

# Forest Heath District Council

**DEVELOPMENT  
CONTROL COMMITTEE**

**7 DECEMBER 2016**

**DEV/FH/16/038**

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

**PLANNING APPLICATION DC/16/1726/OUT - JEDDAH WAY, MOULTON**

**Synopsis:**

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

**CONTACT OFFICER**

Charlotte Waugh  
Email: [charlotte.waugh@westsuffolk.gov.uk](mailto:charlotte.waugh@westsuffolk.gov.uk)  
Telephone: 01284 757349

# Committee Report

**Date** 10<sup>th</sup> September **Expiry Date:** 5<sup>th</sup> November 2016  
**Registered:** 2016

**Case Officer:** Charlotte Waugh **Recommendation:** Approve  
**Parish:** Moulton **Ward:** South

**Proposal:** Outline Planning Application DC/16/1726/OUT (Means of Access and Layout to be considered) - 4 no. dwellings with associated garages and car parking (revised scheme)

**Site:** Jeddah Way, Moulton

**Applicant:** Hubert C. Leach (in Liquidation) Joint Liquidators Finnbar Thomas O'Connell and Mark Christopher Ford

## Background:

**This application is referred to the Development Control Committee following consideration by the Delegation Panel. Moulton Parish Council object, which conflicts with the Officer recommendation of APPROVAL.**

## Proposal:

1. The application seeks outline approval for four detached dwellings on the site previously earmarked for a new village hall. The application considers access and layout only with appearance, landscaping and scale reserved until a future application. Vehicular access is proposed off Jeddah Way and runs to the northern side of the site.

## Application Supporting Material:

2. Information submitted with the application as follows:

- Application Form
- Site plan
- Proposed Plans
- Arboricultural statement
- Bat inspection report
- Design and Access Statement
- Land Contamination Report

### **Site Details:**

3. The site is located within the Housing Settlement Boundary of Kentford (in the Parish of Moulton). At present the site is vacant and fenced with a protected tree line running along the Northern boundary and Jeddah Way comprising the Western boundary. No. 33 Jeddah Way to the south of the site comprises a two storey detached dwelling with a 2 and 3 storey block of flats and associated car park behind.

### **Planning History:**

4. DC/15/0637/OUT - Outline Planning Application (Means of Access to be considered) - Construction of 4No. three bedroom dwellings and associated garages – Withdrawn

### **Consultations:**

5. Highway Authority: No objection subject to conditions.
6. Public Health and Housing: No objection subject to conditions.
7. Environmental Team: Satisfied with additional land contamination report submitted, as such, no objections.
8. Fire and Rescue: Offered advice to applicant with regards to water sprinklers.
9. Tree, Landscape and Ecology Officer: Satisfied that this scheme overcomes the concerns raised regarding impact to tree line. No objections subject to conditions.

### **Representations:**

10. Moulton Parish Council: Objects to the application on the grounds of over-development.
11. Kentford Parish Council: Support. On the basis that the development needs completing, though it is important to develop good connecting routes with the main part of the village of Kentford.
12. A petition has been received which is signed by 12 residents and objects to the application due to the location of the means of access. Residents feel that the access onto Jeddah Way is close to a blind bend and is a potential accident spot.

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

13. Joint Development Management Policies Document:

- DM1 – Sustainable Development
- DM2 – Creating places
- DM11 – Protected Species
- DM13 – Landscape Features
- DM22 – Residential Design
- DM46 – Parking Standards

#### 14. Forest Heath Core Strategy 2010

- CS1 – Spatial Strategy
- CS3 – Landscape character and the historic environment
- CS5 – Design Quality & Local Distinctiveness

#### **Other Planning Policy:**

#### 15. National Planning Policy Framework (2012)

- Core principles
- Section 7 – Requiring good design

#### **Officer Comment:**

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

- Principle of development
- Design and layout/Impact on trees
- Impact on residential amenity
- Highway impact

#### Principle of Development

17. The site is located within the housing settlement boundary where the principle of new residential development is considered acceptable and in accordance with adopted policies. The site is no longer required to accommodate a new village hall as alternative provision has been made and as such, the site is available for re-development. It is considered that due to the position of the site, which is surrounded by residential development as well as a residential care home, further dwellings are an acceptable choice of development and in compliance with the provisions of the NPPF and local policy.

#### Design and layout/Impact on trees

18. Whilst design is not being considered in this application, the layout has been provided and is due for consideration. The previous application was withdrawn due to concerns over the trees on the Northern boundary. This protected tree line is not on the application site and is in separate ownership, however, the trees overhang and the roots encroach in to the site. Previous concerns were raised regarding the impact of built development on the root protection areas as well as the impact of the trees on the living conditions of future occupants. The current application has re-positioned the access and driveway on the northern boundary. No

dig foundations are proposed and the application is supported by an arboricultural statement and plans. It is considered that these amendments to the scheme address the previously raised concerns and subject to the imposition of conditions it is not considered that the proposal will have a detrimental impact on the existing tree coverage.

19. In terms of layout, the scheme proposes four detached dwellings. Whilst the dwellings appear fairly large in terms of their footprint they are similar in size to those surrounding and fit adequately within the plots with sufficient amenity space and parking provision. Consequently, the layout submitted appears acceptable, with scale and appearance to be considered at the reserved matters stage.

#### Impact on residential amenity

20. Policy DM2 seeks to ensure that development does not adversely affect residential amenity by reason of loss of light, overshadowing or overlooking. The application is in outline form only so whilst details of layout are submitted, details of scale and appearance are reserved for a later application. It is considered that based on the proposed layout the dwellings could achieve an acceptable relationship with those dwellings adjacent but this matter will be further considered in a reserved matters application where details of building heights and window positions are available. On this basis, the outline application is considered to comply with the provisions of policy DM2.

#### Highways Considerations

21. A new vehicular access is proposed off Jeddah Way. The Highway Authority is satisfied with the position of this access given the built up nature of the area, the slow speeds of traffic and the minimal number of dwellings to be accessed from it. From the layout plans it appears that sufficient parking spaces are provided to serve the dwellings as well as adequate space to manoeuvre ensuring that vehicles exit the site in forward gear. Conditions have been recommended to ensure these spaces are provided and retained. The site was previously due to contain a new village hall and the replacement of this with 4 dwellings is likely to result in less vehicle movements and less general activity on the site than what would be associated with a community use.
22. As such, the proposal complies with policies DM2 and DM46 which seek to maintain the safety of the highway network and provide parking provision in accordance with the County Councils adopted standards.

#### **Conclusion:**

23. 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:**

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

1. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
  - i. The expiration of three years from the date of this permission;
  - or
  - ii. The expiration of two years from the final approval of the reserved matters; or,
  - iii. In the case of approval on different dates, the final approval of the last such matter to be approved.
2. Details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
3. The site preparation and construction works including deliveries to the site and the removal of excavated materials and waste from the site shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:00 on Saturdays and at no time on Sundays, Bank or Public Holidays without the prior consent of the Local Planning Authority.
4. Prior to the development commencing a comprehensive Construction and Site Management Programme shall be submitted to the Local Planning Authority for approval. The approved programme shall be implemented throughout the development phase, unless the Local Planning Authority gives written consent to any variation. The programme shall include:-
  - a) site set-up and general arrangements for storing plant, including cranes, materials, machinery and equipment, offices and other facilities and contractors vehicle parking, loading, unloading and vehicle turning areas;
  - b) noise method statements and noise levels for each construction activity including any piling and excavation operations;
  - c) dust, dirt and vibration method statements and arrangements;
  - d) site lighting.
5. The building envelope and the glazing elements of the dwellings shall be constructed such that sufficient sound attenuation is achieved to meet the indoor ambient noise levels for resting and sleeping as stated in Table 4

of British Standard : BS8233 : 2014 "Guidance on Sound Insulation and Noise Reduction for Buildings".

6. No development shall be commenced until details of the following drawn to a scale of not less than 1:200 have been submitted to and approved in writing by the Local Planning Authority:
  1. Existing and proposed ground levels,
  2. The position and depth of all services to be laid, constructed or installed (including drains, cables, pipes, sewers and soakaways). Where this information is not available the site plan shall be marked up to show all routes available for this use and those areas not marked in this way shall be excluded from this use.
  3. Details of no-dig construction methods to be used on the access road. The development shall be carried out in accordance with the approved details unless the prior written consent of the Local Planning Authority is obtained for any variation.
7. Development to be carried out in accordance with the Arboricultural Planning Statement prepared by ADAS UK Ltd and dated August 2016, including tree protection measures as shown on drawing no. DTZ001/PE-CS14/TPP and enhancements as described at section 7.2.
8. The new vehicular access shall be laid out and completed in all respects in accordance with Drawing No. DM03; and with an entrance width of 5 metres and made available for use prior to the new dwellings first being occupied.
9. Prior to the new dwellings hereby permitted being first occupied, the new access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres from the edge of the metalled carriageway, in accordance with details previously submitted to and approved in writing by the local planning authority.
10. The areas to be provided for storage of Refuse/Recycling bins as shown on drawing number 15/926/02 Rev C shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.
11. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.
12. Prior to first occupation of the dwellings hereby approved the area(s) within the site shown on Drawing no 15/926/02 Rev C for the purposes of manoeuvring and parking of vehicles shall be provided and thereafter that area(s) shall be retained and used for no other purposes.
13. Before the access is first used visibility splays shall be provided as shown on Drawing No. 15/926/02 and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (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.

**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=OBG2PYPDIU400>