

# Forest Heath District Council

**DEVELOPMENT  
CONTROL  
COMMITTEE**

**3 FEBRUARY 2016**

**DEV/FH/16/001**

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

**PLANNING APPLICATION DC/15/1863/FUL - LAND NORTH OF 2 THE  
HIGHLANDS, EXNING**

**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: Ed Fosker  
Telephone: 01638 719431

# Committee Report

**Date:** 20<sup>th</sup> October      **Expiry Date:** 15<sup>th</sup> December 2015  
**Registered:** 2015

**Case Officer:** Ed Fosker      **Recommendation:** Refuse

**Parish:** Exning      **Ward:** Exning

**Proposal:** Planning Application DC/15/1863/FUL - 1½ storey detached dwelling

**Site:** Land North of 2 The Highlands, Exning

**Applicant:** Mr & Mrs Gower

## **Background:**

**This application was referred to Delegation Panel at the request of Councillor Simon Cole. In addition, Exning Parish Council raised no objection to the application which was contrary to the Officer's recommendation. It was resolved by the Delegation Panel to bring the application before the Development Control Committee.**

**The application is recommended for REFUSAL.**

## **Proposal:**

1. Planning permission is sought for the erection of a 1½ storey 'chalet bungalow' style property to be located to the north of no. 2, a single storey detached dwelling which is to be retained. The existing access serving no. 2 is to be widened to allow access to the new dwelling. The proposed dwelling would measure approximately 16.5 metres in length with a width of approximately 6.5 metres.

## **Application Supporting Material:**

2. Information submitted with the application as follows:
  - Completed application forms
  - Plans
  - Planning Statement
  - Photographs of application site

## **Site Details:**

3. The site comprises the northern part of the garden which current serves No. 2 The Highlands. It is located on the corner of Windmill Hill and the Highlands within a residential area of varied character and age. The site is

reasonably well screened around the boundaries by mature hedging and trees. Access to the property is off the eastern side of The Highlands.

**Planning History:**

4. None

**Consultations:**

5. Exning Parish Council – No objection.
6. Highways Authority – Notice is hereby given that the County Council as Highways Authority recommends that permission be refused for the following reasons:

Unsafe access onto the highway

The application proposes a new access onto The Highlands near to the junction with Windmill Hill. Due to the proximity of this access to the junction, in the interests of highway safety vehicles will be required to enter and exit the highway in a forward gear. For this to be possible there must be an area shown within the curtilage of the proposed new development for this purpose. From the submitted drawings there is no area shown.

Paragraph 32 of the National Planning Policy Framework requires decisions to take account of "safe and suitable access to the site can be achieved by all". This proposal would very likely generate additional vehicle movements near to a junction with the highway. In order to achieve intervisibility with other highway users and in the interests of highway safety, especially those entering the Highlands from Windmill Hill in a southerly direction, vehicles must be able to enter and exit the highway in a forward gear.

A new access so close to the junction with the Highlands/Windmill Hill will result in an increase to both vehicles leaving the access and those on The Highlands. Failure to achieve a satisfactory standard of visibility would be prejudicial to highway safety.

In order for SC Highway to reconsider this application the following must be supplied:

Area for vehicle to manoeuvre in order to enter the highway in a forward gear.

Visibility splays that can be achieved from the site of the proposed new access taken a point 2.4 metres from the edge of the carriageway at the centre of the proposed access and to the nearside edge of the carriage, and within the ownership or control of the applicant.

A revised scheme of access has been received from the applicant and has been considered by the Highway Authority. The recommendation remains one of refusal for the following reason;

After further consideration of the revised plan SCC Highways maintain the recommendation for refusal. The visibility of approximately 19 metres from the proposed new access to the junction with Windmill Hill is well below the visibility splay of 43 metres required as per Manual for Streets recommendation. In addition vehicles exiting the current access for No 2 the Highlands would potentially have their view obscured by vehicle(s)

exiting the new access, thereby reducing inter-visibility with other road users.

7. Archaeological Service – This application lies in an area of high archaeological importance recorded in the County Historic Environment Record. An early Anglo-Saxon cemetery and inhumation burials have been recorded to the south-east of the proposed development site (HER no. EXG 005 and EXG 028), which is also located in the immediate vicinity of a substantial Iron Age enclosure (EXG 082). As a result there is high potential for encountering archaeological remains at this location. Any ground-works associated with the proposed development has the potential to cause significant damage or destruction to any underlying heritage assets. There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 141), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.
8. Public Health and Housing – No objection, however; the development is located close to the A14 and sufficient mitigation should be put in place to ensure future occupiers are not adversely affected by noise.
9. Environmental Services – No objections subject to informative.
10. Tree, Landscape and Ecology Officer - comments to be reported verbally at the meeting.

**Representations:**

11. Four letters of representation have been received from the occupiers of Highfield Lodge, 6 The Highlands, 7 The Highlands and 2A The Highlands. The concerns raised are summarised below:
  - Additional traffic during construction,
  - Additional rubbish during construction,
  - Site is too small for a dwelling,
  - Would encourage on street parking very close to the corner of Highlands,
  - Cramped form of development,
  - Extreme overdevelopment of a very small site,

**Policy:**

12. The following policies have been taken into account in the consideration of this application.
13. Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document February (2015)
  - Policy DM22 - Residential Design
  - Policy DM2 – Creating Places – Development Principles and Local Distinctiveness
14. Forest Heath Core Strategy (2010):

- Policy CS1: Spatial Strategy
  - Policy CS5: Design Quality and Local Distinctiveness
15. National Planning Policy Framework: Core Planning Principles
- Section 6: Delivering a Wide Choice of High Quality Homes
  - Section 7: Requiring Good Design
  - Section 8: Promoting Healthy Communities

**Officer Comment:**

16. The site is located within the Housing Settlement Boundary for Exning and is in a position where shops and facilities are in close proximity. As such, the principle of new small scale windfall residential development in this location is considered sustainable and generally acceptable. However, consideration would also need to be given to other adopted policies and the provisions of the National Planning Policy Framework.
17. The application site is comparatively modest in size; the provision of a dwelling in this location represents a cramped and contrived scheme, which is a poor urban design solution. The NPPF makes it clear in Paragraph 56 that 'good design' is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings'. In this case, it has not been demonstrated that the proposal would comply with this criteria. Policy DM22 states that development should create and support continuity of the built form and enclosure of spaces, also respecting the existing pattern of development. The form and scale of the proposal appears contrived and conflicts with the established grain of development in the locality which comprises sizable properties within relatively large plots.
18. The positioning of the dwelling within the long, thin plot provides a minimal separation distance between the proposal and No. 2 itself, however; the '1.5' storey nature of the dwelling ensures that any overlooking is provided by ground floor windows and high level first floor roof lights, with those serving habitable rooms largely placed on the front and rear elevations, which in itself does not raise undue concern.
19. The northern boundary of the site is landscaped with existing trees and foliage and the impact of the proposal on the established landscaping will be reported at the meeting.
20. Paragraph 32 of the National Planning Policy Framework requires decisions to take account of "safe and suitable access to the site" which "can be achieved by all". The Highways Authority has recommended that permission be refused due to the unsafe access onto The Highlands near to the junction with Windmill Hill. This is due to the close proximity of this access to the junction and the comments are reproduced in full above at Paragraph 6. This proposal would very likely generate additional vehicle movements near to a junction with the highway. In order to achieve intervisibility with other highway users and in the interests of highway safety, especially those entering the Highlands from Windmill Hill in a

southerly direction, vehicles must be able to enter and exit the highway in a forward gear.

21. The National Planning Policy Framework states that development should be of high quality design and reflect the identity of local surroundings as well as providing a good standard of amenity for all existing and future occupants of land and buildings, contributing positively to making places better for people. It is considered that this proposal fails to accord with these provisions and as such represents an intrusive form of development which is at odds with the locality, to the detriment of its appearance.
22. It is considered that the benefit brought by the addition of a single dwelling to the housing market, is not sufficient to overcome the concerns raised. Consequently, it conflicts with the provisions of adopted policy and is recommended for refusal.

### **RECOMMENDATION:**

23. That planning permission is **REFUSED** for the following reasons:
24. The residential dwelling proposed represents an inappropriate cramped and contrived form of development, which fails to respect the character and appearance of the locality where adjacent dwellings are sited within relatively spacious plots. The resulting dwelling would be out of keeping with the established pattern of development. As such, the erection of a new dwelling in this position conflicts with the provisions of policy CS5 of the Core Strategy, DM22 of the Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document February (2015) and the National Planning Policy Framework which seek to create a high quality environment.
25. Paragraph 32 of the National Planning Policy Framework (NPPF) requires decisions to take account of safe and suitable access to the site being achieved for all. The access onto The Highlands near to the junction with Windmill Hill is considered unsafe due to the close proximity of this access to the junction. The visibility of approximately 19 metres of the proposed new access to the junction with Windmill Hill is well below the visibility splay of 43 metres required as per the Manual for Streets recommendation. In addition vehicles exiting the current access for No 2 the Highlands would potentially have their view obscured by vehicle(s) exiting the new access, thereby reducing inter-visibility with other road users. The failure of the proposal to provide a safe and secure access for this proposed dwelling will lead consequentially to increased adverse issues of highway safety, contrary to the requirements of Para. 32 of the NPPF.

### **Documents:**

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

<http://planning.stedmundsbury.gov.uk/online-applications/simpleSearchResults.do;jsessionid=1B03111C645CB2837069D39E7F7676F3?action=firstPage>