



*St Edmundsbury*  
BOROUGH COUNCIL

# DEV/SE/17/040

## Development Control Committee 5 October 2017

### Planning Application DC/17/0599/FUL – 5 Francis Close, Haverhill

<b>Date</b>		<b>Expiry Date:</b>	30 <sup>th</sup> May 2017
<b>Registered:</b>	4 <sup>th</sup> April 2017		EOT (6 <sup>th</sup> October 2017)

<b>Case</b>		<b>Recommendation:</b>	Approve
<b>Officer:</b>	Ed Fosker		
<b>Parish:</b>	Haverhill	<b>Ward:</b>	Haverhill North

**Proposal:** Planning Application - (i) 1no building to include 4no. flats (following demolition of existing dwelling), (ii) new vehicular access and parking, (iii) replacement of existing boundary fences and (iv) insertion of dropped kerb

**Site:** 5 Francis Close, Haverhill

**Applicant:** Mr and Mrs Moses - Francis Close Ltd

**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:

Ed Fosker

Email: [edward.fosker@westsuffolk.gov.uk](mailto:edward.fosker@westsuffolk.gov.uk)

Telephone: 01638 719431

**Background:**

This application is referred to the Development Control Committee at the request of the Delegation Panel. The matter was presented before the Delegation Panel as the Officer recommendation for approval is contrary to the objection received from Haverhill Town Council.

The application is recommended for **APPROVAL**.

**Proposal:**

1. Planning permission is sought for the erection of one building to accommodate four flats (following demolition of existing dwelling), new vehicular access and parking and insertion of dropped kerb.
2. This planning application proposes to demolish the existing house and build in its place a small, two storey development of four one bedroom flats. During the course of the application the agent has reduced the width of the building to provide a more harmonious relationship in the setting of the existing site. Also the number of flats has now been reduced from five (4 x 2 bed and 1 x one bed) to 2 x one bed units and 2 x 2 bed units.

**Application Supporting Material:**

3. Information submitted with the application as follows:
  - Existing and proposed floor plans and elevations
  - Design and access statement
  - Land Contamination Assessment

**Site Details:**

4. The site lies within the settlement boundary of Haverhill and comprises a modest sized detached chalet bungalow positioned centrally on the site. The west side boundary is a hedge for the length of the front garden, then at the side of the house and along the length of the back garden there is a low chain link fence. The south front boundary has a hedge above a low brick wall. The north-west side boundary has a close boarded wooden fence to the front garden of approximately 1.8m height and a low wooden fence in the rear garden. Francis Close slopes from west to east with the pair of semi-detached dwellings to the western side being at a higher level. The property has an associated garage within a row of garages further along Francis Close (which will provide secure cycle storage as part of this present application).

**Planning History:**

None.

**Consultations:**

5. Environment Team: No objection.

6. Public Health and Housing: No objections in principle, however raise concerns for the size of the proposed kitchen/dining/living areas in Flat 1-4 as being too small for the proposed number of occupiers.
7. Highways Authority: Initial comments were a 'holding refusal' based on the following reasons:
  - Insufficient parking
  - Pedestrian safety
  - Re-location of bollard

### **Representations:**

8. Town Council: Objects, based on the following reasons:
  - Overdevelopment of the site
  - Inadequate parking provisions
  - Traffic and highways issues
  - Design- out of keeping with surrounding properties
  - Agree with Public health on concerns for size of flats based on the number of occupiers.
9. Neighbours: There have been 18 letters of objection from neighbouring properties regarding the original plan submitted, 2 letters received do not object but do raise concerns:
  - Parking, particularly in relation to the little proposed parking for the new flats and also the ongoing problem for street parking currently present on the street, which will only get worse by the proposed development.
  - Highways and traffic concerns, particularly in relation to pedestrian access and safety and traffic flow along the narrow road.
  - Noise impact the proposed development site will have on neighbouring properties as the cul de sac currently has a quiet environment.
  - Residential amenity in regards to anti-social behaviour.
  - Design/size of the property, the proposal is not in-keeping with the surrounding properties and is overdevelopment of the site with rear access as the proposal is utilising the full width of the site.
  - Devaluation of property.

### **Consultations Responses (Post amendments):**

- Since the last amendment to the proposed plan to reduce the property to 4 dwellings, a petition of 51 signatures and 3 other individual residents have raised concerns relating to:
  - Parking

- Highways / traffic.
- 1 resident has raised concerns relating to:
  - Size of the proposed development, it is overdevelopment and still has issues for the boundary/rear access
  - Potential noise levels from the development
  - Privacy issues

**Consultees (Amended plans):**

- **Haverhill Town Council:** Objects to the amended plans based on the previous reasons provided. They believe that no significant changes have been made.
- **Public Health and Housing:** No objections in principle, however raise concerns regarding the size of the proposed dwellings, in particular the kitchen/dining/living areas in all four flats and the second bedrooms in flats 1 and
- **Environment Team:** No objections
- **Highways:** *No objections subject to conditions requiring a construction deliveries management plan, parking manouvering and cycle storage (to be retained).*

*The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.*

*The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.*

*The proposed new footway is considered important to help reduce conflict between pedestrians and vehicles as much as is possible. Drawing number 1620/PD/07 shows an acceptable location and construction for this footway, however the actual location and construction may depend on existing services and tree roots and will be determined after sufficient site investigation works have been undertaken.*

*Officer Note – the requested footway improvements are within the adopted highway and can therefore be controlled and provided via a 'Grampian' style condition that prevents occupation unless and until the works have been completed.*

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

10. Joint Development Management Policies Document:

- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM7 Water Efficiency
- Policy DM22 Residential Design
- Policy DM46 Parking Standards

11. St Edmundsbury Core Strategy:

- Core Strategy Policy CS1 - Spatial Strategy
- Core Strategy Policy CS5 - Design quality and local distinctiveness

12. Haverhill Vision

- HV2 – Housing Development within Haverhill

**Other Planning Policy:**

13. National Planning Policy Framework (2012)

Core principles

Section 6: Delivering a wide choice of quality homes

Section 7: Requiring good design

14. National Planning Policy Guidance

**Officer Comment:**

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

- Principle of Development
- Impact on the surrounding area
- Design and Layout
- Residential Amenity
- Highway Safety

Principle of Development

16. This planning application proposes to demolish the existing house and build in its place a small, two storey development of four one bedroom flats. During the course of the application the agent has reduced the width of the building in an effort to provide a more harmonious relationship in the setting of the existing site. Also the number of flats has now been reduced from five (4 x 2 bed and 1 x one bed) to 2 x one bed units and 2 x 2 bed units.

17. The site is within the settlement boundary of Haverhill. On this basis, the site is considered suitable in accordance with the provisions of Policy HV2 and the principle of residential development is therefore acceptable. The proposed development also needs to be considered, amongst others, against policies DM2 and DM22 of the Development Management Policies Document which seeks to ensure that new development does not result in the loss of residential or visual amenity and their layout and design respects the established pattern and character

of development in the locality.

Impact on the character of the area:

18. Good design is important for all development types in all locations. 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'. New development should achieve a high quality design that enhances the unique characteristics of an area and ensures a better quality of life for people within that area.
19. It is considered that the size, scale, design and materials of the proposed building are very much in keeping with the surrounding area and the property would not appear unlike the existing dwellings. On this basis it is therefore considered that there would be no adverse impact on the character of the area.

Design and Layout

20. Core Strategy policy CS5, Development Management Policy DM2 and the NPPF requires development to be produced to a high standard of design. Local policies state that development should recognise and address characteristics and local distinctiveness of an area as well as producing designs that respect the character, scale, density and massing of a locality. However, the NPPF is clear at para. 60 that planning decisions should not attempt to impose architectural styles or particular tastes with, (at para.59) design policies concentrating on guiding overall scale, density, massing, height, landscape, layout, materials and access of new development.
21. The concerns raised by Town Council and neighbours relate to the overdevelopment of the site and what is considered by the Town Council to be an insufficient amount of amenity space. These concerns are noted, however the Local Authority has no adopted amenity space standards. Furthermore, the ground floor flats have modest gardens associated with them which is more than can normally be expected in a town centre location such as this. Car parking has been accommodated on the driveway to the front of the property. This driveway arrangement with parking at the front is not dissimilar to many of the dwellings in surrounding area. The layout submitted is considered to be in keeping with the surrounding character of development.
22. In terms of design, the two storey pitched roofed building with gabled ended rear projection, two small pitched roofed dormers to the rear and accommodation in the roof space is considered to be suitably domestic in scale and appearance, reflecting the existing houses in the area and echoing the traditional style of the recently built Havebury Association flats nearby on Lower Downs Slade. Materials are red brick cladding for the walls, white UPVC windows and a pantiles on the roof which are not considered out of character with the surrounding dwellings or the wider mixed character area generally.



### Residential Amenity:

23. The site has one dwelling to the western side, the carpark to the Rose and Crown public house to the rear, the Council Offices which are separated by some distance to the eastern side, and an area of open space across the highway to the south. The introduction of first floor rear windows and modest dormers are not considered to lead to any more overlooking over and above that which currently exists along Francis Close. The bedroom windows have been positioned away from the boundary to No. 3 Francis Close with an obscure glazed bathroom window closest to the boundary at first floor level. It is not considered that this arrangement will lead to any adverse impact on the residential amenity currently enjoyed by the neighbouring property.

### Highway safety

24. Concerns have been raised by neighbours and the Town council with regard to parking problems and highway safety issues, these concerns are noted

However the proposal will provide four car parking spaces for the 2no. two bedroom flats and 2no. one bedroom flats, which is 1no. space per dwelling and retains the garage associated with the property to accommodate secure cycle storage. The front hedge will be removed and it is proposed that a dropped kerb is installed along the front of the site to provide access into the parking spaces. The parking area will have a permeable block paver finish which will limit the amount of surface water run-off on to the highway. An existing bollard is to be relocated to enable the spaces to have greater access. Whilst there would appear to be issues with parking in the wider surrounding area this scheme which is located in a very sustainable location would provide four more off street parking spaces than currently exist.

25. It is considered that the site which is situated in a town centre location is a very sustainable location for alternative transport options other than car. From the site the occupiers of the proposed flats could walk, cycle or use the regular bus service which is within close proximity. Secure cycle store is provided in the existing garage associated with the property and the occupiers can safely keep their cycles on the site. Also adjacent to the site are two public car parks which could be used for visitors when additional parking may be required.

26. The applicant has agreed to provide a new pedestrian footway on the southern side of Francis Close on the opposite side of the highway to No. 5 which will link to the existing footpath, also the existing bollard at the end of Francis Close is to be re-positioned to provide for parking and manoeuvring space, whilst the footway and bollard lie outside the red line of the planning application these alterations and improvements can be secured by via a 'Grampian' style condition that prevents occupation unless and until the works have been completed.



## Biodiversity

27. Policy DM12 states that measures should be included, as necessary and where appropriate, in the design for all developments for the protection of biodiversity and the mitigation of any adverse impacts. Additionally, enhancement for biodiversity should be included in all proposals, commensurate with the scale of the development. Legislation protects all wild birds whilst they are breeding, and prohibits the killing, injuring or taking of any wild bird or their nests and eggs. Certain species of bird, including the barn owl, are subject to special provisions; it is an offence to disturb any bird or their young during the breeding season.
28. The site is situated in the town centre but does have a hedge along the front boundary at present. The hedge will need to be removed to allow the parking area to be formed. Any removal of hedges will need to be undertaken outside of the nesting season to limit disturbance to nesting birds. There are two trees on the verge, on the north-eastern boundary of the site, but not within the site. Both trees are to be retained and the building has been positioned to ensure there will be minimal disturbance to the trees. The new building footprint allows the tree roots to be undisturbed and the canopy can be maintained as existing. In order to secure this it is considered necessary to include a condition requiring tree protection measures to be adopted during construction.

## Other Issues

29. The effect of this proposal upon the value of third party property is not a material planning consideration.
30. The comments of Public Health and Housing in relation to the size of the properties are noted. The Planning Practice Guidance directs that where a Local Planning Authority wishes to require an internal space standard they should do so by reference in their Local Plan to the nationally described space standard. Members are advised that St Edmundsbury Borough Council have not adopted the nationally described space standards within their Local Plan and accordingly there is no local planning policy requirement for dwellings to meet these standards. Policy DM22 does however require new housing to be fit for purpose and function well, providing adequate space, light and privacy and officers are of the opinion that the dwellings meet this policy requirement.

## **Conclusion:**

31. In considering the application, the merits of the proposal must be balanced against any harm arising. In this case, the design is similar to the surrounding pattern of development, its two storey nature and slightly smaller plot size it is not considered to raise undue concern with regard to scale, parking, amenity space and proximity to boundaries.
32. The proposal would result in four additional flats (2 x two bed and 2 x one bed) which would contribute to the local housing stock and which are located within very close proximity to local services and facilities. On this

basis, it is likely that local businesses would benefit from the dwelling, both during the construction process and from future spending, albeit this will be modest. On this basis, the proposal represents social and economic benefits. In terms of environmental benefits, the building itself is considered appropriate in terms of scale and layout in that it will not be dominant or overbearing in the street scene. It is not considered harmful and on this basis the scheme is considered acceptable subject to the conditions laid out below.

### **Recommendation:**

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

1. Development to commence within 3 years
2. Materials as specified
3. In accordance with plans
4. 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.
5. Hard Landscaping
6. Soft Landscaping
7. Root protection during construction
8. Boundary treatment to be provided prior to occupation in accordance with the details shown on drawing 1620/PD/01B.
9. The removal of hedge to the front boundary of the site must be undertaken outside of the bird nesting season.  
Reason: To ensure that wildlife habitats are maintained and are not adversely affected by the development.
10. The bin storage area shown on drawing 1620/PD/01B shall be provided in accordance with these approved details prior to the first occupation of any of the dwellings hereby approved.
11. All HGV and construction traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the

Plan throughout the period of occupation of the site. A survey should be made of the condition of the highway prior to commencement of work and any damage made to the highway during construction shall be made good before first occupation.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas and to ensure no damage is done to the highway infrastructure.

12. Occupation shall not commence until the area(s) within the site shown on drawing 1620/PD/06 for the purposes of manoeuvring and parking of vehicles and secure cycle storage has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the onsite parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

13. There shall be no occupation of the development hereby approved unless and until the new footway shown on drawing number 1620/PD/07 has been provided.

14. DM7 Water Efficiency. The dwelling hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with.

**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=ON5LT2PDFMC00>