



Forest Heath
District Council

DEV/FH/17/026

Development Control Committee

5 July 2017

Planning Application DC/17/0718/FUL – Barley Close, Newmarket

Date: 6th April 2017 **Expiry Date:** 1st June 2017 – EOT 6th July 2017
Registered:

Case Officer: Kerri Cooper **Recommendation:** Approve

Parish: Newmarket **Ward:** All Saints

Proposal: Planning Application - 1no. dwelling

Site: Barley Close, Newmarket

Applicant: Mr Julian Cunnington

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:

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Background:

This application is referred to the Development Control Committee following consideration by the Delegation Panel. The application is recommended for approval.

The Town Council are objecting to the proposed development, which is contrary to the recommendation of approval by the Local Planning Authority. In addition, the local Ward Member, Councillor Stephen Edwards has verbally reiterated the concerns from local residents and the Town Council.

A Committee Site Visit is to be undertaken on Monday 3 July 2017.

Proposal:

1. Planning permission is sought for the construction of a single storey, one bedroom detached dwelling to the rear of 54, 56 and 58 Granby Street and provision off vehicular access off Barley Close.
2. The application has been amended since submission to incorporate soft landscaping to the south west boundary.

Application Supporting Material:

3. Information submitted with the application as follows:
 - Application Form, Design and Access Statement, Land Contamination Questionnaire, Land Contamination Report and Drawing Nos. 1854/01, 02 Rev A and 03 received 6th April and 26th May 2017.

Site Details:

4. The site is located to the rear of a terrace of two storey dwellings which front Granby Street. Whilst originally forming part of the rear gardens serving nos. 54, 56 and 58 the site is now fenced off and unused. The rear of the site borders Barley Close, which is a modern cul-de-sac of 11 dwellings.

Planning History:

5. DC/16/2729/FUL - Planning Application - 1 no. dwelling – Refused.
6. DC/16/1040/FUL - Planning Application -1no. dwelling – Refused.
7. DC/15/0622/FUL - Planning Application - Proposed New dwelling (2 no. bed cottage) with access from Barley Close – Withdrawn.

Consultations:

8. SCC Highway Authority: No objection, subject to conditions.

9. Environment Team – Public Health and Housing: No objection, subject to conditions.
10. Environment Team - Land Contamination: No objection.
11. Jockey Club: *'Jockey Club Estates would be grateful if the contractors could be mindful that racehorses from Park Lodge Stables (James Eustace) pass close to the site intermittently during the mornings. It would also be helpful if the contractors could be asked to avoid any unloading on Granby Street during the mornings unless by prior notification.'*

Representations:

12. Town Council: Newmarket Town Council object on the grounds that the appearance and design are not in keeping with the properties in the area and the layout and density of buildings.
13. Ward Member: A verbal call in to Delegation Panel from Councillor Edwards - reiterating concerns from local residents and Town Council.
14. Neighbours: 4no. letters of objection have been received which comprise the following summarised points:
- Loss of parking.
 - Increased traffic problem.
 - Area of land part of Granby Street not Barley Close.
 - Creation of access through from Granby Street to Barley Close.
 - Impact on drainage.

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

15. Joint Development Management Policies Document:
- Policy DM1 - Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places – Development Principles and Local Distinctiveness.
 - Policy DM22 - Residential Design
 - Policy DM46 - Parking Standards
16. Forest Heath Core Strategy 2010:
- Policy CS1 – Spatial Strategy
 - Policy CS5 - Design Quality and Local Distinctiveness

Other Planning Policy:

17. National Planning Policy Framework (2012) :
- Core Principles
 - Delivering a wide choice of high quality homes
 - Requiring good design

Officer Comment:

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

- Principle of Development
- Impact on Visual Amenity
- Impact on Neighbouring Amenity
- Impact on Highway Safety
- Other Matters

Principle of Development

19. The site is located within the Housing Settlement Boundary for Newmarket which is designated a market town and suitable location for future development. As such, the principle of a new dwelling within this area is considered acceptable in principle, subject to compliance with policies concerning design, scale, layout and access.

Impact on Visual Amenity

20. Policy DM2 states that by reason of high quality design development should incorporate an understanding of the local context and respect the characteristics and local distinctiveness of the area, creating a sense of place and not adversely affecting the urban form by producing designs which respect the character, scale, density and massing of a locality. Furthermore, the NPPF attaches great importance to the design of the built environment and states 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.*

21. Planning Application DC/16/1040/FUL was for the construction of a single storey one bedroom dwelling, with vehicular access proposed from Granby Street. Planning Application DC/16/2729/FUL was for the construction of a two storey two bedroom dwelling, with vehicular access proposed from Barley Close. Both of these applications were refused.

22. Reason 1 of the two refusals outlined above stated the following:

'The proposal is considered to represent overdevelopment of the site having regard, in particular, to its proximity to boundaries as well as to the modest nature of the private amenity space to be provided. The proposal would result in a cramped and contrived form of development in a back land position which is uncharacteristic of the area, failing to create a high quality environment and a sense of place. As such, the proposal is contrary to the principles of good design and is therefore considered contrary to Policies DM2 and DM22 of the Joint Development Management Policies Document (2015), Policy CS5 of the Forest Heath Core Strategy (2010) and the National Planning Policy Framework.'

23. The concerns about position and scale in the previous applications were wholly warranted on a small and tightly constrained plot, however changes have been made to the proposed scheme which is considered to have both altered and improved the context of the application.

24. The application before us proposes the construction of a single storey one bedroom dwelling, with vehicular access proposed from Barley Close.
25. The proposed dwelling is positioned on a currently vacant and fenced off parcel of land to the rear of dwellings on Granby Street. Development in the area features a mixture of terraced Victorian properties and a modern cul-de-sac development behind. Whilst all dwellings in the area are two storey and benefit from a street frontage, they are not laid out in a clear linear form and views into the site are limited and as such, the development can not be considered harmful to the street scene. The proposal now comprises a single storey building, with the scale and general appearance of a domestic outbuilding. The previous single storey dwelling measured 9 metres in depth and 5 metres in width. The proposed dwelling measures 7.6 metres in depth and 5.1 metres in width. Both the previous and proposed dwelling measure 4.1 metres in height to the ridge. The proposed dwelling has been pulled a further 1 metre away from the north boundary and a further 1.8 metres away from the western boundary. As a result of the reduction to the footprint of the proposed dwelling has allowed the dwelling to be set in from the site boundaries and for the dwelling to have sufficient amenity space.
26. Therefore, it is considered that the proposed scheme addresses all of our previous concerns in relation to character, layout and design and is mitigated further with the introduction of planting along the boundary to soften the proposed development.

Impact on Neighbour Amenity

27. Policy DM2 states that proposed development should not adversely affect residential amenity. In this case, the dwelling would be surrounded by other residential uses and in close proximity to site boundaries of five neighbouring dwellings. For this reason, the proposal has the potential to create a degree of disturbance in this area, particularly due to comings and goings via the vehicular access. On balance, given that the dwelling is modest in scale with a limited number of future occupants, this activity is thought to be limited and as such, not significant enough to result in a refusal of development for this reason. Given the single storey nature of the design and the boundary treatment, it is not considered there will be an adverse impact on neighbouring amenity as to cause harm by virtue of loss of light, overlooking or overshadowing.
28. Public Health and Housing have raised concerns about the proximity of the site to the railway line and the potential noise impact this will have on future occupants. Whilst no information has been submitted in this regard it is considered that this concern can be overcome as other dwellings in the area are located closer to the line and currently occupied.

Impact on Highway Safety

29. Vehicular access to serve the development is proposed from Barley Close as it was under planning application DC/16/2729/FUL. The Highways Authority have raised no objection to the proposal subject to a conditions.

One on site parking space is provided to accord with Suffolk Parking Standards.

Other Matters

30. Policy DM7 states (inter alia) proposals for new residential development will be required to demonstrate that appropriate water efficiency measures will be employed. No specific reference has been made in regards to water consumption. Therefore a condition will be included to ensure that either water consumption is no more than 110 litres per day (including external water use), or no water fittings exceeds the values set out in table 1 of policy DM7.
31. The application site is not situated within a flood zone. Therefore, there will be no impact on flooding as result of the proposed development.
32. There is no record of any protected species on site and the use of the site is to remain as is.

Conclusion:

33. In conclusion, it is now considered that the proposed scheme will bring benefits in terms of an increase in housing stock and building services to contribute to the local economy as well as future spend from occupants. Whilst strictly not characteristic with the area, the proposed development will not result in any harm arising from a social and environmental aspect. Therefore, on balance, the proposal is considered to meet the three dimensions of sustainable development and complies with the relevant local plan policies.

Recommendation:

34. It is recommended that planning permission be **GRANTED** subject to the following conditions:
 1. 01A – Time limit detailed.
 2. 14FP – Development to accord with Application Form, Design and Access Statement, Land Contamination Questionnaire, Land Contamination Report and Drawing Nos. 1854/01, 02 Rev A and 03 received 6th April and 26th May 2017.
 3. 18 - The new vehicular access shall be laid out and completed in all respects in accordance with drawing no. DM02; and with an entrance width of 3m and made available for use prior to first occupation. Thereafter the access shall be retained in the specified form.
 4. 18 - The use shall not commence until the area(s) within the site shown on drawing no. 1854/02 for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
 5. NS - The site demolition, preparation and construction works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on

Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.

6. NS - The acoustic insulation of the dwelling within the proposed development shall be such to ensure noise levels, 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 and living rooms between the hours of 23:00 to 07:00.
7. 23 – Soft landscaping scheme.
8. 12D – Boundary treatment.
9. NS – DM7 water consumption.

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=ONXA35PDFY400>