

## **Forest Heath District Council**

**DEVELOPMENT  
CONTROL  
COMMITTEE**

**7 OCTOBER 2015**

**DEV/FH/15/039**

**Report of the Head of Planning and Growth**

**PLANNING APPLICATION DC/15/1450/RM - LAND NORTH OF MILDENHALL  
ROAD, WEST ROW**

### **Synopsis:**

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

### **Recommendation:**

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

### **CONTACT OFFICER**

Case Officer: Charlotte Waugh  
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# Committee Report

**Date** 27<sup>th</sup> July 2015 **Expiry Date:** 26<sup>th</sup> October 2015

**Registered:**

**Case** Charlotte **Recommendation:** Approve

**Officer:** Waugh

**Parish:** Mildenhall **Ward:** Eriswell and The Rows

**Proposal:** Reserved Matters Application - Submission of details under outline planning permission DC/14/0632/OUT - appearance, layout and scale for 24 No. two-storey dwellings and 2 No. bungalows

**Site:** Land North of Mildenhall Road, West Row

**Applicant:** Laurence Homes

## Background:

**This application is referred to the Development Control Committee as the Parish Council has objected to the application which conflicts with the Officer recommendation of APPROVAL.**

### Application details:

1. The application follows a previous approval of outline permission in December 2014 and seeks permission for the reserved matters. The proposed development consists of 24 two storey dwellings and 2 bungalows. Of this 7 residential units will be affordable which includes the 2 bungalows and 5 two storey dwellings.
2. The means of access to the site was approved as part of the outline application as was the inclusion of a footpath connecting the site to the centre of West Row. Reserved matters in this case, refer to appearance, layout and scale.

### Site details:

3. The application site is located to the east of West Row within the parish of Mildenhall. The site itself is on the northern side of Mildenhall Road.
4. The site occupies a rectangular parcel of land which measures approximately 0.7 hectares in size. It comprises an open field which is largely flat. Whilst the site is designated as agricultural land, officers understand that in recent times it has not been actively farmed and as such, is now mostly grassed.

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5. All four boundaries of the site have hedges on them. The southern boundary is completely lined with a thick mature hedge whereas the northern, eastern and western have small breaks in them where they border residential dwellings. One Leylandii tree has been identified on the north eastern corner of the northern boundary.
6. The opposite side of Mildenhall Road is largely agricultural fields with a variety of hedges and open countryside. Residential properties are focused to the south west of the site towards the corner of Mildenhall Road and Beeches Road.

### **Application supporting information:**

7. The application is accompanied by the following documents:
  - Application form
  - Location plan
  - Site layout plan
  - Proposed floorplans and elevations
  - Design and Access Statement

### **Planning history:**

8. F/88/812– Two bungalows – Refused and decision upheld at appeal.
9. DC/14/0632/OUT - Outline Application - residential development of up to 26 dwellings with new vehicular access and creation of a new footpath link along Mildenhall Road (Major Development and Departure from the Development Plan) - Approved

### **Consultations:**

10. West Suffolk Strategic Housing - No objection. Supports the application.
11. West Suffolk Environmental Health - No objection. A land contamination condition has already been applied to the Outline application.
12. West Suffolk Public Health and Housing – No objection.
13. Suffolk County Council Highways – No objection. Conditions have been applied to the outline application concerning the access, visibility, surface water discharge, estate road and footpath details, garaging and manoeuvring space and HGV movements during construction. In addition a S106 obligation secures a footway to the front of the site which must be delivered prior to first occupation of the development.
14. Suffolk Fire and Rescue Service – No objection. Recommends planning condition relating to the provision of fire hydrants.
15. Mildenhall Internal Drainage Board – No objection. A drainage condition requiring details to be submitted and approved has already been applied to the Outline application.

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16. Suffolk County Council Drainage Technician – No objection. A drainage condition requiring details to be submitted and approved has already been applied to the Outline application.

### **Representations:**

17. Mildenhall Parish Council – Object to the application and have serious concerns over the following:
  - The design of properties overlooking the existing houses opposite, this could be mitigated by some bungalows being introduced into the scheme and by the site layout being modified
  - Access/egress and visibility onto the adjacent road
  - Infra-structure provision in particular street lighting, sewage and service water
  - Provision of car-parking which appears in some case to be limited to one car off-road
18. Representations have been received from the occupants of three adjacent properties, raising the following objections:
  - Concerns regarding overlooking
  - Requests 8ft privacy fence on boundary
  - Why are bungalows not provided on eastern and northern boundary
  - Footpath does not extend to access of Southview
  - No street lights up to Beeches Road junction at present
  - Requests building times to be conditioned
  - Concerns over borehole on boundary of site and chance of pollutants entering water supply
  - Too many buildings proposed for the area
  - Grouping of buildings is focused on the west only 5 metres from Cranford whereas the distance from the development to Southview to the east is approx. 25 metres
  - Scheme would be improved by a buffer between Cranford and plot 1

### **Policy:**

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

#### Joint Development Management Policies Document:

- Policy DM1 Presumption in favour of Sustainable Development
  - Policy DM2 Creating Places
  - Policy DM7 Sustainable Design and Construction
  - Policy DM13 Landscape Features
  - Policy DM22 Residential Design
  - Policy DM46 Parking Standards
20. Forest Heath Core Strategy May 2010
    - Policy CS1: Spatial Strategy

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- Policy CS2: Natural Environment
- 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 CS9: Affordable Housing Provision
- Policy CS10: Sustainable Rural Communities

### **Other Planning Policy:**

21. National Planning Policy Framework (2012)
  - Core Principles
  - Section 6: Delivering a Wide Choice of High Quality Homes
  - Section 7: Requiring Good Design

### **Officer comment:**

22. The issues to be considered in the determination of the application are:
  - Principle of Development
  - Impact on Visual Amenity
  - Impact on Residential Amenity
  - Highway Issues

### **Principle of Development**

23. The principle of development of this site has been established by the outline planning application. This allowed residential development up to 26 dwellings and included an indicative layout which is similar to that now submitted.
24. Whilst the site is located within the settlement of Mildenhall it is close to the centre of West Row and relates well to this village. West Row is designated as a Primary Village within the Forest Heath Core Strategy (Policy CS1) and as such, is able to accommodate a degree of growth. An assessment of environmental constraints and capacities took place at the outline stage and this scale of development was considered acceptable. On this basis, whilst concerns have been raised regarding the provision of infrastructure the report does not discuss these issues any further.

### **Visual Amenity**

25. The development has been designed to be inward facing allowing a more satisfactory relationship between the dwellings. Whilst rural developments generally have a road frontage, in this case, given the size of the site which includes dwellings in depth and the preference for front to front dwellings as opposed to front to rear dwellings this layout is considered acceptable. Furthermore, the hedgerow which comprises the boundary with Mildenhall Road is a defining feature of the site and its retention is thought to enhance the development as well as providing privacy and sound reduction from the highway.

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26. The layout comprises a mixture of detached, semi-detached and terraced properties which are largely two storey in height. The exceptions to this are the inclusion of 2 single storey dwellings in the north west corner and a 1½ storey dwelling in the south west corner which respect the scale of the adjacent single storey dwelling (Cranford). When viewed from the front (albeit this will be largely screened by the boundary hedging) this will appear as a stepped height increase from Cranford to the adjoining pair of dwellings which are 1½ and 2 storey respectively.
27. Dwellings at the entrance of the site have been designed as double aspect, providing a strong built form with active frontages when viewed from both east-west and north-south. Due to the gap in the front hedging in this location, to provide visibility splays, these plots (no.s 3 and 25) will be highly visible. The submitted plan successfully addresses this situation with traditional detailing and a post and rail boundary fence.
28. The mixture of housing in terms of scale and design provides a degree of variety to the overall appearance of the scheme which is proposed to be constructed of red and buff facing bricks, smooth render and orange pantiles and grey slates, all of which will be submitted for the prior approval of the planning authority.
29. The dwellings themselves incorporate traditional features such as dormer windows, projecting gables, porches, brick window detailing and chimneys which provide an attractive appearance. Surrounding development is exclusively residential but consists of an assortment of styles, ages and materials and as such, it is not considered that that proposed would be out of character with the overall settlement.
30. In terms of landscape impact, the site is enclosed by built development and the highway and consequently, the development will not impede open countryside views. In addition, retention of the boundary hedge will mean limited impact on public views, with only glimpses seen a top the hedging and through the access from passing traffic.
31. The proposals are therefore considered to accord with Policies DM2 and DM22 of the Development Management Policies Document, policies CS3 and CS5 of the Core Strategy and the NPPF which seek to encourage high quality design.

### **Residential Amenity**

32. Comments have been received from the occupants of 3 adjoining dwellings raising concerns over loss of residential amenity. The site borders residential dwellings on three of its four sides and therefore, consideration must be given to the impact of this development on their amenity.
33. Cranford abuts the south western corner of the site and is single storey in nature fronting Mildenhall Road with the garden extending to the end of the application site. Plot 1 has been designed as 1½ storey so as not to appear overbearing to its neighbour and any loss of light as a result of this

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development will overshadow Cranford's driveway as opposed to the dwelling itself or rear garden. Moreover, plots 5 and 6 are single storey dwellings and therefore, whilst they border the rear garden of Cranford their modest height combined with the separation distance and boundary hedging should ensure limited impact on residential amenity. Whilst concerns regarding over-looking have been raised, no windows are proposed on the side (western) elevation of plot 1 and rear windows on the first floor are limited to high level roof lights, those closest to the boundary serving a dressing room and stairwell. On this basis, although it is acknowledged that the dwelling on plot 1 is within 8 metres of the adjacent dwelling it is not considered to result in a loss of residential amenity to the occupant of Cranford by reason of loss of light or privacy.

34. South View is a two storey dwelling which adjoins the eastern boundary of the site. The dwelling fronts Mildenhall Road and benefits from a large plot which includes paddock to the east and a driveway to the west bordering the site boundary. Whilst landscaping on this boundary is sporadic, that adjacent to the dwelling is established and dense and will provide sufficient privacy to the dwelling itself. The remaining boundary to the north eastern corner is controlled by a condition on the outline application which states that boundary treatments will be agreed prior to commencement and thereby ensures the local authority can retain control of this aspect. The separation distances between dwellings (approximately 22 metres), existing landscaping, layout of the existing dwelling curtilage when combined with the control retained over boundary treatment ensures that no loss of residential amenity should be suffered to the occupants of South View.
35. The curtilage of Lily Pond Cottage extends across the majority of the rear (northern) boundary with the dwelling itself located approximately 45 metres from the north eastern corner of the site. The occupants have concerns regarding overlooking from the two storey dwellings along this rear boundary which all benefit from first floor windows on rear elevations. Due to the position of the existing dwelling within the plot it will not be possible to directly overlook it from the application site. However, views may be available of the rear garden, albeit partially obscured by landscaping on the neighbouring site, where the occupants have control over its growth. This area of land is laid to grass with fruit trees and greenhouses and is clearly part of the occupants residential garden. However, their curtilage is extensive and as such, other parts of the garden will retain their absolute privacy. The proposed dwellings are all positioned forward in their plot ensuring the greatest possible separation distance is achieved which is approximately 10.5 metres from rear elevation to the boundary. On this basis, officers are satisfied that loss of amenity will not be significant.
36. Similarly no. 9, also bounding this northern edge benefits from a substantial plot and whilst the boundary is currently largely open, adequate landscaping and fencing will be agreed to ensure potential impacts are limited. This area of the site will accommodate single storey dwellings and on that basis overshadowing and loss of light will be minimal with no overlooking occurring.

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37. Environmental Health has raised no objection to the scheme. Given the relationship of the site with existing properties, the outline application included a condition regarding construction activities, hours of construction, use of generators and dust management.
38. In all cases adjacent occupants are likely to experience a change in some outlooks, however, this is not considered to prejudice their levels of residential amenity. On the basis of the above evaluation, officers are satisfied that the proposed development accords with the principles of policies DM2 and DM22 of the Development Management Policies Document and the NPPF which seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

### **Highway Issues**

39. The proposed access to the site from Mildenhall Road was considered in the outline application and deemed acceptable by the Highways engineer, gaining approval from the Development Control Committee. Precise details of this new access, including visibility splays are controlled by condition which will guarantee accordance with Highway standards. In addition, a footpath is proposed from the site towards the junction with Beeches Road. This element of the scheme is included within a Section 106 agreement which specifies its dimensions and makes certain that it is completed in accordance with Highways approval prior to occupation of the development. Although concerns have been expressed with regard to the access and proposed footpath these matters have already been agreed and as such, are no longer available for discussion or amendment.
40. In term of parking; objections have been received concerning the amount proposed. Suffolk County Council's recently adopted parking standards state the following number of spaces are required:

|   |
|---|
| 1 bedroom dwelling – 1 space                              |
| 2 bedroom dwelling – 1½ spaces (1 allocated and 1 shared) |
| 3 bedroom dwelling – 2 spaces                             |
| 4+ bedroom dwelling – 3 spaces                            |

41. The proposed scheme exceeds these standards through the use of private driveways and garaging with the addition of 2 visitor spaces.
42. Given that Suffolk County Council as Highway Authority has raised no objection to the development scheme and the parking allocation accords with adopted standards, it would not be reasonable for the local planning authority to raise an objection on highway grounds. Consequently, this aspect of the proposal is considered acceptable, given the details provided and the previously imposed conditions.



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### **Conclusion**

43. The development proposal has been considered against the objectives of the Framework and the locally adopted Development Plan. The principle of development in this location has already been established and as such, this application concerns the layout, appearance and scale only. Various conditions, as well as a section 106 agreement were attached to the outline application and consequently they are not repeated on this scheme but provide comfort in so far as concerns such as highway safety and boundary treatments can still be adequately addressed.
44. The scheme details a satisfactory appearance and layout whereby the proposed dwellings have a mutually acceptable relationship with each other and existing properties. Furthermore, retention of the front hedging provides a significant screen to the majority of the development limiting external visual impact. As such, the proposal is considered to represent sustainable development as encouraged in local and national policy and is recommended for approval.

### **RECOMMENDATION:**

45. It is recommended that planning permission be **APPROVED** with the following conditions:
  1. Time limit
  2. Retention of hedge
  3. Hours of work
  4. Fire hydrants to be installed within the site
  5. Development to be carried out in accordance with plans

### **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=NRS93RPD03F00>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk IP28 7Y