



Forest Heath
District Council

DEV/FH/18/024

Development Control Committee 7 November 2018

Planning Application DC/17/2476/RM – Development Site, Meddler Stud, Bury Road, Kentford

Date Registered:	13.12.2017	Expiry Date:	14.03.2018
Case Officer:	Penny Mills	Recommendation:	Approve
Parish:	Kentford	Ward:	South
Proposal:	Reserved Matters Application - Submission of details under Outline Planning Permission - DC/14/0585/OUT - Appeal ref - AP/15/0030/REF - the appearance, landscaping, layout and scale for 20-box racehorse training establishment (with associated Trainer's house) and up to 63 no. dwellings (including 19 no. affordable units) with associated access arrangements and open space provision		
Site:	Development Site, Meddler Stud, Bury Road, Kentford		
Applicant:	M Bartram		

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:

Penny Mills

Email: penny.mills@westsuffolk.gov.uk

Telephone: 01284 757367

Background:

This application was considered by the Development Control Committee in October 2018, having been called to the Development Control Committee by the local Ward Member.

The application was deferred at the October Committee meeting due to concerns with the adequacy of the Racehorse Training Establishment element of the Development, the impact of the development on neighbouring amenity, the clustering of the affordable housing and the shortfall in visitor parking.

This report should be read in conjunction with the October Committee Report, which is attached as Working Paper 1.

1.0 Proposal:

- 1.1 The application seeks reserved matters consent for a 2.19 ha Racehorse Training Establishment (RTE) comprising a 20-box stable building, associated barn, yard area with muck pit, exercise ring with horse walker and lunge pits, paddock and trainer's house; and 62 dwellings with associated on site infrastructure.
- 1.2 The residential element of the scheme includes 19 affordable units and the overall mix of units proposed is set out below:
 - 8no. 1B Flats
 - 4no. 2B Flats
 - 7no. 2B houses (semi + terrace configuration)
 - 3no. 3B detached houses
 - 30no. 4B detached houses – 2no. types
 - 11no. 5B detached houses
 - Trainers Dwelling
- 1.3 Following the October Development Control Committee meeting, amended plans have been submitted which provide the following:
 - details of unallocated visitor parking for the development;
 - a revised layout for the development in the northern area, facilitated by the loss of one market dwelling, to improve the appearance of this part of the development and reduce the impact on Meddler Gardens.

2.0 Application Supporting Material:

- 2.1 The following amended plans have been received since the October Committee (other associated plans and documents are set out in paragraphs 2.1 and 2.2 of Working Paper 1):
 - 001 Rev P10 - Masterplan Layout (updated to incorporate adjusted POS figures and further enrichment planting to the east boundary with Abington House)
 - 050 Rev P02 – 2B combination flats (plots 16-19)
 - 056 Rev P02 – 1B combination flats (plots 8-11 and 12-15)
 - Parking Strategy Plan (P00)
 - Updated Open Space Provision Plan (P01) (to accord with the above)

- Updated Affordable Designation Drawing (P01) (to accord with the above)

3.0 Site Details:

3.1 The site details are set out in paragraphs 3.1 to 3.5 of Working Paper 1.

4.0 Relevant Planning History:

4.1 The relevant planning history is set out in paragraph 4.1 of Working Paper 1.

5.0 Consultations:

5.1 The initial consultation responses are set out in paragraphs 5.1 to 5.16 in working paper 1.

5.2 A summary of the comments received in respect of the amended plans submitted after the October Committee is set out below. Full comments are available to view on the Council's website:

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OZPG7UPDKOT00>

Members will be updated at Committee of any further comments received after the publication of this report.

5.3 NHS England – request for S106 contributions

5.4 SCC Archaeology – No Objection. Comments summarised below:

- Advised that the defined regionally important archaeological remains, in the form of upstanding earthworks, in the southern paddock should be preserved in situ, within an area of open space.
- Please to see that the trainer's house is still located away from these earthwork features and that no works are proposed within the area where preservation in situ is required. We therefore have no objection to the RM development plans.
- Advised that prior to the determination of this RM application, the applicant should be required to provide details of the strategy for preserving these earthworks in situ. We require written confirmation that no groundworks (including site stripping, landscaping, planting, services, fencing, attenuation, storing of spoil or materials etc) will be undertaken in this part of the site. In addition the measures which will be put in place to ensure that no ground disturbance will occur in the area of the earthworks during construction works and during the future operation of the racing stables will need to be outlined and agreed.
- Confirm that the archaeological fieldwork required at this site has been completed and the reporting work has also been completed, so no conditions relating to archaeological work will be necessary should permission be granted.

5.5 Jockey Club – comments summarised below:

- Clarification requested on where the play area will be.
- Recommend that the play area is as far removed as practicably possible from the RTE. If it is determined that the play area is located

as per the Amended Masterplan, we would ask that there is appropriate screening/planting between the play area and the RTE.

In addition to the above comments the local planning authority has sought further advice from the Jockey Club in respect of the detail of the Racehorse Training Establishment. This has not yet been received and Members will be updated on this at Committee.

5.6 SCC Contributions – confirmed no further comments

5.7 Natural England – confirmed no further comments

6.0 Representations:

6.1 The initial representations are set out in paragraphs 6.1 to 6.10 in working paper 1.

6.2 A summary of the representations received in respect of the amended plans submitted after the October Committee is set out below. Full comments are available to view on the Council's website:
<https://planning.westsuffolk.gov.uk/onlineapplications/applicationDetailsdo?activeTab=documents&keyVal=OZPG7UPDKOT00>

Members will be updated at Committee of any further representations received after the publication of this report.

6.3 Parish Council: Maintain objection. Comments set out below:

- The Parish Council continue to object to the present plans for this development.
- Firstly, while we recognise improvements to the part of the development closest to Meddler Gardens, we support the continuing concerns of local residents that they feel they will still be crowded and over-looked. We share their view that these blocks of flats are out of keeping with the character of the village.
- In addition, we are very concerned about the viability of the stud which is a key attractive aspect of the plans. Gleaned local wisdom raises serious questions about ever seeing this proposed stud becoming a reality.
- Finally, we are concerned about the impact of the development on Bury Road. It will add volume to an already busy and speeding road, and local opinion is that the entrance is a potential hazard, coming soon after a blind corner from the west.

6.4 Public Representations

Additional comments, submitted jointly on behalf of the occupants of the two properties at Meddler Gardens objecting to the development and are set out below:

We have examined the revised plans and our observations are as follows:

- The developer has persisted in locating the social housing in an area where there already houses, as opposed to other sites on the development where there is no pre-existing housing. It was made

clear at the Planning meeting, by members of the council as well as ourselves, that due to size of the site there is no reason to put the block of flats near our side of the development.

- The new plans, although we can see that some consideration has been given to our objections, are still unacceptable in regards to our privacy.
- It would have been helpful if the resubmissions had included artists drawings of the site and the potential impact upon ourselves.

7.0 Planning Policy:

7.1 The relevant policies are set out in paragraphs 7.1 to 7.2, 8.1 to 8.3, 9.0 and 10.1 to 10.3 of Working Paper 1, attached.

7.2 In respect of the National Planning Policy Framework (the Framework), the policies set out within the Joint Development Management Policies have been assessed in detail by Officers and are considered sufficiently aligned with the provisions of the 2018 Framework that full weight can be attached to them in the decision making process.

8.0 Officer Comment:

8.1 The Principle of the Development remains unchanged and this is set out in paragraphs 11.1 to 11.4 of Working Paper 1, attached.

8.2 The key issues to be considered in the determination of this application also remain unchanged, these are:

- Impacts on the horse racing industry;
- Design, layout and visual amenity;
- Residential amenity;
- Open space, landscaping and drainage;
- Accessibility, sustainable transport links and highway safety;
- Trees, ecology and protected species
- Affordable housing provision;
- Heritage impacts; and,
- Sustainability.

8.3 The majority of the assessment in the October Committee Report, set out in section 11 of the attached Working paper 1, remains relevant at this time and unchanged. However, the amended plans have altered the officer assessment in respect of: design, layout and visual amenity; residential amenity, affordable housing provision; and accessibility, and sustainable transport links and highway safety. These matters are discussed in more detail below.

Design, layout and visual amenity

8.4 As set out in the October Committee Report, Officers considered that the proposed development overall would create a locally distinctive sense of place with architecture of a high quality, drawing on existing features within the local area and giving visual prominence to the new RTE. However, the small northern parcel, which contained a block of flats positioned to the south of Meddler Gardens, was considered to be less successful, with a more cramped appearance.

- 8.5 It was also considered that the proposed block of flats in the northern part of the development would have an adverse impact on an existing glimpsed view from Bury Road between the properties at Meddler Gardens and that this adverse effect should attract some weight against the development in the final planning balance.
- 8.6 The layout of this aspect of the development has been amended such that the single block immediately to the South of Meddler Gardens has been removed and two detached blocks now sit perpendicular to that boundary at a greater distance. This change in layout has not only reduced the visual impact of the development from Bury Road by respecting the existing gap in the frontage, but has also allowed for the provision of greater soft landscaping along this boundary to help soften the development and mitigate its visual impact.
- 8.7 In order to help accommodate the change in layout here, the number of open market dwellings has been reduced by 1. This area of the development now has a more open feel, with views to the edge the site framed by key buildings and terminating in a landscape buffer, which helps to reinforce the rural and sylvan setting of the site.
- 8.8 It is therefore considered that the amended development continues to create a locally distinctive sense of place in accordance with planning policy, and has overcome some of the previous shortcomings in the layout such that there would no longer be any adverse visual impacts.

Residential Amenity

- 8.9 The amended design and layout continues to provide a scheme where, in the view of Officers, all future residents will enjoy an acceptable level of residential amenity. In this respect the assessment of the development remains unchanged. However, in terms of the impacts on existing dwellings outside the site, the revised layout has resulted in a change in the level of impact.
- 8.10 The relationship with the properties along the northern and eastern boundaries of the eastern half of the site remains unaltered. As before, given the existing screening vegetation in some cases, the potential for additional screening to be planted and the degree of separation it is considered that the development would not give rise to any unacceptable adverse effects on amenity.
- 8.11 The relationship with Meddler Gardens was previously considered to be a problematic one in terms of the impacts on the amenity of those dwellings. This was primarily due to a combination of the scale of the building and its proximity some 7.3 metres from the boundary.
- 8.12 The revised scheme has significantly reduced the level of impact through an increase in the degree of separation (now over 20 metres), a change in the orientation of the buildings at this location to reduce the bulk presented to the boundary, the removal of first floor north facing windows and an increased opportunity to provide screening vegetation.

- 8.13 In light of the above, it is considered that whilst the buildings would still be perceptible from the properties known as Meddler Gardens, the level of impact on the amenity of those neighbours would be greatly reduced to a level that would be acceptable. As such, the harm that previously weighed against the scheme in the planning balance would be removed.
- 8.14 It should be noted that the change in layout here results in a different relationship with the dwelling to the East, Abington House. However, the degree of separation and degree of boundary screening, which could be further augmented with soft landscaping and appropriate boundary treatment, prevents any adverse effects on amenity from arising.

Affordable Housing

- 8.15 The quantum, mix and tenure of the affordable housing proposed remains unchanged and the development continues to provide a policy compliant 30%.
- 8.16 In terms of the position of the affordable housing within the site, it continues to be predominantly within the northern section of the site. The applicant has advised that by removing a unit from this area and creating increased separation a less dense parcel is created. They also highlight that, in terms of numbers, it is only marginally greater than the guidance contained in the Supplementary Planning Document. The applicant has further advised that this arrangement is the preference of the Registered Social Landlord (RSL).
- 8.18 Overall, as was previously stated, whilst the mix is not precisely in line with that requested by the Strategic Housing Officer the overall offer is considered to be broadly acceptable. Additionally concerns with the size and location are mitigated by other factors such as proximity to open space and architectural quality. As such, the slight divergence from the specified mix would attract only negligible weight against the development in the planning balance, which would in any case be weighed against the high quality design of the units offered here. The resulting impact in terms of the balance therefore remains neutral.

Accessibility, sustainable links and highway safety

- 8.19 As previously stated in the October Committee Report, the access for the development was approved as part of the outline consent along with the principle of up to 63 dwellings and a Racehorse Training Establishment. The appropriateness of that access and the overall impact on the highway network has therefore already been assessed and found to be acceptable and cannot be reconsidered as part of this reserved matters application.
- 8.20 One concern previously raised by the Highway Officer is the shortfall in the amount of parking provided. Specifically, this was a shortfall in visitor parking.
- 8.21 An amended plan has been provided which now shows unallocated visitor parking provided across the development, where dwellings are unable to cater for visitor parking within their own curtilage / driveways.
- 8.22 A formalised parking drawing has been produced which shows:

- a. 6no. parallel parking spaces flanking the northern edge of the main public open space north of the RTE / central tree belt. This provision is divided into 3 sets of 2no. spaces, each measuring 2x6m in accordance with county highway standards. A 45-degree splay is provided at each end to facilitate manoeuvring in/out and the pavement runs around the rear of spaces. These 6no. spaces cater for plots 1-19 and 22-24 insomuch that an unallocated visitor space is to be provided at a rate of 0.25 spaces per property. Accordingly, $22\text{no. properties} / 4 = 5.5$, so 6 spaces, provides for an over-provision in this regard.
- b. 4no. parallel parking spaces located adjacent to the highway at various points across the eastern parcel (the dimensions of which replicate the above), as follows:
 - i. 1no. space caters for plots 54-57 (i.e. 0.25 spaces per dwelling) and is located to the SE flank of the private drive immediately in front of plots 55/56;
 - ii. 1no. space caters for plots 45-48 (i.e. 0.25 spaces per dwelling) and is located to the SW flank of the parking court serving these dwellings (adjacent to the garage);
 - iii. 1no. space caters for plots 51 & 52 (i.e. 0.50 spaces per dwelling, so an over-provision) and is located opposite plot 52;
 - iv. 1no. space caters for plots 39, 40, 49 ad 50 (i.e. 0.25 spaces per dwelling) and is located at the SE flank of the type-6 road between plots 38 and 39;

All other dwellings on the development have the ability to cater for visitor parking in curtilage and this is shown on the plan.

8.23 It was previously noted that on balance the development would not result in any unacceptable impacts on highway safety and the scheme was considered to be broadly in accordance with the development plan policies and the guidance within the framework with regards to highways. The submitted amendment represents a significant improvement in terms of the quantum of parking available on site, which further reinforces this initial positive assessment.

Impacts on the Horse Racing Industry

8.24 The principle of what this element should contain in terms of its scale and its position on a mixed use site served by a single shared access is one that has been approved in the outline permission granted at appeal and therefore cannot be re-examined at the reserved matters stage.

8.25 No additional information has been submitted in respect of the Race Horse Training Element of the Development. However, as previously advised, the local planning authority's equine consultant has confirmed that the design and layout of the establishment is an acceptable one and the proposals continue to provide all the components required by condition 27 of the outline permission.

8.26 Notwithstanding the above and noting the importance of the Horse Racing Industry and the concerns of members in relation to this aspect of the scheme, further advice on the design detail of the facility and the adequacy

of the exercise track is being sought from the Jockey Club. Members will be updated on their response at Committee.

Other Matters

- 8.27 NHS England has responded requesting a financial contribution. This matter was dealt with at the outline stage and the Unilateral Undertaking secured a sum of £412.70 to be multiplied by the final number of dwellings proposed, meaning a contribution of £26,000.10 is already secured for this scheme.
- 8.28 SCC Archaeology has responded advising that the applicant should be required to provide details of the strategy for preserving these earthworks in situ. The applicant has advised that this is will be submitted shortly and Members will be updated at Committee.

Summary and Planning Balance

- 8.29 Section 38(6) of the 2004 Planning Act states planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Framework reinforces the approach set out in Section 38(6). It emphasises the importance of the plan-led system and supports the reliance on up-to-date development plans to make decisions.
- 8.30 The application has outline consent and the site is subject to an emerging Local Plan allocation. The principle of the development is therefore acceptable. At the time of the October Committee, there were aspects of the scheme that were identified by Officers as giving rise to harm in some cases. The amendments to the proposals have altered this position and as such the planning balance must be reassessed.
- 8.31 The additional benefits associated with the development which must also be considered, remain relevant. In this respect, the delivery of housing, including affordable housing, which would be facilitated by this application, lends significant weight in support of the development.
- 8.32 The local planning authority remains satisfied that the RTE would provide an appropriate facility as required by the outline consent, and in accordance the requirements of policies DM48 and DM49.
- 8.33 The development continues to provides the required amount of affordable housing and whilst the mix is not precisely in line with that requested by the Strategic Housing Officer the overall offer is considered to be broadly acceptable and in accordance with Core Strategy policy CS9. Concerns with the size and location are mitigated by other factors such as proximity to open space and architectural quality, such that the slight divergence from the specified mix would attract only negligible weight against the development in the planning balance. When weighing this against the high quality design of the units offered here and their locational benefits, and taking into account the improvement in the layout in this part of the scheme, the resulting impact in terms of the balance is considered to be neutral.
- 8.31 In terms of the design and layout it is considered that the future residents of the scheme would experience a high quality living environment with well-designed homes that meet the national technical space standards, off-street

parking, a centrally located and accessible area of public open space and (for most of the dwellings) good sized gardens. It is also considered that the majority of the architecture is of a high quality, drawing on existing features within the local area to create a locally distinctive sense of place. In this regard the development overall is considered to meet the requirements of policies DM2 and DM22. Furthermore, Officers continue to consider that the development would have a positive impact on visual amenity and the character of the area, particularly through the visual prominence of the new RTE within the scheme and from the nearby public highway and this carries moderate weight in favour of the development.

- 8.32 The development continues to include provision for a centrally located equipped play area within an area of public open space. This will meet the needs of future occupants of the development, and bring considerable benefit to the existing residents within the village. The development also provides good connectivity for pedestrians and has been well-design in this respect. It includes a link to the adjacent housing development to the east and the possibility for future connectivity, should it become possible and/or desirable, has been designed into the development. There are also opportunities for circular walking routes within the site. Taken together, these factors carry significant weight in favour of the development.
- 8.33 There are aspects of the road layout and on plot parking that could be improved however, the amended scheme makes much greater allowances for on-street visitor parking. In this context the already limited weight that these issues carried against the development in the planning balance are further reduced, such that they would attract minimal weight in the overall balance.
- 8.34 In terms of trees, the outstanding concerns with the clarity of the information that has been presented remain. However, overall the scheme makes good provision to retain existing biodiversity features, and has the potential to enhance biodiversity across the site. It is also considered that, subject to the use of conditions, there would be no adverse effect on protected species. Taking these matters together it is considered that the uncertainty regarding trees should continue to carry modest weight against the development in the balance.
- 8.35 The development continues to be acceptable and in accordance with development plan policies, subject to the use of conditions, on matters of sustainability and heritage impacts.
- 8.36 On balance, it is considered that in almost all respects the development is fully in accordance with the policies of the development pan and only limited conflict with some elements of specific policies remain. The remaining, limited areas where any harm has been identified are clearly outweighed by the collective benefits that would arise from the application proposals, which are substantial. The development is therefore considered to be acceptable and should be approved, subject to a number of controlling and safeguarding conditions.

Recommendation:

8.37 That Reserved Matters consent be **GRANTED** subject to conditions including the matters set out below, the precise wording of which to be delegated to Officers:

1. Compliance with approved plans
2. Material samples
3. Bin and cycle storage strategy for the affordable units (details to be approved and thereafter implemented)
4. Secure bicycle storage provided for each market plot
5. Full details of highways and footways including paths within open space and connecting path to the east
6. Landscaping (precise details of new hard and soft landscaping, including on plot planting, planting of the public open space and play area)
7. Equipped play area details
8. Boundary treatment details including any knee-rails and bollards
9. All boundary fences to be hedgehog permeable
10. Details of anti-crime design features
11. Retention of access to areas of open space
12. Mitigation, enhancement and precautionary measures as set out in ecology reports
13. Stable waste management plan
14. Water consumption for dwellings
15. Refuse storage and collection details
16. Lighting details
17. Adherence to strategy for preserving earthworks

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=OZPG7UPDKOT00>