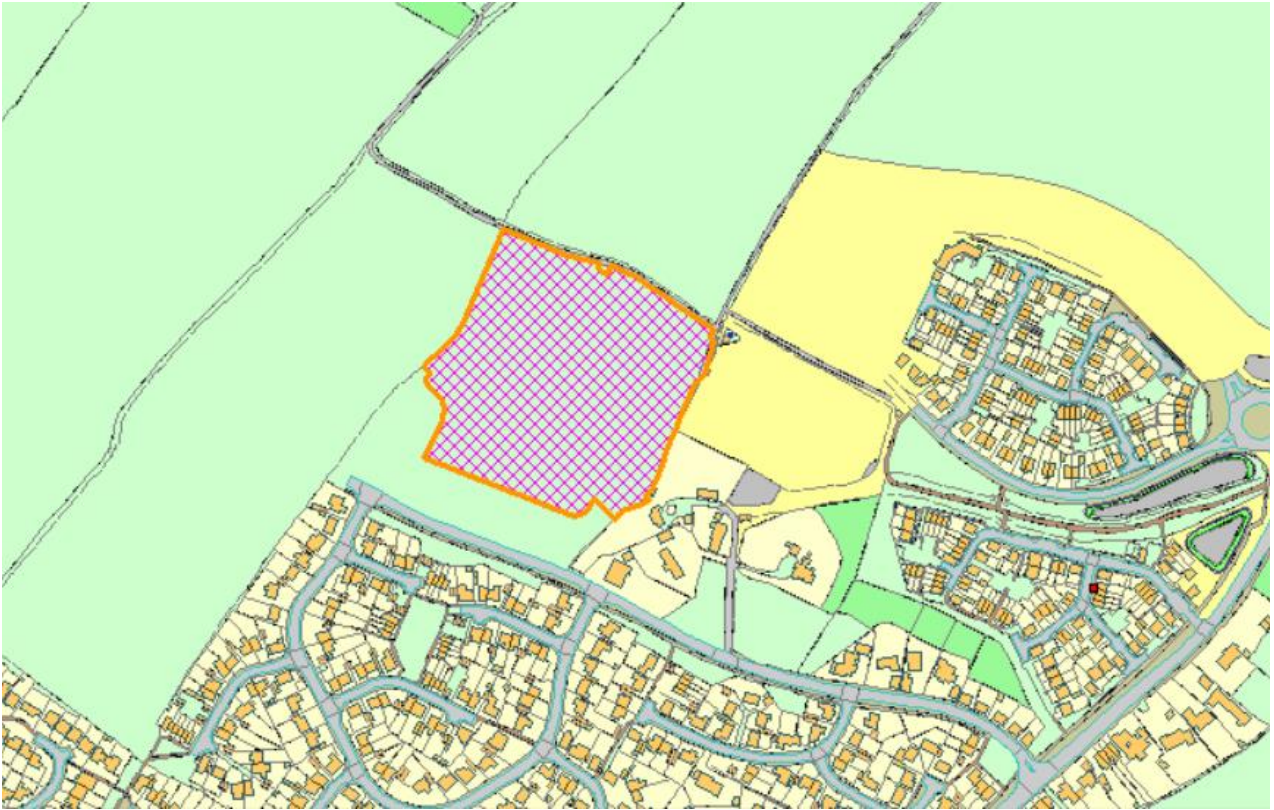
**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/0110/RM](https://www.dorsetcouncil.gov.uk/DC/21/0110/RM)

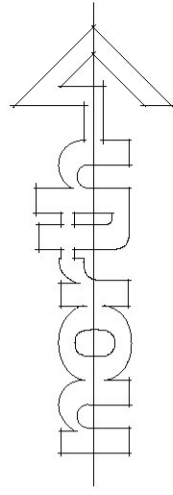
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DC/21/0110/RM – land NW of Haverhill, Anne Suckling Lane, Little Wratting



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Note & Key

FOOTBALL PITCH  
54x35m

INFRASTRUCTURE ROAD

PHASE 3A

PHASE 3B  
DEVELOPMENT

TRE

Page 43



0.94 ACRES

BCP/SP	PLOTS SERVED
A	14
B	16/18
C	26
D	27-29
E	30,51-53
F	46
G	47
H	55-59
J	70
K	71,77
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

**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**

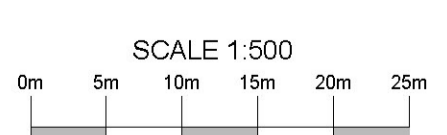
Drawing No:  
**002**

Rev:  
**G**

TYPE	PLOTS	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	6	75	3	2	2 Spaces
Esplanade	41, 42, 66, 67, 68, 69, 70, 76, 78	8	71	3	2	2 Spaces
Shawwood	40, 88, 109	3	50	3	2	2 Spaces
Shawwood Ct	113, 117	2	50	3	2	2 Spaces
Shawwood	44, 45, 49, 49, 93, 94, 95	7	60	3	2,5	2 Spaces
Shawwood	127, 30, 43, 53, 78, 84, 90, 109, 120	9	94	3	2	2 Spaces
Greenwood	54, 55, 56, 60, 61, 121, 126	7	113	4	2,5	2 Spaces
Winton	80, 82, 81, 82	4	117	4	2	2 Spaces
Winton	73, 79, 81, 82	4	114	4	2	2 Spaces
Flabur	78, 46, 47, 60, 70, 113	6	52	2	2	2 Spaces
Carbrook	104, 105, 106, 108	4	48	1	3,5	1 Spaces
Capdock	10, 20, 51, 61	3	48	1	3,5	2 Spaces
Winton	26, 30, 55, 57, 60, 63	6	51	2	3,5	2 Spaces
<b>TOTAL</b>		<b>90</b>				

TYPE	PLOTS	TOTAL	SGM	BEDS	HT	PARKING
Haverhill	10, 20, 51, 61	2	50	1	1	1 Space
Armouth	12, 22, 23, 24, 32, 33, 34, 35, 36, 37, 38, 39, 40	6	48	1	3,5	1 Spaces
Capdock	10, 20, 51, 61	3	48	1	3,5	1 Spaces
Brantham	116, 121	2	56	1	1	1 Space
Winton	11, 2, 3, 4, 115, 116, 123, 124	6	80	2	2	2 P.S.
Flabur	16	1	52	2	2	2 P.S.
Grizedale	114, 122, 125	3	105	2	2	2 Spaces
Bramont	58, 76, 71	1	119	5	2	1 Space
<b>TOTAL</b>		<b>28</b>				

TYPE	PLOTS	TOTAL	SGM	BEDS	HT	PARKING
Barford	24, 26, 75, 119, 120	3	52	2	2	2 P.S.
Winton	26, 30, 55, 57, 60, 63, 77	5	80	2	2	2 P.S.
Darlington	35, 36, 17, 18, 117	3	94	3	2	2 P.S.
<b>TOTAL</b>		<b>11</b>				



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**WORKING PAPER 1**

**Development Control Committee  
7 July 2021**

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

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

## **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:**

<b>Drawing / document title</b>	<b>Drawing/document number</b>	<b>Received</b>
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 P0	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

### 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	Approved

	DC/16/2836/RM Submission of details under SE/09/1283/OUT - the means of landscaping (replacement hedge) for the construction of (i) residential development (ii) primary school (iii) local centre including retail and community uses (iv) public open space (v) landscaping (vi) infrastructure, servicing and other associated works	
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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# West Suffolk Development Control Committee - 7 July 2021

## **Late Paper**

### **Item 4 - Planning Application DC/21/0110/RM - Land NW of Haverhill, Ann Suckling Road, Little Wratting**

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

Case Officer – Penny Mills

#### **Consultation response update**

Further landscape and ecology comments have been received confirming that there is no objection to the application, subject to securing ecological mitigation, compensation and biodiversity enhancement measures and amendments to the detailed landscape proposals.

The full comments are available to read on the public Planning file:

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

#### **Additional Plans**

An electric vehicle charge point plan has been submitted. 045-T-180 rev A

#### **Conditions**

The recommended conditions are set out below:

1. Approved Plans and documents

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

## **WORKING PAPER 2**

<b>Drawing / document title</b>	<b>Drawing/document number</b>	<b>Received</b>
Design and layout		
Location plan	001 rev A	14.05.2021
Planning layout	002 rev G	23.06.2021
Boundary treatments	005 rev P0	14.05.2021
Parking plan	007 rev P1	24.06.2021
Electric Vehicle Charge point	045-T-180 rev A	01.07.2021
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

## **WORKING PAPER 2**

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

## **WORKING PAPER 2**

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		
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

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

### 2. Badger check – pre-commencement

Prior to the commencement of the development a further supplementary survey for badger shall be undertaken to inform the preparation and implementation of ecological measures required. The supplementary survey shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.

Reason: The condition is required prior to commencement to allow the LPA to discharge its duties under the Protection of Badgers Act 1992 and ensure protected species are adequately protected during construction works in accordance with the Environmental Statement associated with the permission, policies DM2 and DM11 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

### 3. Construction Environmental Management Plan for biodiversity– pre-commencement

Prior to the commencement of development, a Construction Environmental Management Plan for biodiversity (CEMP biodiversity) shall be submitted to the local planning authority and agreed in writing.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: The CEMP is required prior to construction as it includes safeguards which must be put in place before construction takes place. The reason for the CEMP is to conserve protected and priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species). Also, to safeguard existing habitats and species in accordance with policies DM2, DM11 and DM12 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

#### 4. Sensitive lighting strategy – pre-above ground construction

A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species). Also to ensure protected species are adequately protected during construction works in accordance with the Environmental Statement associated with the permission, policies DM2 and DM11 of the Joint Development Management Policies Document 2015 and Chapters 8 and 15 of the National Planning Policy Framework.

5. Precautionary reptile method strategy – adherence during works

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

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

6. Final detailed landscape proposals for plots and open space – pre-above slab level.

Prior to any construction works above slab level taking place, final detailed soft landscaping plans shall be submitted to the local planning authority and agreed in writing. The plans shall include full details of the ecological mitigation and compensation measures and the biodiversity enhancement measures required to address the points set out in the Place Services Landscape and Ecology response dated 30<sup>th</sup> June 2021.

The details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

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

7. Materials and details – pre-above slab level

No development above slab level shall take place until details of the external materials to be used in the construction of the buildings and details of the

fenestration (including fenestration colour and depth of reveals), doors, garage doors, porches, balconies and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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, and to ensure a palette of materials that delivers a distinctive character area in accordance with the Design Code.

### 8. Footway protection - pre-above slab level

No above ground construction shall take place until details of a footway protection strategy to prioritise pedestrians and protect the footways from inappropriate parking, has been submitted to the local planning authority and agreed in writing. The development shall be carried out in full accordance with the approved details.

Reason: To promote and protect sustainable forms of transport and to promote a healthy and safe community, with access for all, in accordance with policies DM2, and DM22 of the Joint Development Management Policies Document 2015 and chapter 8 and 9 of the National Planning Policy Framework 2019

### 9. Visitor parking - pre-above slab level

No above ground construction shall take place until details of the visitor parking designation and the lining or signage to promote use as well as the future management arrangement where spaces do not form part of the adopted highway. The spaces shall be provided and maintained in accordance with the approved details.

Reason: To ensure appropriate visitor parking is available to discourage obstructive parking within the street or on the footway in accordance with policies DM2, and DM45 of the Joint Development Management Policies Document 2015 and chapter 8 and 9 of the National Planning Policy Framework 2019

### 10. Shared surface street details – prior to commencement of that part of the development

Prior to the commencement of the construction of the shared surface streets, final details of the proposed landscaped buildouts and the pedestrian routes shall be submitted to the local planning authority and agreed in writing. The details shall include precise details of the size and form of the buildouts, the materials to be used in construction and the proposed planting.

Reason: To ensure a final design which creates a safe, attractive pedestrian friendly space that enhances the character of the development in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

### 11. Tree Pit details - prior to installation

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

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

### 12. Cycle storage for the apartments – pre-above slab level for the apartments

Prior to any development above slab level taking place for the apartments, full details of the secure cycle storage for the occupants of those buildings shall be submitted to the local planning authority and agreed in writing. The storage shall accommodate adult and children's cycles and non-standard cycles. Full details of any racking systems shall be provided as part of the scheme. The storage shall be provided in accordance with the approved details prior to the first occupation of the building to which it relates.

Reason: To ensure the provision of adequate cycle parking to promote sustainable transport in accordance with the North West Bury St Edmunds Masterplan, policies DM2, and DM22 of the Joint Development Management Policies Document 2015 and chapter 8 and 9 of the National Planning Policy Framework 2019

### 13. Designing out crime - pre-above slab level

No construction above slab level shall take place until details of the measures and strategies to design out opportunities for crime have been submitted to and approved in writing by the Local Planning Authority. The measures shall include, but not be limited to:

- Details of the anti-crime features to be provided for each dwelling,
- Details of measures to improve the safety of rear access paths including but not limited to gates and boundary treatments.
- Details of access control to communal areas for flats.

All work shall be carried out in accordance with the approved details.

Reason: To ensure that the development is appropriately designed to reduce the likelihood of crime in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

### 14. Roof mounted solar– pre-installation

Prior to the installation of any roof mounted solar panels, full details shall be submitted to the local planning authority and agreed in writing. The panels shall be installed in accordance with the agreed details.



Reason: To safeguard the character and appearance of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, and to ensure that panels are located to reduce the impact on visual amenity so far as is practicable.

### 15. Noise (internal) – pre-occupation

Prior to occupation of the proposed dwellings, noise mitigation measures shall be implemented, as required, so as to ensure that the internal ambient noise levels within each dwelling, with windows closed, do not exceed an LAeq (16hrs) of 35 dB(A) within bedrooms and living rooms between the hours of 07:00 to 23:00 and an LAeq (8hrs) of 30dB(A) within bedrooms between the hours of 23:00 to 07:00, in accordance with the current guideline levels within BS8233:2014 - Guidance on sound insulation and noise reduction for buildings.

Reason: To protect the amenities of future occupiers of the development.

### 16. Noise (external) – pre-occupation

Prior to occupation of the proposed dwellings, noise mitigation measures shall be implemented, as required, to ensure that the noise level within the external amenity areas of each dwelling do not exceed an LAeq of 50 dB(A), in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.

Reason: To protect the amenities of future occupiers of the development.

### 17. Street furniture within open spaces – pre-occupation

Prior to the first occupation of the dwellings, the street furniture for the open spaces, to include bins and benches, shall be fully installed in accordance with details previously submitted to the local planning authority and agreed in writing.

Reason: To ensure a final design which creates a safe, attractive pedestrian friendly and usable spaces what enhances the character of the development in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

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## Development Control Committee 4 August 2021

### Planning Application DC/20/2066/RM - Land at Rabbit Hill Covert, Station Road, Lakenheath

<b>Date</b>	25.11.2020	<b>Expiry Date:</b>	24 February 2021
<b>Registered:</b>			(extension of time to be agreed)
<b>Case Officer:</b>	Gareth Durrant	<b>Recommendation:</b>	Approve Reserved Matters
<b>Parish:</b>	Lakenheath	<b>Ward:</b>	Lakenheath
<b>Proposal:</b>	Reserved matters application - submission of details approved under outline planning permission F/2013/0345/OUT for access, layout, scale, appearance and landscaping (not EIA) for up to 81 dwellings and associated works (as amended)		
<b>Site:</b>	Rabbit Hill Covert, Station Road, Lakenheath		
<b>Applicant:</b>	Evera Homes LLP		

#### **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:

Gareth Durrant

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## **Background:**

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**Outline planning permission was granted for up to 81 dwellings at this site in September 2018. This application seeks approval of matters reserved by condition 2 of the outline planning permission.**

**The application was referred to the Committee for determination following consideration by the Delegation Panel.**

## **Proposal:**

1. The application seeks approval of the reserved matters arising from a grant of outline planning permission for the erection of up to 81 dwellings at this site. All matters reserved from the outline planning permission are included in this submission. Approvals are therefore sought for the access to the site and the layout, scale, appearance and landscaping of the approved development of 'up to' 81 dwellings.
2. The proposals have been amended since first submission and have been subjected to public and stakeholder consultations.

## **Application Supporting Material:**

3. The following documents have been submitted to support the application. Some of the information received overlaps with other conditions of the planning permission:
  - Forms and drawings including site location, layout, elevations and floorplans.
  - Parking Strategy Plan
  - Street Hierarchy Layout
  - Material Finishes Plan
  - Enclosures Plan
  - Refuse & Cycle Strategy Plan
  - Ecology Plan (enhancement measures)
  - Affordable Housing Plan
  - Detailed landscaping proposals
  - Drainage Strategy and information
  - Design and Access Statement
  - Landscape Strategy
  - Noise Control Measures Technical Report
  - Arboricultural Impact Assessment and Tree Survey
  - Illustrative layout (for adjacent land)
4. The Council has received separate applications seeking approval of details required by some of the other conditions attached to the outline planning permission.

### **Site Details:**

5. The site is situated to the north of Lakenheath. It is approximately 3.5 hectares in size, is presently in agricultural use (Grade 3) and has a tree lined frontage onto the highway of Station Road. Trees situated at the site frontage (south) and the side boundary (west) are protected by a Tree Preservation Order.
6. The application site is situated within the settlement boundary of Lakenheath as confirmed by the Site Allocations Local Plan development plan document. The site is abutted to the north and east by agricultural land (which is also the subject of a granted planning application for development of up to 375 dwelling and a primary school – register reference DC/14/2096/HYB)
7. The site frontage has the benefit of a mature landscaped frontage of mixed species, including some pines. Some low density housing abuts the west boundary and there is a small housing estate of bungalows on the opposite side of part of the Station Road (frontage) highway. The bulk of the settlement and the key village amenities are located further south.
8. There are no landscape or heritage asset designations at the site, although the Lakenheath Conservation Area is situated close to the south-west corner of the site (on the opposite side of Station Road). The Environment Agency flood risk maps indicate that the site is situated within Flood Zone 1 (with little or no risk of flooding).

### **Planning History:**

9. 1985 - Planning permission refused for one dwelling and garage (on a plot situated at the southwest corner of the current application site). Register reference F/85/076.
10. 1986 – Planning permission refused for Bungalow and Garage (on a plot situated at with the southwest corner of the current application site). Register reference F/86/0125.
11. In 2018 planning permission was granted for the construction of a new access road for proposed primary school (DC/18/0246/FUL). The proposals included vehicular access into the application site and pedestrian/cycle paths to the school site which would pass along the frontage of 'Rabbit Hill Covert' application site, behind the woodland belt.
12. In September 2018, outline planning permission was granted for the construction of up to 81 dwellings (reference F/2013/0345/OUT). In 2021 an application was received under S73 of the 1990 Planning Act to vary a condition attached to that planning permission (noise mitigation). That planning application remains undetermined (reference DC/21/0469/VAR).
13. In 2021 a planning application was received proposing a SUD water storage basin on land adjacent to this site. It is proposed that the basin serves the development proposals. The application remains undermined and will be

considered by the Development Control Committee in due course (reference DC/21/0469/VAR).

**Consultations:**

14. **Natural England** – do not wish to comment on the reserved matters submission.
15. **Environment Agency** – do not wish to comment on the reserved matters, provided standard advice relating to contamination risks to the Principal Aquifer and recommend consultation with SCC relating to SW drainage matters.
16. **Defence Infrastructure Organisation (MoD)** – Provides the following comments (summarised):
  - No safeguarding concerns with the heights of the development.
  - Comments in relation to the landscaping scheme (to minimise risk of bird strikes to passing aircraft)
  - Provide comments with respect to the off-site drainage attenuation basin that would serve this development (i.e. needs to be well drained in order to reduce attraction to birds)
17. **Suffolk Constabulary** - provide comments relating to safety/crime aspects of the layout as follows:
  - Long rear pedestrian access 'corridors' should be fitted with lockable gates.
  - Windows should be provided into blank gable walls where this would assist with surveillance of parking spaces. Further assistance could be provided by changing the fencing design around these areas so the solid element of the fence is reduced in height perhaps with a trellis panel added.
  - Open spaces should be maintained and planting that restricts surveillance of these areas avoided.
  - Vehicles should be either parked in locked garages or on a hard standing within the dwelling boundary.
  - Lighting should be adequate to deter opportunity for criminal activity.
  - Doors and windows should be built to 'Secured by Design' standards
  - Cycle storage should be secure
18. **SCC Highway Authority** – recommends that adjustments are secured to the layout to re-design the parking arrangements for one of the plots adjacent to a junction in order to reduce the need for unnecessary vehicle movements into and out of spaces and/or on street parking. The plot in question is close to a junction. Conditions are recommended relating to visibility splays details and provision of the estate roads and footpaths, construction management plan, provision of the parking and manoeuvring areas and implementation of the bin storage areas.
19. **SCC Flood & Water Management** - submit holding objections to the reserved matters submission. The Authority confirm that the submitted

surface water drainage strategy is acceptable but note there are matters of detail which need to be resolved before they can recommend approval. These matters are set out in the representations and include:

- Requirement for specialist geotechnical advice given the presence of chalk underlying the site.
- Full hydraulic calculations to support the design of the SuDS features.
- Details of pollution loadings
- Details of adoption for future management and maintenance.

20. **SCC Infrastructure Planning** – note the presence of the S106 planning obligations secured under the outline planning permission and request these are retained.

21. **WS Landscape & Ecology Officer** – provides the following comments (summarised):

- Implementation of the tree replacement measures will need to be secured.
- The woodland management scheme for the site frontage woodland secured under planning permission DC/18/0246/FUL should be secured as part of these proposals to ensure they are implemented.
- Contribution towards off-site provision of children's' play equipment should be secured.
- The design of the off-site SuD feature needs to be enhanced. The reserved matters are reliant on an acceptable solution to site drainage.
- The SuD feature will have surveillance from some of the dwellings. The arrangement of the SuD, footpath and landscaping in this area [off-site] need to be finalised.
- A planting buffer that could be planted with structural landscaping if the planning permission for the wider site is allowed to expire might be an option to landscape the east boundary. This should allow for sufficient planting and room for maintenance and secured as part of the S106 Agreement.
- There are some contradictions between the Arboricultural plan and the planting plan (more than one tree in the same location, confusion over removal of one tree). It is understood the plans are being amended.
- Where trees are within 2.5m of the highway [to be adopted] measures for protection of the highway should be shown.
- A strong green corridor on the north boundary of the site has not been achieved and will be dependent upon the proposals that come forward alongside the SUD basin. This will need to be shown [on the planning application for the SUD basin].

- A hedgerow should be provided behind the turning head proposed adjacent to the east site boundary. This would screen vehicle manoeuvres and headlights into the wider landscape.
  - A bat survey has been submitted addressing the potential of the trees to be felled to be used by bats. Further survey is required to assess use by roosting bats.
  - The hedgehog highway fence adaptations should be included on the ecology plan (they are already on the landscape plan).
  - The measures already secured [as part of the outline planning permission] to avoid/mitigate recreational impacts to the Breckland Special Protection Area are noted. Based on that review and Natural England's comments, "the Local Planning Authority, in its role as Competent Authority, is able to conclude that the proposals would not have adverse effects on the integrity of the Breckland SPA."
22. **WS Strategic Housing** – Are happy with the affordable housing mix and whilst in response to early consultations expressed concerns about compliance of the affordable housing units with the Councils advisory space standards and relating to the distribution of the affordable housing units, confirmed they held no objections upon receipt of amended plans that increased the floorspace of the affordable housing units.
23. **WS Public Health & Housing** – accept the findings of the submitted noise technical report and has no objections subject to full adoption of the noise control measures identified in the construction design details.
24. **WS Urban Design Officer** – summarises how the design of the scheme has evolved since the reserved matters were first submitted, including the improvements secured to the courtyard area around the north of the site. The officer considered these to be significant improvements to the scheme. He goes on to suggest that such an approach to the design and layout could be applied to other parts of the scheme.

### **Representations:**

25. **Lakenheath Parish Council – objects** (April 2021) and provides the following comments –
- Lakenheath Parish Council Planning Sub-Committee objected to the reserved matters application as the proposal is wholly inappropriate for the village.
  - We note and agree with the issues raised by SCC Highways regarding parking, garaging and sustainable access routes.
  - We note and agree with the objections raised by WSDC Strategic Housing and WSDC Urban Planning. The proposal is over engineered and over developed, being wholly inappropriate for a village setting.



- There appears to be in the revised layout a loss of Public Open Space which may mean that the remaining falls short of the requirement.
  - The revised proposal is unacceptable in terms of density, overall design and failure to meet required standards.
26. No representations were received from the public (local residents).

**Policy:**

27. The Development Plan comprises the policies set out in the Core Strategy adopted May 2010, the policies of the Joint Development Management Policies Document (2015), the policies included in the Site Allocations Local Plan (2019) and the 'Single Issue Review' of Core Strategy Policy CS7. The following policies are directly relevant to the determination of this application for approval of reserved matters.

28. **Core Strategy**

- **Policy CS3** – Landscape Character and the Historic Environment
- **Policy CS4** – Reduce Emissions, Mitigate and Adapt to future Climate Change.
- **Policy CS5** – Design Quality and Local Distinctiveness
- **Policy CS13** – Infrastructure and Developer Contributions

29. **Joint Development Management Policies Document**

- **Policy DM2** – Development Principles and Local Distinctiveness
- **Policy DM7** – Sustainable Design and Construction
- **Policy DM13** – Landscape Features
- **Policy DM17** – Conservation Areas
- **Policy DM22** – Residential Design.
- **Policy DM42** – Open Space, Sport and Recreation Facilities
- **Policy DM44** – Rights of Way
- **Policy DM46** – Parking Standards

30. **Site Allocations Local Plan**

- **Policy SA8(a)** – Focus of Growth – North Lakenheath (Rabbit Hill Covert, Station Road).

31. **Single Issue Review**

- No policies relevant to the reserved matters currently under consideration (layout, scale, appearance, access and landscaping).

**Other Planning Policy:**

Supplementary Planning Documents

32. The following Supplementary Planning Documents are relevant to this application:

- Joint Affordable Housing Supplementary Planning Document (September 2013)
- Open Space, Sport and Recreation Supplementary Planning Document (August 2011)
- Suffolk Advisory Parking Standards (Second Edition 2015)

#### National Policy and Guidance

33. National Planning Policy Framework (2021) with particular reference to chapter 12 'Achieving Well Designed Places'.
34. The National Planning Practice Guidance (NPPG) is an on-line Government controlled resource which assists with interpretation about various planning issues and advises on best practice and planning process.

#### **Officer Comment:**

35. The application is a submission of reserved matters seeking compliance with the requirements of condition 2 of outline planning permission F/2013/0394/OUT. The Reserved Matters submission is within the parameters secured by that permission. The principal of the development and a cap on the number of dwellings has already been established by the outline planning permission and cannot be revisited at outline stage. Furthermore, matters controlled by other conditions of the outline planning permission will be addressed separately and do not fall to be considered at this stage. Accordingly, the issues to be considered with this submission are narrow and are restricted to 'access', 'layout', 'scale', 'appearance' and 'landscaping'.

#### Policy context

36. The NPPF states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
37. It also advises that planning decisions should ensure that developments:
  - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
  - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
  - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
38. 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.
39. Core Strategy Spatial Objective H2 aims to provide a sufficient and appropriate mix of housing that is ... designed to a high standard. Design aspirations are also included in Spatial Objectives ENV4 (high standard of design) and ENV5 (community safety and crime reduction through design). The Objectives are supported by policies CS5 and CS13 which require high quality designs which reinforce local distinctiveness and take account of the need for stronger and safer communities. Policy CS5 confirms design that does not demonstrate it has had regard to local context and fails to enhance character will not be acceptable.
40. Policy DM2 of the Joint Development Management Policies Document sets out general design criteria to be applied to all forms of development proposals. DM7 does the same but is specific to proposals for residential development.

#### Access

41. Access is defined in the 2015 General Development Procedure Order as *the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network*. Access has been assessed as follows:
- Vehicular access from the Station Road into the site is acceptable and, indeed, has previously been granted planning permission under separate cover (reference paragraph 11 above).
  - Similarly, egress from the site onto Station Road is also acceptable. Some trees have already been felled to provide a gap in the woodland belt in for the access connection (approved under the earlier planning permission – see paragraph 11 above) and compensatory replacement tree planting proposals are included. Adequate visibility splays will be provided to provide safe vehicle manoeuvring.

- The 30mph limit on Station Road has already been extended past the application site.
- The vehicular access and the main internal distributor roads have been designed to adoptable standards and are likely to be adopted by the Highway Authority in due course. The 'private drives' will remain unadopted.
- Internal access and movement (including turning space and accessibility for large vehicles) is also acceptable. The site is permeable and good opportunities for pedestrian, cyclist and vehicle (road) connections into the adjacent development site are included.
- Car parking, including provision for visitor spaces, accords with the adopted parking standards and the number of spaces provided has been accepted by the highway authority.
- The development proposes a recreational route for pedestrians along its south and western boundaries. These will, in time, connect with similar infrastructure to be provided as part of the adjacent development land and will provide safe and attractive walking and cycle routes to the new primary and pre-school facilities due to be constructed on land to the west of the site and into the areas of public open space that is to be included as part of the adjacent development. Once both developments are complete, a circular recreational walk will be available around the perimeter. This is provided in order to facilitate dog walking and general recreational activity in order to avoid and alleviate increased recreational pressure to the Maids Cross Hill Site of Special Scientific Interest to the south and the Breckland Special Protection Area to the east.
- The Highway Authority has not objected to the access arrangements but have expressed concerns about the parking arrangements proposed for one of the plots (see paragraph 18 above). The applicant is likely to need to make minor changes to the site layout plan in order to overcome these concerns. The recommendation at the end of the report requests delegated authority to resolve the matter prior to the reserved matters application being finally determined.
- It is considered that, subject to the non-material amendments being received as discussed above, 'access' to and about the site is safe and suitable.

#### Layout

42. Layout is defined in the 2015 General Development Procedure Order as *the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development*. Layout has been assessed as follows:
- The Parish Council has criticised the layout as being 'over-engineered'. The Council's Urban Design Officer has sought to soften the layout and

as a consequence of his advice, softer courtyard elements have been provided and some roads 'down-graded' from adoptable highway to private drive arrangements. This has resulted in a reduction to the 'engineered' feel of the proposed development, particularly its highway infrastructure. Whilst the Urban Design Officer recognises that further improvements could be secured to further informalise the site layout, officers consider that an acceptable compromise has been reached. There would be a suitable balance between the roads designed to adoptable standards (i.e. the main internal roads flowing from the access) and the softer private drive arrangements.

- The dwellings closest to Station Road would enjoy a degree of separation from the Station Road with the existing woodland and safe route to school being provided in between the forward line of units and the highway. The minimum separation distance is around 40 metres which is more than the set back of existing dwellings that front on to the highway (to the west of the application site) on this side of Station Road.
- Behind the strong frontage line of dwellings, there are two main forms of housing layout included. These are perimeter blocks, where housing is provided within a block style, with all frontages facing outward and courtyards, where dwellings face inwards towards enclosed courtyard areas. In this case the courtyards are mainly parking areas.
- Public open space has been provided around the perimeters of the development. This is to ensure the retention of the protected woodland tree belts which mark the southern and western boundaries. These spaces which would dominate the point of access onto Station Road, provide the development with a sylvian character and provide opportunities for recreation around the perimeter of the site. In time these spaces will link with similar spaces to be provided on the adjacent development site, providing further opportunities for dog walking and general recreation.
- A separate planning application has been submitted for the construction of a surface water pond to the north of the site. This would be provided adjacent to, but off the application site and would accommodate water from the development during heavy or prolonged rainfall events. The pond does not fall to be considered as part of this reserved matters submission and surface water drainage details are to be considered under a separate condition on the outline planning permission. The layout of the proposals provides adequate surveillance of the proposed drainage feature from two first floor flats and two of the detached dwellings within the development. There is also a new footpath proposed to run along the north site boundary, next to the basin. This is considered suitable and will serve to reduce opportunities for anti-social behaviour. Opportunities for further surveillance of the drainage feature will arise when the adjacent development site is planned out.
- There is good separation in-between the dwellings proposed by this reserved matters submission and the existing dwellings to the west. There will be no significantly adverse impacts arising to the occupiers of

the existing dwellings as a consequence of the proposal layout of this development.

- The majority of the matters raised by the police architectural officer have been addressed and officers consider the layout is acceptable with respect to crime prevention, including perception or fear of crime.
- The layout of the proposed development is considered acceptable.

### Scale

43. Scale is defined in the 2015 General Development Procedure Order as *the height, width and length of each building proposed within the development in relation to its surroundings*. Scale has been assessed as follows:

- All of the proposed dwellings are of two-storey scale and, given the scale and character of existing development and the flat nature of the site, this would not give rise to any significantly adverse landscape or other significant visual impacts.
- Similarly, the lengths and widths (footprints) of the proposed dwellings would be in proportion to their scale. There are no dwelling types proposed that could be considered to have 'over-sized' footprints that might, for example, give rise to bulky or dominant buildings.
- The scale of development proposed is what you would expect to find at a development of this type and location.
- The scale of the proposed development is considered acceptable.

### Appearance

44. Appearance is defined in the 2015 General Development Procedure Order as *the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture*. Appearance has been assessed as follows:

- The dwellings proposed by the Reserved Matters submission are standard house types. Notwithstanding this they are of relatively simple design with symmetrically aligned features, reflective of the Suffolk vernacular.
- The successful use of suitably designed standard house types on large scale developments depends greatly upon how those buildings are configured both individually and collectively in order to create a sense of place, streets and character. These elements have been discussed above in the 'layout' section of this report.
- Condition 3a) of the outline planning permission requires details of all materials and colour finishes to be applied to be submitted to and agreed in writing with the Local Planning Authority. Accordingly, these details

will be considered separately to, but alongside, the reserved matters submission. The Design and Access Statement submitted to inform the reserved matters makes the following comments about building materials:

*- Due to the location of the development and its proximity to a Conservation area a sympathetic approach to materials and elevational treatment is considered appropriate in this location. The mix of materials proposed show sympathy to the local vernacular by utilising clay bricks, render, pan tiling and stone window detailing to enhance the facades. Traditional window features incorporating mock sash windows and fanlights above doors mimic the traditional style of the village vernacular. These materials and styles have been incorporated in a traditional manor creating an attractive development.*

- The above approach to the treatment of the dwellings is considered acceptable.
- The appearance of the proposed development, subject to details of the materials being agreed under separate condition, is considered acceptable.

#### Landscaping

45. Landscaping is defined in the 2015 General Development Procedure Order as *the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—*

- (a) screening by fences, walls or other means;*
- (b) the planting of trees, hedges, shrubs or grass;*
- (c) the formation of banks, terraces or other earthworks;*
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and*
- (e) the provision of other amenity features;*

46. Landscaping has been assessed as follows:

- The site frontage (south) and one side boundary (west) are well served by existing mature woodland belts. These important landscape features are to be retained other than removal of certain specimens to make way for the access and a required pumping station for foul drainage. Compensatory planting is proposed within the woodland areas which will serve to strengthen them, not only by means of this new planting, but also by long term management (formally required by a condition of the outline planning permission).
- The rear (north) and other side boundary (east) are presently unmarked and open to the countryside. In time, development of the neighbouring site, which has planning permission for the construction of 375 dwellings and a primary school will fully enclose the north and east site boundaries. The reserved matters proposals do not include boundary

planting to assimilate the 81-dwelling scheme into the countryside. There is a small risk that if the planning permission for the 375-dwelling scheme on the adjacent land is not implemented and lapses, the 81 dwelling scheme could be permanently and prominently exposed in the local landscape.

- The applicants' solution is to propose off-site landscaping to straddle the eastern boundary of the site. A 10-metre buffer is proposed at this location for landscaping and room for its future maintenance. As the land is not currently under the control of the applicant, it is not appropriate to attach a condition to secure this land. Instead, the existing S106 Agreement can be adjusted to secure the provision of the land, its landscaping and maintenance period.
- The requirement to plant landscaping within the buffer would 'bite' at the first planting season following the (potential) lapse of the outline planning permission for the 375-dwelling scheme (reference DC/14/2096/HYB). This planning permission will only expire if either i) reserved matters are not submitted on or before 3 February 2023 or (if reserved matters are submitted in time) if the approved development has not been commenced within 2 years of the reserved matters being approved.
- Away from site boundaries, landscaping is proposed within the new housing estate where opportunities present. New planting within proximity of the adoptable highway is strictly controlled for safety and maintenance reasons. Where new tree planting is proposed close to adoptable roads, suitable species will need to be selected and appropriate mitigation/precautionary measures included (the use of root guards for example). Whilst the overall landscaping strategy is required to be submitted at this stage, the finer detail (for example species, planting densities, boundary fence details and so on) are controlled by separate conditions of the outline planning permission.
- There are some tidying up issues with the landscaping scheme that will necessitate some minor changes to some of the plans. These are discussed in the Ecology and Landscape Officers summarised comments at paragraph 21 above. The recommendation at the end of the report requests delegated authority to resolve these matters prior to the reserved matters application being finally determined.
- Subject to the receipt of the non-material amendments discussed above, the overall landscape strategy for the site is considered acceptable.

#### Other matters

47. Condition 3h) of the outline planning permission requires details of all areas for public open space to be submitted at the same times as the reserved matters. The condition requires that provision to accord with the Councils adopted Supplementary Planning Document (SPD) for open space, sport and recreation.



48. The amount of public open space to be provided as part of these development proposals (informal open space and green space) far exceed the minimum requirements of the SPD. However, whilst the SPD also requires the provision of play equipment to accompany developments of this size, no provision is actually made on site. The applicant has instead offered to provide the policy equivalent amount of play space and equipment off-site. This is likely to mean that provision will be made as part of the overall provision of play space on the adjacent development site (375 dwelling scheme, reference DC/14/2096/HYB), particularly so if they manage to purchase that site for development. However, if that site does not become available to accommodate play space, the Council would either be able to provide equipment within the SANG (Suitable Alternative Natural Green space) open space to the east and north of the adjacent development site or as a last resort at the existing play area at Briscoe Way to the west.
49. Where under provision of a certain type of public open space is agreed as appropriate for a development, the SPD allows for developer contributions to be secured by the Council to be used for open space provision/enhancement off-site. In this case both the Council's Parks Officer and the Ecology and Landscape Officer have advised that the play equipment needs arising from this 81-dwelling scheme would be better served as part of a larger area on the adjacent development site. Officers have no reason to disagree with this advice. Accordingly, it has been agreed that off-site provision of the play equipment is the best solution in this case. This will be secured via a Deed of Variation to the existing S106 Agreement completed for the outline planning permission. Whilst not a matter for consideration of this reserved matters application, it is important that the off-site provision is properly secured before any reserved matters approval (which does not secure full provision on site) is issued. The recommendation at the end of this report is reflective of this.
50. The Deed of Variation to the S106 Agreement will also secure the off-site planting 'fall-back' buffer along the eastern site boundary (as discussed at paragraph 46 above). Again, it is appropriate for this to be secured before the reserved matters are formally approved.
51. The application proposals were considered against the Environmental Impact Assessment Regulations and the Habitats Regulations at outline stage. Whilst no Environmental Statement was required, various measures were secured to avoid or mitigate recreational impacts to the Breckland Special Protection Area. The application proposals, which over-provide public open space at the site is a further benefit in this respect, over and above the measures already secured.

**Recommendation:**

52. 1) That following receipt of amendments to address the car parking and landscaping/ecology matters discussed in the report and completion of a Deed of Variation to the S106 Agreement to secure i) developer contributions towards off-site provision of children's play space and equipment and ii) to secure an off-site 10-metre wide planting belt along the length of the eastern

site boundary, reserved matters be **approved**, subject to the following conditions:

- As recommended by the Highway Authority (insofar as they i) relate to the reserved matters under consideration and ii) do not already appear as conditions of the outline planning permission).
- To secure protective measures for new trees proposed to be planted in close proximity (within 2.5 metres) of adoptable highway.

2) that the notice of approval of the reserved matters only be issued once the Director (Planning and Growth) is satisfied that all other relevant planning applications (reference DC/21/0079/FUL) and relevant applications to discharge planning conditions which might necessitate amendments being made to the reserved matters have been approved without material amendments to the reserved matters being required, and

3) if the Director (Planning and Growth) considers that any future changes to the plans required by recommendations 1) and/or 2) are material to the determination of any of the reserved matters, the reserved matters be referred back to the Committee for further consideration and fresh resolution.

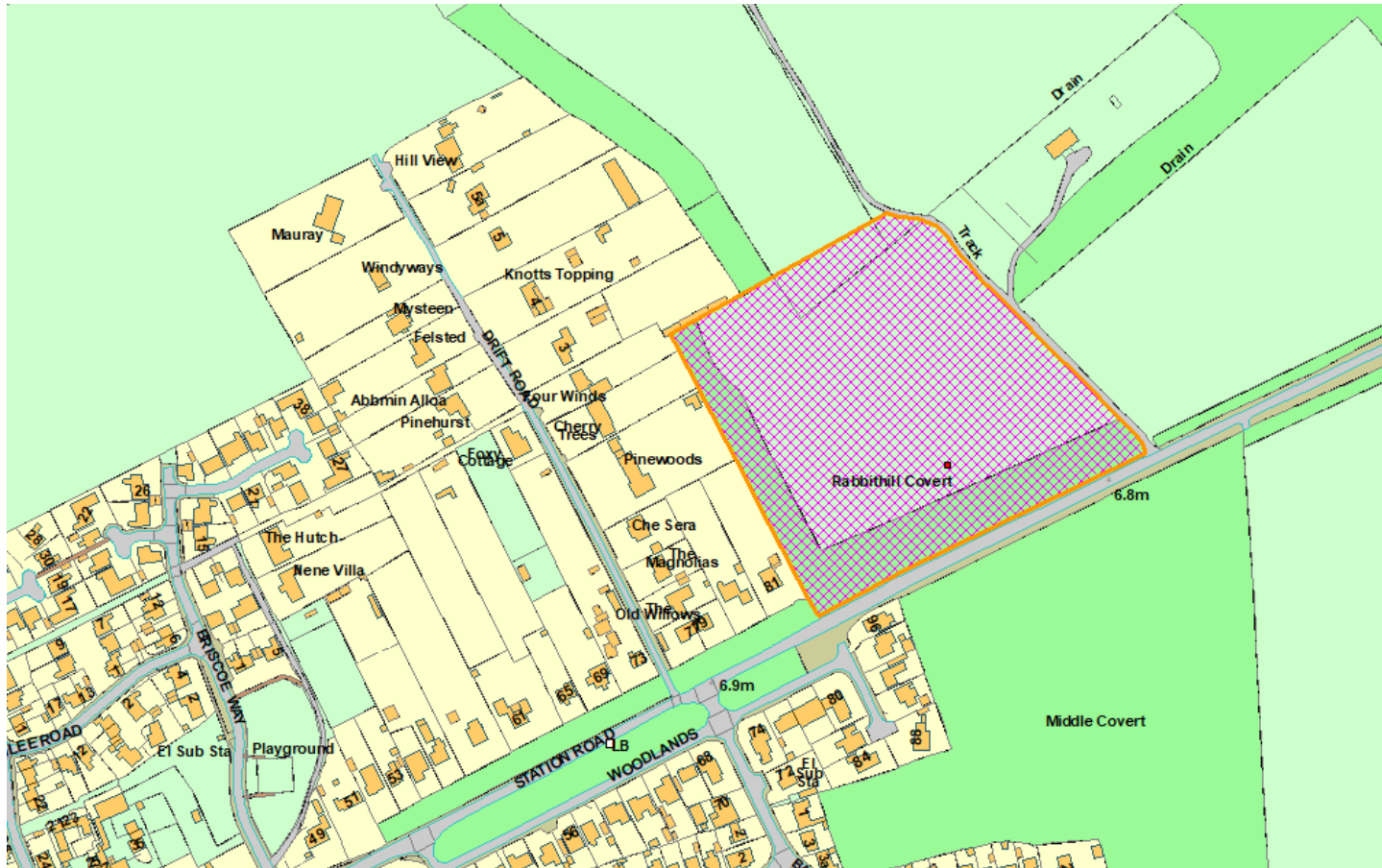
#### **Documents:**

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

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QKD1JZPDGMI00>



DC/20/2066/RM – Rabbithill Covert, Station Road, Lakenheath



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200m	100m	50m	0	1:2500
100m	50m	25m	0	1:1250
50m	25m	12.5m	0	1:625
25m	12.5m	6.25m	0	1:312.5
12.5m	6.25m	3.125m	0	1:156.25
6.25m	3.125m	1.5625m	0	1:78.125
3.125m	1.5625m	0.78125m	0	1:39.0625
1.5625m	0.78125m	0.390625m	0	1:19.53125

### SCHEDULE OF ACCOMMODATION

Open Market Housing	Floor Area (sq.ft)	Number	Total Sqft
2 bed 3 person semi-det / terr house	743	6	4,458
3 bed 4 person semi-det / terr house	844	17	14,348
3 bed 4 person semi-detached house	906	5	4,530
3 bed 4 person detached house	906	7	6,342
3 bed 4 person detached house	906	1	906
3 bed 4 person semi-det / terr house	864	5	4,320
3 bed 4 person detached house	937	2	1,874
4 bed 6 person detached house	1180	4	4,720
4 bed 7 person detached house	1220	6	7,320
4 bed 7 person detached house	1348	1	1,348
5 bed 8 person detached house	1685	3	5,055
sub-total		57	55,221
Shared Ownership Housing	Floor Area (sq.ft)	Number	
2 bed 4 person semi-det / terr house	852	8	6,816
3 bed 5 person semi-detached house	1002	2	2,004
3 bed 5 person semi-detached house	1003	2	2,006
sub-total		12	10,826
Affordable Rent Housing	Floor Area (sq.ft)	Number	
1 bed 2 person apartment	538	4	2,152
2 bed 4 person semi-det / terr house	852	3	2,556
3 bed 5 person semi-det / terr house	1002	4	4,008
4 bed 6 person semi-det / terr house	1141	1	1,141
sub-total		12	9,857
<b>Total</b>		<b>81</b>	<b>75,904</b>

Gross Site Area	3,477 Ha (8.59 Acres)
Nett Site Area	2,944 Ha (7.27 Acres)
Coverage	
Gross	21,830 sq.ft per Ha (8,836 sq.ft per Acre)
Nett	25,782 sq.ft per Ha (10,440 sq.ft per Acre)
Density	
Gross	23.3 dwellings per Ha (9.4 dwellings per Acre)
Nett	27.5 dwellings (11.1 dwellings per Acre)

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200m	100m	50m	0	1:2500
100m	50m	25m	0	1:1250
50m	25m	12.5m	0	1:625
25m	12.5m	6.25m	0	1:312.5
12.5m	6.25m	3.125m	0	1:156.25
6.25m	3.125m	1.5625m	0	1:78.125
3.125m	1.5625m	0.78125m	0	1:39.0625
1.5625m	0.78125m	0.390625m	0	1:19.53125

**note**  
 © This drawing is the copyright of Parc Design Solutions Ltd. and may not be reproduced or amended without written permission. No liability will be accepted for amendments made by other persons. The contractor is to check and verify all dimensions and levels prior to work commencing. The contractor is to comply with all current Building Legislation whether or not specifically stated on this drawing. This drawing must be read with and checked against all relevant Engineers and Architects drawings and all other specialist information provided.

Sketch proposals are for illustrative purposes only and as such are subject to detailed site investigation. Sketch proposals may be based on enlargements of OS Sheets and estimations of existing site features and will therefore need to be verified by survey.

Do not scale. Only figured dimensions to be worked to. Any discrepancies are to be reported to Parc Design Solutions Ltd.

**notes** P10 21-04-21 AR Plot 11 changed to type 43. Plots 26&27 changed to type 20. Plots 12-15 parking bays moved forward to give bigger gardens. Differing surface finishes indicated. Bin collection hard standing revised. Plots 16-19 & 32-33 rear garden gate positions moved. P8 23-03-21 SC Updated to planners comments. P7 08-03-21 SC Footpath amended. P7 03-03-21 SC Sub-station relocated. P8 03-03-21 SC Updated to planning comments. P8 20-02-21 SC Updated to planning comments. P4 17-02-21 AP Updated to planning comments.

P16	14-07-21	AR	Plots 35-38 updated
P15	07-07-21	AR	Footpath crossings at junctions indicated.
P14	01-07-21	AR	Footpath links indicated.
P13	28-06-21	AR	Affordable plots adjusted to meet space standards.
			Layout updated to suit. Plots 26 & 27 substituted for type 13.
P12	23-06-21	AR	Plots 41-46 BCP moved
rev.	date	by	detail

**site**  
 Proposed Residential Development  
 STATION ROAD  
 LAKENHEATH  
 SUFFOLK

**client**  
 Evera Homes

**drawing title**  
 Site Layout

<b>drawn</b> AP / AR	<b>checked</b> parc
<b>scale</b> 1:500 @ A1	<b>date</b> February 2021
<b>drawing number</b> 019 - 031 - 001	<b>revision</b> P16

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## **Development Control Committee 4 August 2021**

### **Planning Application DC/19/2155/FUL – Storage Tank, Station Yard, Station Road, Barnham**

<b>Date registered:</b>	29 October 2019	<b>Expiry date:</b>	24 December 2019 EOT to 06 August 2021
<b>Case officer:</b>	Britta Heidecke	<b>Recommendation:</b>	Approve application
<b>Parish:</b>	Barnham	<b>Ward:</b>	Bardwell
<b>Proposal:</b>	Planning Application - Continued use of heating fuel storage and distribution business (Class B8), retention of 4no. oil storage tanks, installation of 5th oil storage tank, office portacabin and lighting		
<b>Site:</b>	Storage Tank, Station Yard, Station Road, Barnham		
<b>Applicant:</b>	Mr Peter Kitchen - Oil NRG Ltd		

**Synopsis:**

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

**Recommendation:**

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

CONTACT CASE OFFICER:

Britta Heidecke

Email: [britta.heidecke@westsuffolk.gov.uk](mailto:britta.heidecke@westsuffolk.gov.uk)

Telephone: 07812 509938

## **Background:**

1. **The application was considered at the Council's Delegation Panel meeting on 14 January 2020. Additional noise information was requested and the application was referred to Committee.**

## **Proposal:**

2. The application proposes the retention of 4 fuel tanks, installation of a fifth tank and the continued use of the site as a heating fuel storage and distribution business (Class B8), a portacabin office and associated plant and lighting.

## **Site details:**

3. The application site is outside any settlement boundary and as such is in the countryside in planning policy terms. It forms part of the Station Yard part of the Gorse Rural Employment site off Station Road and comprises of approx. 0.46ha hardstanding served by an existing vehicular access off Station Road. Four fuel storage tanks, with space allocated for a fifth, and an office container are located along the western side boundary with parking and turning space to the front. The site is enclosed by existing palisade fencing. A row of mature trees subject to a recent TPO lines the eastern side boundary. A large utilitarian building with pitched corrugated roofs abuts the site to the south-west. The surrounding land is predominantly agricultural, used for arable and grazing, with a few dwellings interspersed opposite and east of the site. The Gorse Industrial Estate lies some 1.2km south-west off Elveden Road on the opposite site of the C663. In the vicinity are also North Farm (approx. 300m south-west) and a waste recycling storage plant some 1.5km south of the application site which are accessed via a separate access just west of Station Yard, some 124m west of the application site access. The village of Barham is some 0.5km to the east.

## **Planning history:**

4. There is extensive history in relation to the wider Station Yard employment site going back to the 1970s for distribution and industrial uses. The more recent and relevant applications on the wider site and off the adjacent access are listed below:
5. E/92/2427/H: Hazardous Substances - Deemed Consent - Industrial gas filling and the distribution of both industrial, special and cryogenic gases. Grant, 30.09.1992
6. DC/17/1487/FUL: Planning Application - 1no. industrial storage building (B8). Grant, 06.02.2018
7. DC/20/0571/CR3: Application (application on behalf of Suffolk County Council) - Continued use of the site for a recycled glass bulking facility, including storage facilities, haulage depot and ancillary parking. No objection. 20.04.2020
8. DC/21/0907/CR3: Regulation 3 planning application (application on behalf of Suffolk County Council) - Variation of condition 11 (Waste Types) of permission SCC/0014/20SE to allow storage of paper onsite. No objections, 07.05.2021



9. DC/21/0017/FUL: Planning application - Installation of two ambient vaporiser units, silencer skid, concrete plinth and ancillary infrastructure: Grant 30.03.2021

## **Consultations:**

### **10. Natural England (NE)**

No objection. Advise that a Habitats Regulations Assessment (HRA) is required and refer to advice provided previously in relation to 1 new industrial building (DC/17/1487/FUL) in 2017.

'In advising your authority on the requirements relating to Habitats Regulations Assessment, and to assist you in screening for the likelihood of significant effects, based on the information provided, Natural England offers the following advice:

- the proposal is not necessary for the management of the European site
- that the proposal is unlikely to have a significant effect on any European site providing mitigation is included to address potential disturbance during the construction period. If this is included, we consider that the application can be screened out from any requirement for further assessment.'

Natural England further advice that 'it is possible that stone curlew will be disturbed during construction and therefore we advise that works should not take place within the stone curlew breeding season (March to the end of August). If it is proposed to carry out works during this period, we would expect the applicant to carry out a search of the RSPB nest records up to 500m from the site to assess whether birds are likely to be nesting within the distance where they may be disturbed.'

A condition in this respect can be attached to any consent granted.

### **11. Environment Team**

No objection but suggest the Environment Agency is consulted due to the risk of land contamination through fuel spillages or leakages.

In the interest of air quality an electric vehicle charge point should be secured by condition.

### **12. Suffolk County Council - Highways**

1st September 2019: Raised a number of queries with regards to:

- visibility splays following the installation of the acoustic fence,
- damage to the highway surface at eastern section and potential need for improvements to the access
- requirement to meet industrial access specifications
- Transport statement
- pedestrian/cycle route into the site

Subsequently a Highways Statement was submitted on 05 Mar 2021 to address the points raised. An amended visibility Splay Plan with realigned acoustic fence was submitted on 08 April 2021

24 May 2021 Re-consultation: The information submitted demonstrates that a safe access onto and off the highway can be achieved. The realigned acoustic

fence and subsequent improved visibility splays in both directions are acceptable.

The Highway Authority notes that this is an existing access that was being used for the purposes of fuel distribution before the planning application was submitted. It is noted that the access gate is 6.3 metres wide at its narrowest and that the entrance gate is now at least 14.6 metres back from the highway edge. No intensification of use of the access is proposed and there is no accident history in the vicinity of the site in the last five years (2016 to 2020).

Sufficient manoeuvring space is available for all vehicles to be able to complete on-plot turns and return to the carriageway in forward gear. It is acknowledged that the drivers operating at the site will be experienced tanker drivers and that no visits by the public are required. Also acknowledged is that there are no highway footways in the vicinity of the site so the absence of a dedicated pedestrian access into this site is acceptable.

Overall, the proposal would not have any severe impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council does not wish to restrict the grant of permission.

### **13. Ecology and Landscape Officer**

HRA conclusion: Likely significant effect on Breckland SAC can be screened out and taking into account the imposition of a planning condition, adverse effects on integrity of Breckland SPA can be ruled out alone and in-combination with other plans and projects.

Landscape: The planting details in the landscaping plan are not adequate to provide additional screening along the eastern boundary of the site. It is recommended that the density of plants is significantly increased in the areas where there are gaps in the trees.

### **14. Environment Agency (EA)**

25 Feb 2020 - Holding objection: '...because the risks to groundwater from the development are unacceptable. The applicant has not supplied adequate information to demonstrate that the risks posed to groundwater can be satisfactorily managed. (...) No details regarding the tank construction details, their capacity, the wider fuel storage and distribution system, or assessment of the potential risks associated with the development, have been provided. The storage of fuel must comply with The Control of Pollution (Oil Storage) (England) Regulations 2001 (as amended).'

07 April 2021 Re-consultation response:

Additional documents reviewed:

- Phase I & II Geo-Environmental Assessment, EPS ref: UK21.5251 Issue 1, 19 February 2021; and
- Fuel Storage Feasibility Assessment, EPS ref: UK21.5251b Issue 1, 19 February 2021.

The EA withdrew their holding objection to the proposed development as submitted subject to 1) details to be submitted for a scheme to dispose of surface water and install oil separators and 2) a scheme to improve the existing and proposed fuels storage. These can be secured by condition.

## **15. Public Health And Housing**

29 November 2019 - Holding objection:

Consider the noise report and proposed mitigation acceptable and suggest a condition to secure implementation in accordance with the specifications.

However, consider the proposed operation hours excessive. Although the noise barrier will mitigate noise from the vehicles while they are unloading, there is still the issue of noise generated from vehicles arriving and leaving the site. It is therefore suggested that more reasonable operating hours are negotiated with the applicant.

20 December 2019:

Subsequently, taking into account hours agreed on the adjacent site, the following was suggested:

- HGV movements to and from the site will only take place between 7am - 7pm daily
- Operation hours between 6am to 9pm weekdays and 6am to 5pm Saturdays.

No objection. PHH confirmed that these hours are more acceptable and are in line with what they would normally suggest.

## **16. Tree Officer**

Concerns were raised verbally about the potential impact of the proposed development, particularly the acoustic fence, within the root protection areas of the line of mature trees along the eastern boundary. Subsequently a Tree Preservation Order was served, and an Arboricultural Impact Assessment requested.

Following the submission of the Arboricultural Impact Assessment on 05 March 2021, the Tree Officer confirmed that 'the 'Tree Survey Report' dated Jan 2021 sufficiently demonstrates that the proposal can be achieved without resulting in a significant detrimental impact on the line of trees along the eastern boundary. There is construction proposed within the Root Protection Areas (RPA) of these trees, however, the recommended construction methodology should provide adequate mitigation to minimise harm to an acceptable level. The details of which are broad and preliminary in nature and a pre-commencement condition for a detailed arboricultural method statement should be applied to safeguard the affected trees.'

A condition to secure an Arboricultural Method Statement prior to any works in relation to the acoustic fence and within the RPA of the TPO trees has been included below.

## **17. Ward Councillor**

No formal comments received however the application was referred by Delegation Panel for consideration at Committee.

## **18. Ramblers Association -**

No comments received.

## **19. Parish Council**

The Parish Council (PC) object to the application for the following summarised reasons:

Noise: The PC are of the opinion that the noise mitigation measures will not adequately mitigate the noise levels for residential properties on Station Road as the noise assessment has not captured the 'noisier' operations.

Light pollution: Overhead flood lights and vehicle headlights are causing considerable light pollution to adjacent residents.

Operating hours:

Operating hours for this site should be restricted to be from 0700 to 1900 Mon to Fri and 0700 to 1300 Sat. No operations on a Sun. Request that there should be no exceptions to these hours irrespective of any commercial justification.

Highways:

'The C633 has a Traffic Regulating Order, introduced in 1999 which restricts vehicles over 7.5T to travelling in an easterly direction only. It does not make exception for access. This restriction was imposed to facilitate a temporary diversion for HGVs around Thetford until the link route was built. This link was never constructed and the re- routing of vehicles along the C633 has continued to this day. The C633 is not suitable for the demands of the high volume of traffic that now use the road and there has been a marked increase in the number of HGVs using this road from the sites adjacent to C633. These HGVs are using the road to travel in a westerly direction. Due to the narrowness of the road, opposing HGVs must leave the road in order to pass one another and this is causing damage to the verges and highway edges. The verges from Elveden Road to the Junction at Elveden are Roadside Conservation Areas which are being destroyed by these westbound vehicles. This situation was recognised during the consideration of the planning application for the site neighbouring the NRG site. The result was a restriction on the number of daily movements allowed from this site. If the movement restriction imposed on this neighbouring site is relevant, then any increase in HGV traffic onto this road from the NRG site must be questionable. In any case, because SCC Highways Authority have stated that the TRO is not enforceable for vehicles using sites adjacent to C633, if this application is approved then a condition of this approval must be a restriction to HGV traffic to an easterly direction only.'

**Representations:**

20. Two objections have been received from properties opposite the application site, raising the following summarised concerns:

- Inappropriate use in residential area
- Noise from oil pumps, often late at night
- Noise from lorry idling in the early hours and from leaving the site
- Floodlighting throughout the night causing a nuisance
- Lorry headlights
- Highways / Traffic volume: the C633 can't cope with the large volume of HGV's
- Existing residential properties along the C633, a 40mph zone, proves difficult
- Walking is not safe
- Noise from passing HGVs

- Reference to the adjacent speculative warehouse approved under DC/17/1487/FUL, which has a restrictive condition to limit HGV movements to 42 per day from the approved development
- HGVs cause broadband issues
- Damage to carriage way and roadside nature reserve from passing HGVs overriding
- Detrimental impact on visual amenity from acoustic fence
- Reduced visibility from acoustic fence

**Policy:**

21. 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.

22. 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:

Vision Policy RV1 - Presumption in favour of Sustainable Development

Vision Policy RV4 - Rural Employment Areas

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 CS9 - Employment and the Local Economy

Core Strategy Policy CS13 - Rural Areas

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in the Countryside

Policy DM6 Flooding and Sustainable Drainage

Policy DM10 Impact of Development on Sites of Biodiversity and Geodiversity Importance

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM13 Landscape Features

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

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

Policy DM45 Transport Assessments and Travel Plans

Policy DM46 Parking Standards

**Other planning policy:**

23. National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 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 2021 NPPF that full weight can be attached to them in the decision-making process.

**Officer comment:**

**Principle of development**

24. The application site lies outside of the defined settlement and is thus in the countryside from a land use perspective. However, the site is specifically allocated under policy RV4(e) as an area of general employment where the LPA will, subject to other relevant planning considerations, support proposals for B1, B2 and B8 use classes.

25. In this instance, the proposed use for a fuel storage and distribution business falls within the B8 use Class of the Town and Country Planning (Use Classes) Order 1987 (as amended).

26. Accordingly, the principle of development is acceptable, subject to relevant planning considerations as set out below.

**Design, form and scale**

27. The storage tanks are set back from the road and the site seen against a backdrop of existing larger scale development along the western boundary and mature Oak trees along the eastern side boundary. Based on the details as submitted in the supporting plans and as evidenced during the site visit the scale and form of the development is considered appropriate for the site and would not appear intrusive, dominating or unduly large. The application requires the installation of a 2.5m high acoustic fence to the front and sides,

the frontage being the shortest of the boundaries. This being an existing rural employment site the siting of utilitarian and commercially designed equipment behind a close boarded acoustic fence is something which is to be expected in such a locality. On this basis the proposal is not considered to conflict with policy CS3 and DM2 in this respect.

### **Amenity impacts**

28. Policy DM2 of the Joint Development Management Policies Document and paragraph 130 of the NPPF provide that the LPA must, when considering proposals, seek to ensure existing amenity is not unduly threatened.
29. In this instance, whilst the site is allocated for employment purposes, there are some residential properties in close proximity to the site and complaints have been received by the LPA since the operations started.
30. The noise survey submitted in support of the application was undertaken over 2 days unattended and the unattended noise monitoring data was supplemented with attended noise measurements at several positions taken on 27/09/19. The survey included roadside attended measurements and other measurements were taken of specific sources at the respective source locations.
31. The report also sets out the measures to mitigate the noise impacts. In this case a 2.5m acoustic fence is proposed along the front and side boundaries. This screen must be constructed from a material with a minimum surface mass of 10kg/m<sup>2</sup>.
32. Concerns from the Parish Council with regards to the noise assessment not having been undertaken during the noisiest operations are noted. However, the noise consultant has confirmed and provided evidence on 12.02.2020 that the noise report has captured the 'noisier deliveries of one of the lorries with on-board pump'.
33. The ambient noise captured was between 42 and 81dB and the noise level at the receiver without screening was between 44 and 51 dB. The acoustic fence would reduce this noise level to 33 and 42dB. The noise report explains that 'the only site-related source that will exceed the recommended rating level at the receiver location is noise from trucks pulling out of the site. However, this is still lower than the measurement of ambient noise around the site, i.e. non-site-related road traffic (45 dB(A) due to a truck pulling away compared to 49 dB(A) as the ambient noise level) and within the context of the noise environment (HGVs on the main road).'
34. Public Health and Housing confirmed in their subsequent comments that the proposed mitigation screen would provide adequate noise mitigation against this level of noise. Subject to the installation and maintenance of the noise screen, which can be secured by condition, the proposal is not considered to unacceptably impact on residential amenities by reason of noise, in accordance with policy DM2 and DM14.
35. Lighting from the site also raises concerns with regards to adverse impacts on residential amenity from glare from the sites flood lights and HGV headlights. It is reasonable to assume that the disturbance from headlights from trucks would be reduced by the installation of a 2.5m solid acoustic fence. However, a detailed light assessment and lighting scheme can be secured by condition,

to be submitted to the LPA for approval within 1 month of any permission, to ensure a lighting environment of low district brightness at residential properties. Any lighting not approved within 3 months, or within a period agreed otherwise, shall not be operated. It is considered that lighting issues can be adequately dealt with by condition.

36. On the basis of the above and subject to conditions to secure implementation in accordance with the details submitted in the noise report and subject to the submission of details of a lighting scheme to ensure appropriate light levels at residential properties, the proposal is considered to comply with policy DM2 and DM14 with regards to amenity and minimising pollution.

### **Highways considerations**

37. The proposal is for the continued use of the site for a fuel storage and distribution business. The business has been operating from the site for almost 4 years since at least October 2017.

38. Vehicular access to the application site is off the C663 Station Road which runs east/west between Elveden and Euston. The road is subject to a 40mph speed restriction and a Traffic Regulation Order (TRO) restricting the HGV movements along this road to eastward movements other than to access sites along Station Road.

39. Therefore, any HGV movements at this site must be in accordance with this TRO. However, whilst the road is a rural C class road and only suitable for HGVs in one direction, it is principally a road accepted for use by HGVs.

40. Policy DM45 requires the submission of a Transport Assessment for major developments appropriate to the scale of development and the likely extent of transport implications. The footnote in the policy refers for thresholds to Appendix B, Department for Transport Guidance March 2007, Guidance on Transport Assessment. Whilst this Guidance has now been withdrawn the advice was that for B8 development no assessment is required for a floor area under 3000sqm. Between 3000-5000sqm floor area would require a Transport Statement and over 5000sqm a Transport Assessment. A Transport Assessment was therefore not reasonably required.

41. The site operates with a permit (outside of the planning regime) for a fleet of 8 tankers. In addition, deliveries occur from 2 further third-party tankers. Given the above and the constraints of the site it is considered reasonable to include a condition to restrict the fleet to 8 tankers and 20 HGV movements per day to ensure the LPA retains control over any significant intensification of the use of the site.

42. The site has been used in association with the wider employment site before and has been in its current use for almost 4 years. No accidents have been recorded in the last 5 years in the vicinity of the site and there would be no intensification of the use of the access as a result of the grant of permission.

43. The operation and delivery hours will be restricted in the interest of residential amenity as set out above. On this basis it is not considered that the residual cumulative impacts on the road network would be severe to justify refusal in line with paragraph 111 of the NPPF.



44. Concerns were raised by the Highways Authority about the acoustic fence potentiality effecting visibility upon leaving the site. The highway statement subsequently submitted demonstrates on plan and in photos that visibility in accordance with current standards would be achieved. To further improve visibility the required acoustic fence has subsequently been moved back from the line of the existing fence by an additional 0.5m. This will increase the verge and visibly along Station Road. On this basis the proposal is considered to comply with policies CS2, DM2 and DM46 in this respect.

### **Ecology, Habitats Regulation Assessment (HRA) and Landscape Impacts**

45. The site is 250m from Breckland Special Protection Area (SPA) at its closest point and within the 1500m buffer around component parts of the SPA designated for Stone Curlew. The site is approximately 400m from Breckland Special Area of Conservation (SAC) and 500m from the Roadside Nature Reserve which runs along Elveden Road.

46. The local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by The Conservation of Habitats and Species Regulations 2017 (as amended). The regulations require a competent authority, before deciding to give any consent to a project which is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and is not directly connected with or necessary to the management of that site, to make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives. The applicant has not submitted any information to inform the HRA.

47. The project is not directly connected with or necessary to the management of Breckland SPA or Breckland SAC.

48. Natural England commented in relation to this proposal most recently on 18 December 2019 and previous to that on 3 November 2017. In the most recent consultation response NE states that there is no objection to the continued use of the site. They go on to require that if any works need to be undertaken then the previous advice is followed namely that construction works should not be carried out within the bird breeding season. A condition is required as follows:

'Construction works must not take place within the stone curlew breeding season (March to the end of August). If it is proposed to carry out works during this period, an assessment of the impact on stone curlew should be undertaken and submitted to the LPA for approval prior to commencement of works. This should include a search of the RSPB nest records up to 500m from the site to assess whether birds are likely to be nesting within the distance where they may be disturbed.'

49. The Councils Ecology officer has assessed the proposal and noted the following:

'The continued operation of the site is unlikely to have a significant effect on any European site. This is because there are similar industrial buildings and hardstanding present in this location, and the level of traffic proposed is unlikely to create significant disturbance to stone curlew, or to lead to significant air quality impacts on Breckland SPA or Breckland SAC.'

'Projects that are likely to act in-combination will be those located around or adjacent to this part of the SPA, in particular those within the SPA itself where there is likely to be construction or operational noise or that are likely to increase avoidance on otherwise suitable habitat within the SPA. There are few other extant planning permissions and current planning applications in the vicinity. Those that are registered are either so minor or are remote from this location that they would be unlikely to have an in-combination effect.'

50. 'Based on the above, likely significant effect on Breckland SAC can be screened out and taking into account the imposition of a planning condition, adverse effects on integrity of Breckland SPA can be ruled out alone and in-combination with other plans and projects.'
51. The Local Planning Authority also has to have regard to conserving biodiversity as part of policy or decision making under Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC). The site is part of an established employment site with similar commercial uses in the vicinity. Moreover, the site is mostly hard standing with limited biodiversity value or habitat for protected species. No works are proposed to the trees along the eastern boundary which would have the potential to support roosting bats. On this basis the proposal is not likely to have an adverse impact on protected species in accordance with policy DM11.
52. The trees along the eastern boundary are of high amenity and screening value. Subsequently a Tree Preservation Order was served to ensure the long-term retention of these trees. Due to concerns about the potential impact from the erection of an acoustic fence within the root protection areas of the trees a tree survey and Arboricultural Impact Assessment was requested from the applicant.
53. Following the submission of the Arboricultural Impact Assessment the Tree Officer confirmed the information 'sufficiently demonstrates that the proposal can be achieved without resulting in a significant detrimental impact on the line of trees along the eastern boundary. There is construction proposed within the Root Protection Areas of these trees, however, the recommended construction methodology should provide adequate mitigation to minimise harm to an acceptable level. The details of which are broad and preliminary in nature and a pre-commencement condition for a detailed arboricultural method statement should be applied to safeguard the affected trees.'
54. A condition to secure an Arboricultural Method Statement prior to any works in relation to the acoustic fence and within the RPA of the TPO trees has been included below.
55. The Councils Landscape and Ecology Officer considers the planting details in the landscaping plan are not adequate to provide additional screening along the eastern boundary of the site. It is therefore recommended that the density of plants is significantly increased in the areas where there are gaps in the trees. Additional native planting would serve as an enhanced screen and would also provide biodiversity enhancements in accordance with policy DM12. This can be secured by condition.

**Conclusion:**

56.The continued use is an appropriate use in accordance with policy RV4 on this rural employment site. The level of traffic proposed is unlikely to create significant disturbance to European protected sites (DM10) or have a severe impact on the local highway network (DM2; NPPF para 111) to justify refusal. Subject to conditions to secure improvements to the existing and proposed oil storage as requested by the EA in accordance with policy DM6 and DM14, appropriate noise mitigation in the form of a 2.5m tall acoustic fence as set out in the noise report, a lighting scheme to ensure low district brightness at residential properties in accordance with policy DM2 and DM14 and enhancement to biodiversity and soft landscaping in accordance with policy DM2, DM12 and DM13, the proposal is considered to be acceptable and in compliance with the relevant development plan policies and the National Planning Policy Framework.

**Recommendation:**

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

- 1 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:

<b>Reference number</b>	<b>Plan type</b>	<b>Date received</b>
1534/LP1	Location plan	29 October 2019
30-002 A (notwithstanding the palisade fencing shown)	Block Plan	29 October 2019
1534/VP3	Visibility splays	8 April 2021

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

- 2 Within 3 months of the date of this permission a scheme to improve the existing oil storage and proposed new oil storage shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved, within 6 months of the planning permission being granted, or prior to the additional tank (tank number 5) being installed, whichever is sooner.

The details shall demonstrate that the tanks meet the standards equivalent to those laid out in 'The control of Pollution (Oil Storage) (England) Regulations 2001' and include but not be limited to evidence that:

- The existing tanks and proposed tank have secondary containment that is impermeable to both the fuel and water, with no opening used to drain the system.
- There is a minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10%.
- All fill points, vents and gauges are located within the secondary containment.
- All fill points and tank vent pipe outlets are designed to discharge downwards into the bund.

- Associated above ground pipework is protected from accidental damage.
- Impact protection is provided around the tanks and pipework, to prevent accidental impact from moving vehicles on the site.
- Overfill protection mechanism and alarms are in place.
- Leak detection and an alarm system is in place with a mechanism to alert the operator remotely if a spill occurs when the site is unmanned.
- Timeframe for implementation of the approved scheme.

Reason(s): To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and proposed land use in line with National Planning Policy Framework (NPPF) and Environment Agency's Groundwater Protection Position Statements, in accordance with policy DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 14 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 3 Within 6 months of planning permission being granted, or prior to the additional tank (tank number 5) being installed, whichever is sooner, a scheme to dispose of surface water and install oil separators, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved within the agreed timescales. The scheme shall include the following details:

- A surface water drainage and oil separator plan;
- Oil separator specifications including details of how the interceptor can be shut off to prevent discharges in the event of a pollution incident;
- Information to show that the loading/unloading areas and the existing and proposed oil storage tank are/will be situated on an impermeable surface that drains to the separator;
- Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. Infiltration through contaminated land has the potential to impact on groundwater quality; and
- Timeframe for implementation of the approved surface water disposal and oil separators scheme.

Reason(s): To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and proposed land use in line with National Planning Policy Framework (NPPF) and Environment Agency's Groundwater Protection Position Statements, in accordance with policy DM6 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 14 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 4 Prior to any works in relation to the installation of the acoustic fence or works within the RPA of the trees shown to be retained an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:

- a. Measures for the protection of those trees and hedges on the application site that are to be retained,
- b. Details of all construction measures within the 'Root Protection Area' (defined by a radius of  $dbh \times 12$  where  $dbh$  is the diameter of the trunk

measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,  
c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

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

- 6 Within three months of the date of this permission a noise screen must be installed around the northern end of the site at a height of 2.5m in accordance with the details set out in the SRL Noise Report (Ref. 42908A-SRL-RP-YA-01-S2-P01 P01, dated 25.10.2019) and shown in Figure 3 of the report, unless agreed otherwise in writing with the Local Planning Authority. All noise mitigation measures shall be maintained thereafter in accordance with the approved details.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 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.

- 7 The site shall operate a maximum fleet of 8 HGV tankers.

Reason: In the interest of highway safety, residential amenities and amenities of the area, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 8 The total number of HGV movements to and from the site shall not exceed 20 per day.

Reason: In the interest of highway safety, residential amenity and the amenities of the area, 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.

- 9 HGV movements to and from the site shall only take place between 7am - 7pm daily.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 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.

- 10 No loading or unloading shall take place and no plant or machinery shall be used on the site except between the hours of 6am on 9pm Monday to Friday and 6am to 5pm Saturdays and at no time on Sundays, Bank or Public Holidays.

Reason: To ensure the appropriate use of the site and to protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 11 From two weeks after the date of this permission the owners/operators of the site shall commence and keep an up-to-date log of all HGVs movements associated with the site which shall include the times and registration of the vehicles entering/leaving the site each day. The Register shall be made available for inspection by the Local Planning Authority within 24 hours of request.

Reason: To ensure that the Local Planning Authority retains control of the HGV movements associated with the site hereby approved due to the constraints of the local road network and the potential impact on residential amenity from significant increase in HGV movements from the development hereby approved.

- 12 Within one month of the date of this permission lighting details shall be submitted to and approved in writing by the Local Planning Authority to ensure a lighting environment of low district brightness at residential properties. Any lighting not approved within 3 months of this permission, or within a period agreed otherwise, shall not be operated at any time.

Reason: To safeguard the amenity of the area, 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.

- 13 Visibility splays shall be provided as shown on Drawing No. 1534 VP3 with an X dimension of 2.4 metres and a Y dimension of 120 metres and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

- 14 Construction works including the installation of the acoustic fence must not

take place within the stone curlew breeding season (March to the end of August). If it is proposed to carry out works during this period, an assessment of the effects of the proposals which must include review of RSPB nest records up to 500m from the site to assess whether birds are likely to be nesting within the distance where they may be disturbed. The assessment should be submitted and agreed in writing prior to commencement of development and any mitigation measures implemented in full.

Reason: To avoid the potential to disturbance of Stone Curlew during construction, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 15 Within 3 month of this permission details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales within 12 months of the date of this permission 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.

- 16 Within three months of the date of the permission a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include accurate indications of the position, species, girth, canopy spread and height of all existing trees and hedgerows on and adjacent to the site and details of any to be retained, together with measures for their protection during the course of development. The works shall be completed in accordance with the approved plans and in accordance with a timetable to be agreed with the Local Planning Authority.

Reason: To enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 17 Within 6 months of the date of this permission, at least 1 electric vehicle charge point shall be provided at reasonably and practicably accessible locations within the site. One additional parking space shall be provided with the infrastructure in place for future connectivity. The Electric Vehicle Charge Points shall be retained thereafter and maintained in an operational condition. Charge points shall be Fast (7-22KW) or Rapid (43KW) chargers.

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.

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/19/2155/FUL](#)





DC/19/2155/FUL – Storage tank, Station Yard, Station Road, Barnham

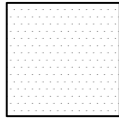



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**DRAWING NOTE**  
 - This drawing must not be reissued, loaned or copied without the written consent of Durrants.  
 - All errors, omissions, discrepancies should be reported to Durrants immediately.  
 - All dimensions to be checked before site fabrication by the contractor, his sub-contractor or supplier.  
 - Any deviation from the drawing to be reported to Durrants immediately.  
**- This drawing is only to be used for the purpose identified in the boxes below.**  
 DO NOT SCALE FROM DRAWING

**CDM 2015 DESIGNER RISK INFORMATION**  
 In addition to the hazards/risks normally associated with the type of construction work detailed on this drawing which a competent contractor should be able to control using normal good practice and procedures.  
**NOTE THE FOLLOWING UNUSUAL AND EXTRAORDINARY RISKS TO HEALTH AND SAFETY:-**  
**CONSTRUCTION**  
 \_\_\_\_\_  
**MAINTENANCE/CLEANING**  
 \_\_\_\_\_  
**DECOMMISSIONING/DEMOLITION**  
 \_\_\_\_\_  
 Further information can be found on designer risk assessment number / document ref:-  
 \_\_\_\_\_  
 It is assumed that all works will be carried out by a contractor competent under CDM 2015 working to an approved method statement and that unless otherwise advised a principle designer has been appointed

**DRAWING LEGEND**

	EXISTING CONCRETE HARD STANDING
	EXISTING STONE CHIPPINGS



Rev.	Date	Details	Drawn	Checked
A	16.10.19	drawing updated to client comments		

Issued for: **PLANNING**

Client/Project:  
**OIL NRG LIMITED**  
**OIL STORAGE DEPOT & STATION YARD**  
**BARNHAM, THETFORD, IP24 2PT**


Drawing Title:  
**BLOCK PLAN**

Drawn	Checked	Sta.	Scale	Date
DJR	TM	A1	1:250	SEP 19
Project No.	Drawing No.		Revision.	
303292	30-002		A	

**DURRANTS BUILDING CONSULTANCY**  
 Pump Hill House,  
 2b Market Hill,  
 Diss, Norfolk, IP22 4JZ

Tel: 01379 446603  
 Mail: buildingconsultancy@durrants.com  
 Website: www.durrantsbuildingconsultancy.com



 EXISTING BLOCK PLAN  
 Scale 1:250

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## **Development Control Committee 4 August 2021**

### **Planning Application DC/21/1366/FUL – West Suffolk House, Western Way, Bury St Edmunds**

<b>Date registered:</b>	30 June 2021	<b>Expiry date:</b>	25 August 2021
<b>Case officer:</b>	Connor Vince	<b>Recommendation:</b>	Approve application
<b>Parish:</b>	Bury St Edmunds Town Council	<b>Ward:</b>	Minden
<b>Proposal:</b>	Planning application - Installation of battery container, and associated foundations and fencing		
<b>Site:</b>	West Suffolk House, Western Way, Bury St Edmunds		
<b>Applicant:</b>	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](mailto:connor.vince@westsuffolk.gov.uk)

Telephone: 07866 913717

## **Background:**

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

**The provision of a battery container, associated foundations and fencing was previously considered as part of the application for a certificate of lawfulness for proposed development at the site, reference DC/21/0946/CLP – it was withdrawn from that application as it was considered to need planning permission and could not be carried out as permitted development under the regulations. This amended application DC/21/0946/CLP for the extension to the substation was considered at Development Control Committee on 7 July 2021 and was granted.**

## **Proposal:**

1. The application seeks planning permission for the installation of a battery container measuring 12.592 metres in length, 3.263 metres in width and 3.742 metres in height.
2. As per the supporting statement, the proposal is intended to complement the future plans for the Western Way Development, reduce the demand for imported and support West Suffolk Council's commitment to providing sustainable energy sources.
3. The system would reduce the imported grid energy by shifting excess generation from the solar array at West Suffolk House during the day to offset imported energy use during the evening, enabling generated energy to be stored during periods of low demand in order to be utilised when required. The system equipment will be containerised within a weatherproof enclosure.
4. The battery container is estimated to remain on site for approximately four years. Once the main Western Way Development is complete, the battery will be moved across to the new Energy Centre building, the site made good, and the six parking spaces that would be occupied by the battery container would be reinstated.

## **Application supporting material:**

- Application Form
- Location Plan
- Existing Block Plan
- Existing Site Plan
- Proposed Block Plan
- Proposed Site Plan
- Proposed Sections
- Proposed Elevations
- Proposed General Arrangement Plans
- Supporting Statement
- Fire Safety Supporting Statement

**Site details:**

- 5. The application site is situated at Western Way, within the settlement boundary for Bury St. Edmunds. The application site comprises of a section of vehicular parking spaces. 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:**

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision date</b>
DC/21/0946/CLP	Application for lawful development certificate for proposed use or development - a. extension to the existing sub-station building, reconfiguration of associated footpath and motorbike parking spaces b. installation of new battery container and associated foundations and fencing	Application Granted	7 July 2021

**Consultations:**

**Town Council:** No objections based on information received.

**Ward Member:** No comments received.

**SCC Highways:** Notice is hereby given that the County Council as Highways Authority does not wish to restrict the grant of permission.

We note the car park in question is under subscribed and, given the changes to the office structure from pre-Covid to now, this is unlikely to change.

**Ramblers’ Association:** No comments received.

**Suffolk Fire and Rescue Service:**

Having read through the supplied documentation it is my understanding that the BESS is to be combined in a container, which is to be positioned away from the main building, and includes the power conversion itself, the batteries, voltage transformer and switch-gear, and all auxiliary components, as well as the energy management system, which includes a means of shutting down the unit in an emergency. It is also noted that a fire detection system is included and linked to internal safety systems to operate an emergency shut down, and operation of an internal suppression system as necessary.

I have the following comments to make:-

- I am not able to determine if the Fire Alarm for the BESS is linked in any way to the main building Fire alarm, and although it may be considered a stand alone unit, consideration should be given to having the unit fire alarm interfaced with the main fire alarm panel, to give early warning of fire within the unit.
- It is also recommended that the unit can be shut down by the use of an external isolation switch in an emergency. This is normal and may already be part of the control system, but I was not able to confirm.

**Arboricultural Officer:**

The siting of the container, as shown on the proposed block plan, has the potential to affect the two Hornbeam which are positioned immediately adjacent to the indicated location. They are marked on the plan although no supporting information has been submitted to be able to determine if the position or crown spreads of the trees are accurate. Both trees are important features of the soft landscaping of the car park, and are particularly prominent owing to their location near the entrance way. They are fastigate varieties which possess an upright growing habit and conical crown form. If pruning is required to facilitate the position of the container then this is likely to significantly adversely impact their visual amenity. Similarly, if any direct damage occurs during the installation/delivery of the container then this will also have a significant impact on the long term amenity afforded by the trees. It would be strongly recommended that sufficient measures are put in place to prevent unintended damage, and that the container is positioned so that no pruning is required.

**Representations:**

6. No comments received from any adjoining occupiers

**Policy:**

7. 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.

NPPF 2021

Core Strategy Policy CS3 - Design and Local Distinctiveness

Vision Policy BV1 - Presumption in Favour of Sustainable Development

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness



Policy DM8 Low and Zero Carbon Energy Generation

Policy DM13 Landscape Features

Policy DM46 Parking Standards

**Other planning policy:**

8. National Planning Policy Framework (NPPF)

The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 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.

**Officer comment:**

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

- Principle of Development
- Scale, Layout & Design
- Impact on Amenity
- Highway/Parking Impacts
- Other Matters

**Principle of Development**

9. The proposed development has been assessed against policy DM2 and is considered generally to be acceptable provided that the proposal respects the character and appearance of the immediate and surrounding area, and providing that there is not an adverse impact upon residential amenity and highway safety. Along with CS3, DM2 requires development to conserve and where possible enhance the character and local distinctiveness of the area.
10. Policy DM8 confirms that all proposals for the generation or recovery of low carbon or renewable energy will be encouraged subject to the proposal being able to demonstrate its low carbon or renewable energy credentials and, to the satisfaction of the LPA, that due regard has been given to the impact of off-site and on-site power generation infrastructure including achieving underground connections.
11. West Suffolk House, and the wider site, provides office space for West Suffolk Council and other local authority occupiers. The application proposes the provision of a battery container, as well as block foundations sited on top of the existing surface and boundary fencing, to complement the future plans for the Western Way Development, reduce the demand for imported energy and support West Suffolk Council's commitment to providing sustainable energy sources.
12. The proposed works are therefore considered acceptable in principle given their support from policy DM8. However, further consideration must be

given in relation to policy DM2, regarding the appearance and location of the battery container in relation to services and amenity.

### **Scale, Layout & Design**

13. The provision of a battery container to the south west of the main West Suffolk House building, will occupy six car parking spaces and measure 12.592 metres in length, 3.263 metres in width and 3.742 metres in height. The metal battery container will be placed on above ground concrete block foundations, with chainlink fencing and metal bollards added to segregate the container from the wider car park.
14. The proposed battery container will be visible from the wider site area, as well as from Western Way to the north and Beetons Way to the east. Given the openness of the wider site, views would be readily achievable of the container. The structure itself and its form, materials, and siting make it a somewhat utilitarian proposal. This, plus its positioning within and across existing car parking spaces, will to some degree erode the well laid out car parking and setting to the building, inevitably causing some harm to the character and appearance of the area. This harm will however be limited by the position of the battery back from the highway, and by the fact that views will be filtered if not screened by the existing car park and boundary landscaping. Furthermore, when appreciated in the likely main view from Western Way the container will be seen against the backdrop of the adjacent off site building, which is materially taller and itself industrial in character. This will significantly limit the degree to which this structure is harmful in this context. Nonetheless, the only conclusion that can be drawn is that the proposal will have a minor negative impact upon both the setting of West Suffolk House and upon the wider area and this is a factor that weighs against the scheme.

### **Impact on Amenity**

15. Whilst the site is considered open, there are no residential dwellings within close proximity. Office buildings border the site to the south, west and north east, with soft landscaping further bordering the site to the north, beyond which is the Olding Road depot building. Given the minor scale of the proposal and the fact that the nearest residential dwellings are not only some distance away but that any intervisibility will be obscured by existing off site buildings, and by the natural topography of the land, it is not considered that the proposal would have an unacceptable impact on residential amenity, therefore, the development is considered to comply with policy DM2.

### **Highway/Parking Impacts**

16. Given the nature of the proposed works, the battery container will occupy six car parking spaces of the West Suffolk House car park for the duration the battery container is in situ. As per the supporting statement, the container has been positioned close to the kerb line to maximise the number of spaces retained.
17. Consideration must also be given in this respect to the profound change in working patterns as a consequence of the pandemic, and of the way office space is now used. Even allowing for the return to the office of some staff,

and for the repurposing of some space for other users, the fact remains that demand for car parking is likely to be significantly reduced, and that in this context the loss of six spaces in this location is not considered to raise any issues of highway safety that would justify a refusal, particularly noting the temporary nature of this proposal. This is a notion further supported by Suffolk County Council as highway authority, which raises no objection to the proposed development.

## **Other Matters**

18. The submitted details indicate that the proposal will be sited on concrete foundations sitting at the current car parking level, with no intrusive below ground works. On this basis officers are satisfied that there will be no material harm to the existing soft landscaping within the car park. Consultation with the Arboricultural Officer has confirmed this position, subject to the inclusion of an informative note on the decision notice which highlights the measures advised to be undertaken in relation to the potential pruning of the two adjacent hornbeam trees, if required, incorporating the necessary measures to prevent unnecessary damage to the trees.
19. A consultation has been undertaken with the Suffolk Fire and Rescue Service. The provision of a battery container will be positioned away from the main building of West Suffolk House and includes the power conversion unit, the batteries, voltage transformer and switch-gear, and all auxiliary components, as well as the energy management system, which includes a means of shutting down the unit in an emergency. It is also noted that a fire detection system is included and linked to internal safety systems to operate an emergency shut down, and operation of an internal suppression system as necessary.
20. As confirmed by Suffolk Fire and Rescue, consideration should be given by the operator to having the unit fire alarm interfaced with the main fire alarm panel integrated into the main West Suffolk House building to give early warning of fire within the unit. It is also recommended that the unit can be shut down by the use of an external isolation switch in an emergency.
21. Noting the comments received from Suffolk Fire and Rescue, the points raised will be added as informative notes to the decision notice as none of the points raised would be land use planning matters that could otherwise be controlled by a condition.

## **Planning Balance**

22. Were this proposal for the permanent siting of the structure then it is considered likely that the harm identified to the character and appearance of the area would be sufficient to justify a refusal of planning permission. However, noting that this proposal is sought for a period of up to four years, noting this can be conditioned, and noting the very obvious benefits as articulated above in relation to the provision of an energy capture system to store energy generated by the solar panels at West Suffolk House and which is not otherwise able to be immediately used, this does inevitably make this a balanced matter.

23. Reflecting carefully on this balance, Officers are of the opinion that the benefits of this proposal outweigh the harm, not least given the time limited nature of any harm. Support is also offered in this respect by the reduced demand for car parking at West Suffolk House as a result in the profound shifts in working patterns caused by the pandemic, which further supports the loss of a modest number of spaces. A conclusion that this proposal is acceptable is dependent upon the imposition of a condition requiring the battery container to be removed and the land restored to its former condition, within four years from the date of the permission.

**Conclusion:**

24. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

**Recommendation:**

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

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

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

<b>Reference number</b>	<b>Plan type</b>	<b>Date received</b>
(-)	Application Form	29 June 2021
WES051-PEV-XX-XX-DR-A-9100 P01	Location Plan	29 June 2021
WES051-PEV-XX-XX-DR-A-9110 P01	Existing Site Plan	29 June 2021
WES051-PEV-XX-XX-DR-A-9120 P01	Proposed Site Plan	29 June 2021
WES051-PEV-XX-XX-DR-A-9101 P01	Existing Block Plan	29 June 2021
WES051-PEV-XX-XX-DR-A-9102 P01	Proposed Block Plan	29 June 2021
WES051 PEV XX ZZ DR A 9410 P01	Proposed Sections	29 June 2021
WES051-PEV-XX-ZZ-DR-A-9310 P01	Proposed Elevations	29 June 2021
WES051-PEV-XX-ZZ-DR-A-9205 P01	Proposed General Arrangement Plans	29 June 2021
(-)	Supporting Statement	15 July 2021
(-)	Fire Safety Supporting	21 July 2021

## Statement

3. On or before the (insert) day of (insert) 2025 the building hereby permitted shall be removed and the land shall be restored to its condition immediately prior to the development authorised by this permission commencing.

Reason: In the interests of visual amenity given that the building is not considered suitable as a permanent form of development.

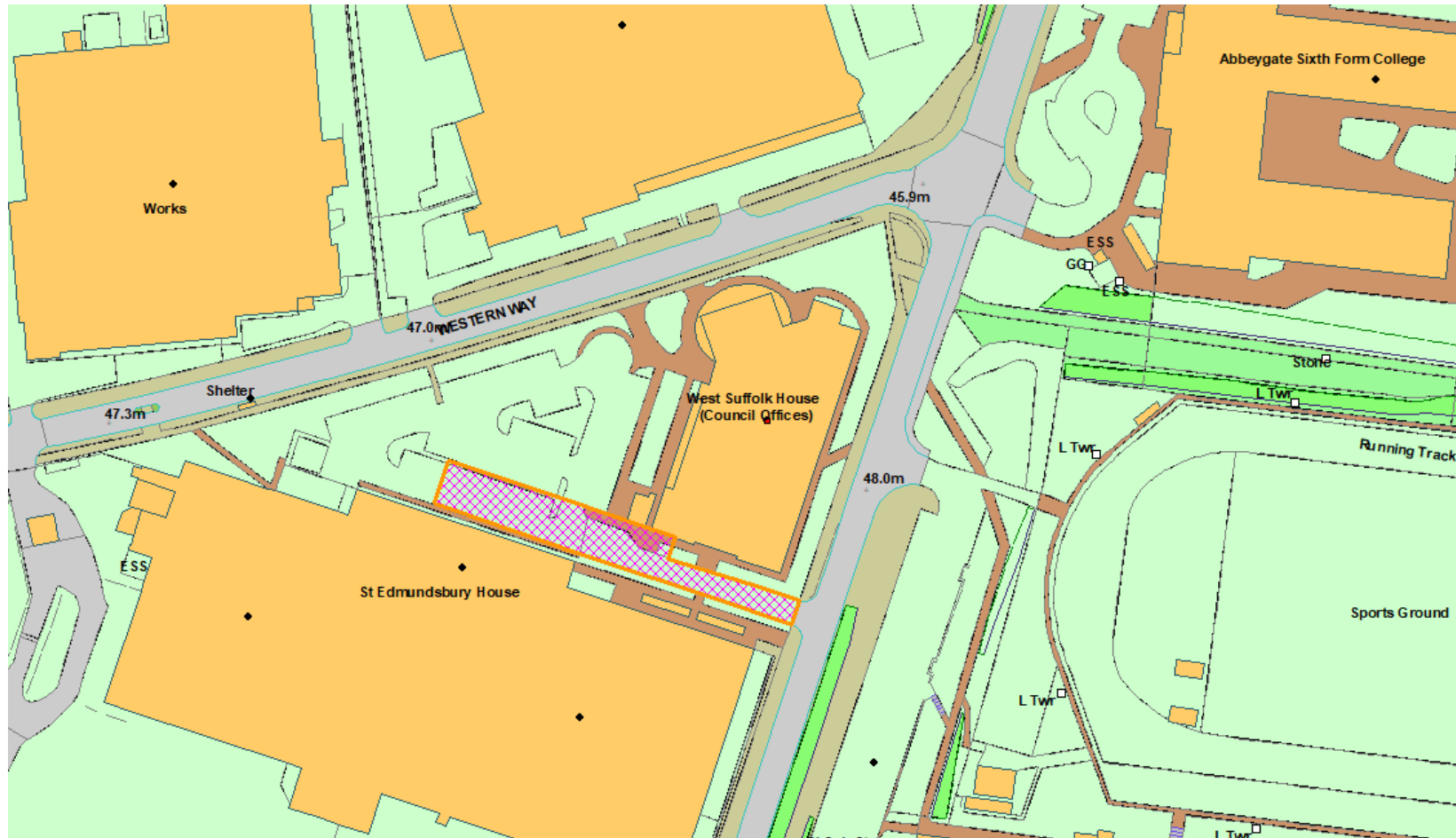
### **Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/1366/FUL](#)

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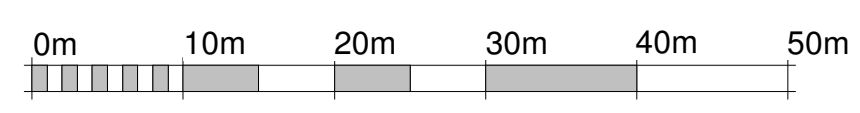
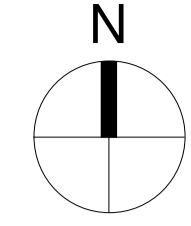


DC/21/1366/FUL West Suffolk House, Western Way, Bury St Edmunds, Suffolk

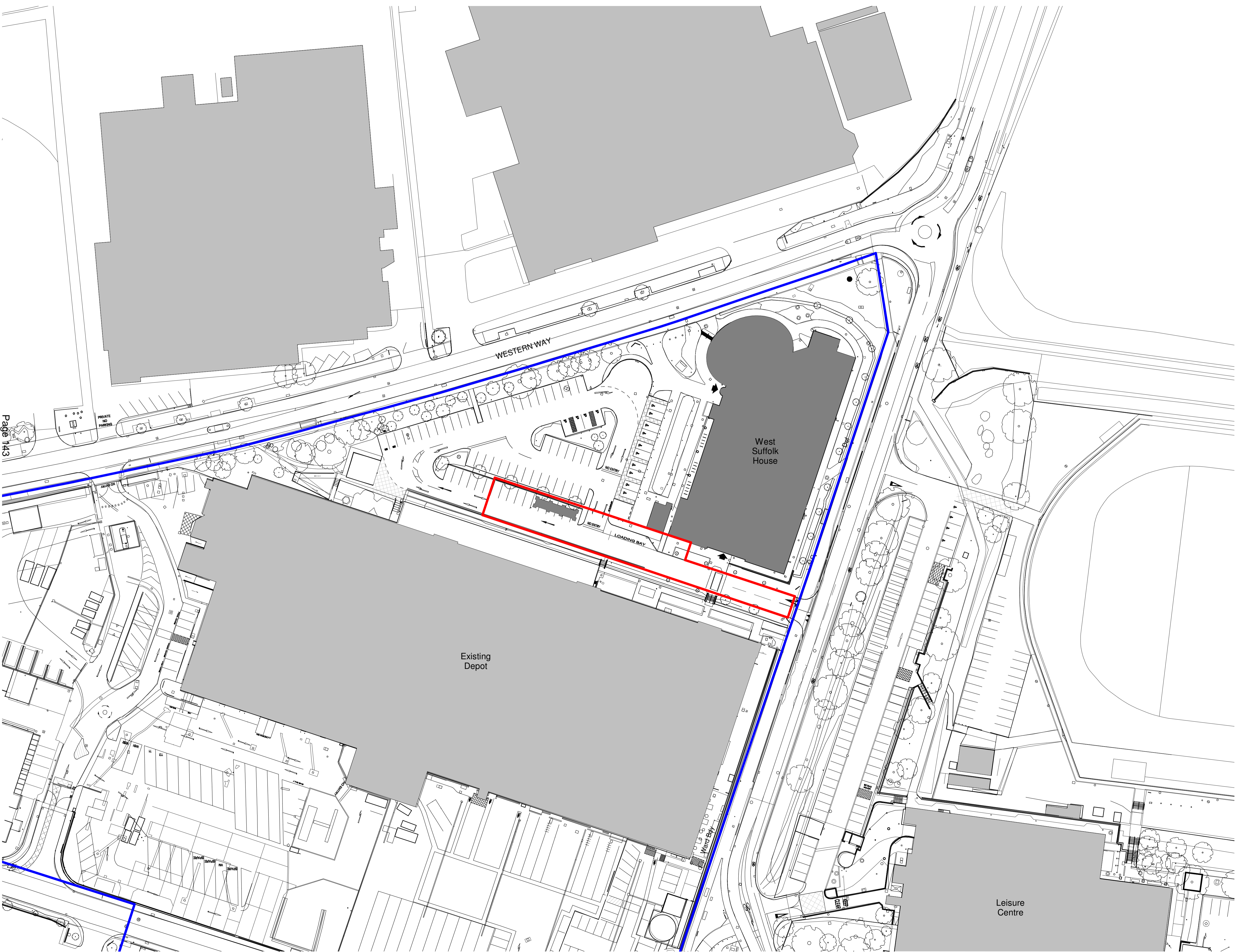


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VISUAL SCALE 1:500 @ A1



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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 (890m<sup>2</sup>)
- Ownership Boundary

Revision	Date	Drn	CHK
P01 - Issued for Planning	28.06.21	CPO	RTG

This document references the following files:

Reference Name	Status	Revision
WES051-XX-ZZ-M3-A-0001	SO	P01.1

Client  
**West Suffolk Council**

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

Drawing Title  
**Proposed Block Plan  
Battery Container  
Planning**

Suitability Status  
**S2 - Suitable for Information**

Job No.	Scale	Size	Rev
210248	1 : 500	@ A1	P01

Drawing Number  
**WES051 - PEV - XX - XX - DR - A - 9102**

Client Code	Originator	Zone	Level	Type	Role	Number



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## **Development Control Committee 4 August 2021**

### **Planning Application DC/21/1214/ADV – 21-27 Menta Business Centre, Hollands Road, Haverhill**

<b>Date registered:</b>	30 June 2021	<b>Expiry date:</b>	25 August 2021
<b>Case officer:</b>	Savannah Cobbold	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Haverhill Town Council	<b>Ward:</b>	Haverhill Central
<b>Proposal:</b>	Application for advertisement consent - one externally illuminated fascia sign		
<b>Site:</b>	21-27 Menta Business Centre, Hollands Road, Haverhill		
<b>Applicant:</b>	Mr Paul Vella		

**Synopsis:**

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

**Recommendation:**

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

CONTACT CASE OFFICER:

Savannah Cobbold

Email: savannah.cobbold@westsuffolk.gov.uk

Telephone: 07971 534117

## Background:

**The application is referred to Development Control Committee as 21-27 Hollands Road is a West Suffolk Council owned property. The application is recommended for APPROVAL and the Town Council provide a neutral stance.**

## Proposal:

1. The application seeks advertisement consent for the provision of one externally illuminated fascia sign. The sign will be fixed to the render finished wall and will be externally illuminated with a downwards facing light fitting. The sign is to be located on the recently constructed extension which was approved under DC/18/2460/FUL.

## Application supporting material:

- Application form
- Location and block plan
- Sign details
- Existing and proposed elevations
- Advertisement statement

## Site details:

2. The application site is located within an established industrial estate within an area designated in the Local Plan as a General and Rural Employment Area. The site comprises a large building and associated parking, known as Menta Business Centre, which provides business advice and business skills training for start-up businesses with opportunities to lease small business units.
3. The recently constructed extension allowed for this facility to be extended providing a new reception area, two additional lettable rooms and conference rooms.

## Planning history:

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision date</b>
DC/18/2460/FUL	Planning Application - Single storey side extension to provide new reception area and 2 no. additional lettable rooms. (ii) convert 2 no. existing units into 2 no. conference rooms (iii) rearrange the internal circulation to provide level access and (iv) rearrange existing car parking and provide new footpaths	Application Granted	7 February 2019

## **Consultations:**

### **Suffolk County Council Highways**

4. At the time of writing this report, the consultation period is still live and therefore comments from the highway authority have not yet been received. The Committee will be updated further with comments when available.

## **Representations:**

5. Haverhill Town Council - Neutral stance.
6. No representations have been received from any other third parties.

## **Policy**

7. 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.
8. 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:
9. Policy DM1 Presumption in Favour of Sustainable Development  
  
Policy DM2 Creating Places Development Principles and Local Distinctiveness  
  
Policy DM38 Shop Fronts and Advertisements  
  
Core Strategy Policy CS3 - Design and Local Distinctiveness  
  
Policy HV9 General Employment Areas – Haverhill

## **Other planning policy:**

10. National Planning Policy Framework (NPPF)
11. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 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.

### **Officer comment:**

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

- Principle of Development
- Public safety/amenity

13.The advertisement regulations set out the considerations of advertisement proposals being the effects on public safety and amenity.

14.The proposed advert has been assessed in line with the National Planning Policy Framework (2021) paragraph 136 which states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

15.The proposed sign is to advertise and provide wayfinding for the users and suppliers of 25 businesses located inside the building. This area of Haverhill, located in the industrial area, is characterised by other business units varying in size and appearance.

16.Policy DM38 seeks to ensure that new advertisement proposals do not adversely affect amenity and public safety. The proposed signage is to be located on the front elevation of the building, near one of its entrance points. The sign itself will be located adjacent to the main reception area 2.7 metres above ground level and will be illuminated externally after dusk by a downward light of 60 watts. Given the location, on an established industrial estate, the proposal is not considered to affect the amenity of the area and will have no adverse impacts on residential amenity given the lack of residential properties within the immediate vicinity.

17.In terms of public safety, the sign will be set back from Hollands Road. At the time of writing this report, the consultation period is still live, and therefore comments from the highway authority have not yet been received. However, given the location of the proposed sign in an industrial area and its scale, plus the modest extent of illumination, it is considered that there will be minimal impact upon the public safety of other road users in terms of its siting and the levels of illumination proposed. This matter will be updated, in late papers or at the meeting, as appropriate.

### **Conclusion:**

18.In conclusion, subject to the receipt of no negative comments from the Local Highways Authority, the principle and detail of the proposed sign is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

### **Recommendation:**

19.It is recommended that advertisement consent be **GRANTED** subject to the following conditions, plus the standard advertisement conditions:

1. Compliance with plans

**Documents:**

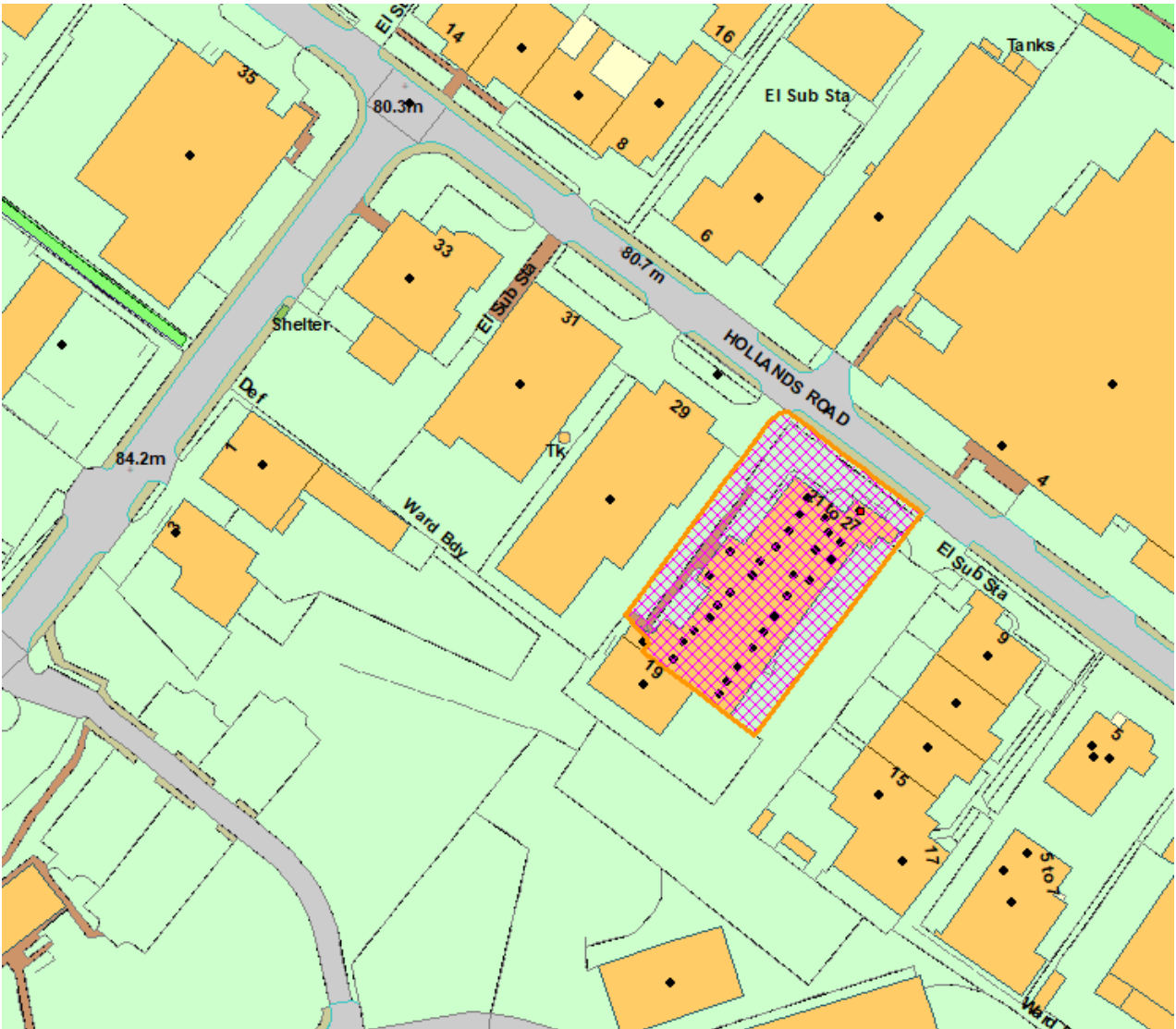
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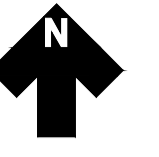


Dc/21/1214/ADV – 21-27 Menta Business Centre, Hollands Road, Haverhill CB9 8PU



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Menta Building 21 - 27 Hollands Road, Haverhill  
Application for permission to install signage  
Site Plan and Location Plan



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Site Plan  
Scale 1:200



Location Plan  
Scale 1:1250

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