



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/16/01

Development Control Committee

7 January 2016

Planning Application DC/15/1697/FUL

Phase C, Burton End, Haverhill

Date: 10 September **Expiry Date:** 10 December 2015
Registered: 2015 Extension of time agreed

Case Officer: Charlotte Waugh **Recommendation:** Grant permission
Parish: Haverhill Town **Ward:** Haverhill South

Proposal: Planning Application - 13 no. apartments comprising of 10 no. 2 bed apartments and 3 no. 1 bed apartments together with associated off-street car parking and external works

Site: Phase C, Burton End, Haverhill

Applicant: Havebury Housing Partnership

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.

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Background:

This application is referred to the Committee at the request of Councillor Paula Fox one of the Ward Members and due to Haverhill Town Council's objection, which is contrary to the recommendation of approval.

A site visit is scheduled to take place on Monday 4 January 2016.

The application is recommended for conditional APPROVAL following completion of a Section 106 Agreement.

Proposal:

1. Planning permission is sought for the erection of an apartment block containing 13 affordable units, comprising 10 no. 2 bed apartments and 3 no. 1 bed apartments as well as on-site parking and landscaping works.
2. The building has a footprint of 368 square metres containing accommodation over 3 floors, although due to the sloping nature of the site the rear element of the building is 2 storey only. External materials comprise brickwork, timber, render and slate.

Application Supporting Material:

3. Information submitted with the application as follows:
 - Location plan
 - Proposed floor plans, elevations and sections
 - Site layout plan
 - Ecological Assessment
 - Tree and Landscape Assessment
 - Phase 1 Contamination Assessment
 - Plans of bin store
 - Section of parking bay
 - Section of woodland walk

Site Details:

4. The site is located within the Settlement Boundary for Haverhill and surrounded by built development. The site itself is enclosed and currently vacant land located to the rear of an existing housing development and approximately 60 metres from the road at Burton End. Measuring 0.19 hectares the site is rectangular in shape and presently covered with overgrown vegetation. Due to the topography of the land the rear of the site is significantly higher than road level. Surrounding uses are wholly residential with two storey dwellings to the east and south west and three storey dwellings and apartment blocks to the north and west.
5. The land was retained by Anglian Water and its predecessors to provide access to both its water mains and the water tower. The water mains have now been abandoned and the water tower is no longer in use.

Planning History:

6. DC/14/1813/FUL - Planning Application - 9no 2 bed flats and 6no 1 bed flats together with associated car parking and external works (resubmission) as amended by plans received on 19th December 2014 revising the position and the roof form of the proposed building – Refused – Appeal in progress
7. DC/13/0667/FUL - Planning Application - Erection of 12no. 2 bedroom & 3no. 1 bedroom flats with associated parking as amended by plans received on 9th January 2014 revising the car parking layout and as amended by plans received on 14/01/2014 revising window details on the proposed block and as further amended by plans received on 4th June 2014 altering and relocating building – Withdrawn

Consultations:

8. Highway Authority: No objection subject to conditions.

SCC Rights of Way: No objections.

Ramblers Association: No objections.

Environmental Health (Land Contamination): The risk from contamination is low. No objections.

Public Health and Housing: No objections.

Tree, Landscape and Ecologist: No objections subject to conditions.

Anglian Water: No objections. The sewerage system has capacity for these flows.

Environment Agency: No objections.

SCC Archaeology Service: No objections subject to an archaeological investigation and post investigation assessment.

SCC Drainage Engineer: No objections subject to condition.

SCC Section 106 Officer: The catchment schools for the development are Burton End Primary and Castle Manor both of which have capacity for the 2 and 1 pupils forecast, respectively. On this basis, there is no contribution required for education. The entire site is proposed to accommodate affordable housing which will be included within the Section 106 agreement with the open space contribution below.

Parks Manager: A contribution of £15,000 is required to be allocated to enhance the play area/open space at Henry Close, Haverhill which will help cater for the additional demand generated by this development.

Representations:

9. Town Council: Object on the following grounds:

- The effect on the visual amenity of existing residents
- The unnecessary removal of existing trees
- The impact on the aquifer
- Additional traffic generated by this third block
- The adverse impact on the safety of the vehicle access from Burton End
- Inadequate disabled parking arrangements
- Inadequate parking

10. Cllr Fox (Ward Member): Requests that the application is determined by the Development Control Committee with a site visit.

11.8 representations have been received from local residents raising the following summarised objections:

- Does not overcome previous refusal reasons
- Landscaping inadequate
- Better sites are available to provide affordable homes
- Concentration of affordable housing is contrary to guidelines – not integrated
- Over-development – massing effect on neighbouring properties
- General loss of amenity – overlooking, loss of privacy, overshadowing
- 6.4% increase in footprint to previous application
- Will increase traffic on already congested road near dangerous junction
- Loss of privacy through overlooking
- Noise disturbance
- Request for plentiful and evergreen landscaping on boundaries
- Loss of light, particularly to 26-42 Old Rope Walk
- Detrimental to wildlife
- Unacceptable geometric design – stark elevations close to domestically scaled properties
- Lack of space for landscaping and loss of existing trees
- Quality of life of inhabitants as rooms have no windows (*Officer note – all habitable rooms have windows*)
- Risk of subsidence and flooding
- Woodland walk likely to encourage anti-social behaviour

Policy: The following policies of the Joint Development Management Policies Document 2015 and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

12. Joint Development Management Policies Document 2015:

- DM1 - Presumption in favour of Sustainable Development
- DM2 - Creating Places
- DM6 – Flooding and Sustainable Drainage
- DM7 – Sustainable Design and Construction
- DM10 – Impact of Development on Sites of Biodiversity and Geodiversity Interest
- DM11 – Protected Species

- DM12 – Mitigation, Enhancement, Management and Monitoring of Biodiversity
- DM13 – Landscape Features
- DM14 – Safeguarding from Hazards
- DM22 – Residential Design
- DM45 – Transport Assessment and Travel Plans
- DM46 – Parking Standards

13. St Edmundsbury Core Strategy December 2010

- CS3 Design & Local Distinctiveness
- CS4 Settlement Hierarchy
- CS5 Affordable Housing

14. Haverhill Vision 2031

- HV1 Presumption in favour of Sustainable Development

Other Planning Policy:

15. Supplementary Planning Documents

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

16. National Policy and Guidance

- Core Principles
- Section 6: Delivering a Wide Choice of High Quality Homes
- Section 7: Requiring Good Design

Officer Comment:

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

- Principle of Development
- Visual Amenity
- Impact on residential amenity
- Impact on Highway Safety

Principle of Development

18. The Core Strategy states that development will be focussed in the towns and key service centres of the Borough. Policy CS4 confirms Haverhill as a market town due to the range of services and facilities it contains. In addition, the site is within the housing settlement boundary where there is a presumption in favour of residential development, subject to compliance with other policy considerations.

19. Having regard to both the national and local policy position it is considered that the location of the site represents an acceptable position for residential development. The previous application submitted on this site, whilst refused, did not raise any objection to the principle of development.

That application is the subject of a current appeal with a decision anticipated soon, noting that the Inspector's site visit has already occurred. However, that appeal turns on matters of detail that are specific to that scheme (design, scale, proximity to off site dwellings) and does not turn on the principle of development.

20. The site is not considered of high environmental value (albeit there are some site specific biodiversity issues, see below) and as such, subject to compliance with other policies, the principle of re-development is considered acceptable.

Visual Amenity

21. The National Planning Policy Framework (NPPF) states that the Government attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development and is indivisible from good planning. Policy DM2 reinforces this view and states that proposals should recognise and address key features and local characteristics and create or maintain a sense of place.
22. The Design and Access Statement which accompanies the application explains how the development proposed responds to the constrained site and its surroundings, with reference to the design principles of the scheme including materials, design and scale. The layout has evolved following pre-application discussion and responds to previously raised concerns within the refused (presently at appeal) planning proposal.
23. Longer range views of the site are limited, although when observed from Cleaves Road the gap between existing development at Anglian Place and Howard Close is seen against a backdrop of trees which would be partially lost. This view however, does benefit from open green space in the foreground. Notwithstanding this, the new building would be read from other directions against existing built form and is not considered to appear out of character. At present the site is overgrown and does not contribute positively to the appearance of the area, albeit street scene views from Burton End are limited.
24. Surrounding development is predominantly 2-3 storey modern construction and this has echoes of the previously refused scheme in that it has a full storey step between the front and rear of the building. Sectional drawings have been provided which show the relationship of the proposed building to those adjacent and this indicates the change in levels as well as the heights of buildings at Howard Close to the West and Old Rope Walk to the East. This drawing demonstrates that the total height of the block proposed will measure 0.8 metres lower than adjacent 15-19 Howard Close and on this basis is considered to relate well. Whilst the building will be higher than dwellings at Old Rope Walk they have a minimum separation distance of 19 metres and existing landscaping on this boundary is to be retained.

25. Care has been taken to add interest to the building through the use of pitched roofs and a variety of elevational treatments including brickwork, render and timber boarding. These features have helped to reduce the overall bulk of the building, as well as adding articulation to the side elevations where there is a lack of openings. The site has a number of constraints not least topography and proximity to surrounding dwellings but is considered to be of an appropriate scale, form and design within this context.
26. A landscaping scheme has been submitted, as well as a plan showing existing trees to be retained. The landscape officer considers this to be an acceptable scheme and has recommended conditions to ensure this plan is achievable.
27. Additionally, concerns have also been expressed regarding the inclusion of a woodland walk around the development and the implications this may have for anti-social behaviour. This element of the development was included at the request of our Landscape Officer to allow future occupants access to the outside space. Due to the enclosed nature of the site with no access except that from Burton End it is considered unlikely that members of the public would cross Anglian Place to access the woodland walk, particularly noting its generally modest extent. Its management and maintenance is conditioned as is the landscaping and ecology measures.

Impact on residential Amenity

28. The protection of residential amenity is a key component of 'good design'. The Framework states that *good planning should contribute positively to making places better for people, as well as ensuring a good standard of amenity for all existing and future occupants of land and buildings*. Additionally, policy DM2 seeks to ensure new housing developments do not result in the loss of residential amenity.
29. The building proposed is significant in scale and will certainly impact on views from adjacent dwellings. However, it is necessary to consider the extent of residential amenity lost, if any as a result of this development.
30. To the East, two storey dwellings at Old Rope Walk, back onto the site. The separation distance between buildings is 19 metres at its closest point and will contain the retained trees which will soften views into the site. No windows are proposed on the facing elevations to enable overlooking due to the use of projecting timber bays with openings on the front and rear elements. Furthermore, the use of pitched roofs helps to remove some of the bulk away from these common boundaries which when combined with the orientation of the site means that any overshadowing will be minimal. Nonetheless, the building will introduce a large structure directly to the rear of these houses as well as a degree of activity.
31. Number 19 Howard Close is a 3 storey dwelling adjoining the application site to the West with nos. 15 and 17 attached. As demonstrated, the height of the new build will be less than this existing terrace, although in terms of length, it will be deeper. The proposed building has been moved

further north since the last proposal and now protrudes forward of No. 19. However, given the oblique angle to No. 19 it will not be visible from occupant's front windows, neither will it cause overshadowing to this front elevation. Due to the proposed depth, the rear of the building will project past the rear elevation of No. 19 and be clearly visible from the rear garden. This element of the scheme is two storey due to the rising land levels and contains no windows. The building will not cause a loss of privacy or overlooking due to a lack of windows on the facing elevation. Furthermore, minimal overshadowing will be suffered due to the orientation of the buildings. Additional planting is proposed on this boundary to filter views, although whilst this landscaping is becoming established, the building will be clearly visible from the neighbouring rear gardens.

32. To the North, The Old Pumping Station fronts onto Burton End, with the rear boundary adjoining the application site. A separation distance of approximately 60 metres exists between the two buildings which comprises landscaping on both sides of the boundary. Further planting is proposed which will further soften these views, although not completely remove them.
33. Whilst neighbouring occupants will certainly experience a change in view it is not considered that the building will result in significant overshadowing, loss of light or a loss of privacy. The building has the potential to appear overbearing and dominate due to its overall size and position but the elevational treatment, pitched roofs and landscaping will help to mitigate this feeling, as will, fundamentally, the changed design and reduction in height since consideration of the previous proposal. On balance therefore, it is considered that with conditions imposed regarding tree retention, landscaping as well as a management plan, the proposal is unlikely to result in a significant loss of residential amenity to adjacent occupants.
34. Concerns have been raised about the living conditions of future occupants, however, the apartments meet internal space standards and each habitable room contains a window. Occupants have access to open space and the amenities of the town centre.

Impact on Highway Safety

35. 13 vehicular parking spaces are provided to serve the development as well as secure cycle parking for 14 cycles. This amount meets Suffolk County Councils adopted parking standards and no objection is raised on this basis.
36. Concerns have been raised to the intensification of the access on to Burton End which is a busy road, albeit subject to traffic calming measures. This access was approved as part of the original planning application for development at Anglian Place and the footpath and visibility splays widened as a result. The Highway Authority is satisfied with the access point and do not consider the additional traffic movements associated with this development to result in an unacceptable increase. On this basis, no objections are raised in this regard.

Impact on Biodiversity

37. The application is supported by an ecology assessment which focuses on herptiles (reptiles and amphibians). Although a number of smooth newt, slow worm and common frog were found on site an adequate mitigation scheme has been provided as well as details of wildlife corridors which will ensure these species are not harmed during construction as well as providing enhancements for the future of the site. This matter can be controlled adequately through the imposition of conditions.

Flood risk, drainage and pollution

38. The application site is located within Environment Agency Flood Risk Zone 1 where the risk of flooding is extremely unlikely. Surface water will be managed via soakaways and permeable areas as well as existing drainage infrastructure. The Environment Agency and County Council's Flood Engineer have assessed the application and are satisfied that subject to the use of sustainable drainage being conditioned the development will not increase the risk of flooding.
39. The planning application is accompanied by a Phase I Contamination Report. This concludes the site has not been unduly impacted by former land uses. The Council's Contamination Officer has concluded that the risk of contamination is low and has requested the imposition of a condition requiring the submission of a remediation scheme should any contamination be found.
40. The Environment Agency, County Flood Engineer, Anglian Water Services and the Local Authority Land Contamination Officer have not objected to or raised concerns about the application proposals. Where mitigation is considered necessary consultees have recommended the imposition of reasonable conditions. On this basis, the scheme is considered acceptable in this regard.

Planning Obligations

41. In this case the developer is an affordable housing provider and they have offered all of the stock for affordable housing. Whilst this level of affordable housing would exceed the levels required by adopted planning policies, the Local Planning Authority is able to accept the offer of enhanced provision on the proviso that the S106 Agreement acknowledges the obligation does not accord with the tests set out at Regulation 122 of the CIL Regulations and that the Council do not have regard to the uplift in affordable housing in reaching their decision on the planning permission.
42. In addition, a contribution of £15,000 has been requested from the Parks Team for maintenance and improvement of the play space at Henry Close. This play area is in close proximity to the application site and the contribution is considered to accord with the adopted supplementary planning document. The applicant has confirmed that this is acceptable

and the Section 106 Agreement is currently in the process of being completed and this recommendation to grant is subject to the satisfactory completion and signing of such.

Conclusion:

43. The development proposal has been considered against the objectives of the Framework and the government's agenda for growth, which identifies housing development as a key driver.
44. Haverhill is a Market town that can accommodate significant growth, as specified within the Council's Core Strategy. The proposed development is within the housing settlement boundary and adjacent to established residential areas. There are a number of positive attributes which lend support to the scheme, not least the efficient re-use of the land which contributes to the affordable housing stock as a result of the application. A satisfactory layout has been demonstrated with the units respecting local character and appearance and achieving good design as well as ensuring no significant loss of amenity to adjacent residential properties or to local biodiversity interests.
45. The previous application was refused by the Development Control Committee in accordance with the Officer's recommendation. At this stage concerns were raised regarding overall scale and design, as well as impact on residential amenity through bulk and overlooking, furthermore, the lack of landscaping and ecology information raised concerns. The applicant has attempted to address these concerns through a reduced scale of accommodation. Whilst it accepted that there is a slight increase in footprint, the fourth floor has been removed as has windows on the side elevations. The design has been improved and additional landscaping has been provided. Furthermore, a detailed ecological assessment has been submitted as well as an appropriate mitigation scheme.
46. It is considered therefore, that the scheme meets the NNPf definition of sustainable development by fulfilling the economic, social and environmental roles. Economic benefits through housing growth, short term jobs and local spending likely to be generated by future residents. Social benefits through the improvement of the current site to create a high quality environment which meets a housing need and is accessible to local services. Environmental benefits through the use of ecological enhancements, landscaping and sustainable construction.
47. Having regard to the NNPf and all other material planning considerations the proposal is considered to comply with the provisions of both national and development plan policy. On this basis, the application is recommended for approval.

Recommendation:

48. It is **RECOMMENDED** that planning permission be **Granted** subject to the completion of a S106 agreement to secure affordable dwellings and a contribution of £15,000 towards open space as requested by the Parks manager.
49. Following completion of the planning obligation referred to above, the Head of Planning and Growth be authorised to grant planning permission subject to the below conditions:
1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.
 2. No development shall commence until samples of the proposed external materials have been submitted to and approved in writing by the Local Planning Authority.
 3. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 26713/100 A shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
 4. The use shall not commence until the area(s) within the site shown on drawing number 26713/100 A for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
 5. Before the development is commenced details of the areas to be provided for secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.
 6. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.
The scheme of investigation shall include an assessment of significance and research questions; and:
 - (a) The programme and methodology of site investigation and recording
 - (b) The programme for post investigation assessment
 - (c) Provision to be made for analysis of the site investigation and recording
 - (d) Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - (e) Provision to be made for archive deposition of the analysis and records of the site investigation

- (f) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
 - (g) The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.
7. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.
8. No development shall take place until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

The scheme shall be implemented in accordance with the approved details prior to the use of the development and thereafter managed and maintained in perpetuity. Details to include:

- (i) a programme for its implementation, and
 - (ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.
 - (iii) arrangements to enable SuDS within in private properties to be accessed and maintained including information and advice on responsibilities to be supplied to future owners.
9. The recommended mitigation measures and enhancements contained in the letter from Conservation Constructions Ltd dated 28th September 2015 shall be adhered to in their entirety during construction and enhancements provided prior to occupation and thereafter shall be retained.
10. All planting comprised in the approved details of landscaping 4894-D 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.
- Furthermore, the tree protection measures shown on 4894-D shall be in place before any equipment, machinery or materials are brought onto the site for the purposes of development and shall continue to be

so protected during the period of construction and until all equipment, machinery and surplus materials have been removed from the site.

11. Prior to completion of the development details of a Landscape and Ecological Management Plan to enhance the value of the site shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall:

- (i) include long term design objectives, public access arrangements, management responsibilities and a maintenance schedule,
- (ii) provide for the management of the land for nature conservation purposes in perpetuity,
- (iii) contain a timetable for the implementation and operation of the management plan.

The Management Plan shall be implemented and operated as approved and in accordance with the approved timetable.

12. No development shall take place until a written Site Waste Minimisation Statement/Site Waste Management Plan detailing how demolition and construction waste will be recovered and reused on the application site or at other sites has been submitted to and approved in writing by the Local Planning Authority. The approved Site Waste Minimisation Statement/Site Waste Management Plan shall be implemented fully on the commencement of the development and shall continue to operate until the completion of the building works associated with the development.

13. Demolition or construction works shall not take place outside 0800 hours to 1700 hours Monday to Friday and 0800 hours to 1300 hours on Saturday and at no time on a Sunday or Bank Holiday.

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

Informative: Contamination, S106

Documents:

All background documents including application form, 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=NTDZYIPDJZR00>