

Development Control Committee 4 September 2019

Planning Application DC/19/1146/FUL – Land off Crown Lane, Crown Lane, Ixworth

Date Registered: 30.05.2019 **Expiry Date:** 06.09.2019 (EOT)

Case Officer: Julie Barrow **Recommendation:** Approve Application

Parish: Ixworth & Ixworth Thorpe **Ward:** Ixworth

Proposal: Planning Application - Access road to serve residential development comprising 77 no dwellings - (resubmission of DC/17/0339/FUL)

Site: Land Off Crown Lane, Crown Lane, Ixworth

Applicant: Mr Stuart McAdam

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:

The application is referred back to Development Control Committee following the decision taken to defer the determination of the application at August's Development Control Committee meeting for the reasons discussed further below.

A copy of the Committee Report presented in August is attached at Working Paper 1.

Officer Comment:

1. The application was deferred by the Development Control Committee in August 2019 for the following reasons:
 - Members requested an update on the progress of the masterplan for *Land west of A143 and south of A1088 (Policy RV12c)*
 - Further clarification of the reasons behind the road layout through the wider site
 - Further information was requested on the requirement of an emergency access and whether an alternative to collapsible bollards could be used
 - Further information to demonstrate that the tree belt on the eastern boundary of the wider site will not be compromised as a result of the development (including construction work)
 - Clarification on the purpose of Condition 21 as proposed by officers

Update on the masterplan for allocation RV12c

2. The Local Planning Authority has received a letter from Bidwells on behalf of the landowners and promoters of Rural Vision Allocation RV12c. The letter states that the masterplan required by policy RV12 is being progressed, and has been subject to engagement with planning policy officers. The masterplan process has however stalled until such time as the access road is granted consent and becomes a fixed matter that the masterplan can build upon.
3. Persimmon are committed to constructing the access road in order to deliver the first phase of development at *Land off Crown Lane (Policy RV12b)*. The masterplan for RV12c cannot dictate the access road alignment as it is not being delivered by the landowners and promoters.
4. The emerging masterplan document is based upon the approved and implemented right hand ghost island and with the approximate alignment of the road in accordance with the current planning application.
5. The landowners have stated that they remain keen and ready to progress the masterplan, but this can only be done with certainty to the access road alignment.

Clarification of the road layout

6. The road has been designed in such a way as to respect the contours of the land, which falls away from a central high point to the north and south. The road types change in the middle of the site from a Distributor Road accessed

from the A1088 to a Major Access Road in order to meet the requirements of future phases of development.

7. The sweeping nature is required to achieve the minimum gradients required for SCC Highways and the Lead Local Flood Authority. The applicant has also suggested that a straight road would raise issues of highway safety and speed.
8. A further reason for the curve of the road is to ensure that appropriate developable areas are maintained in order to secure the required area for the school site whilst safeguarding sufficient manageable parcels of land for future phases of development.

Emergency access

9. As detailed in the first committee report an application for the access road was made under reference DC/17/0339/FUL and refused by the Development Control Committee in January 2019. When that application was first submitted it proposed to open up Walsham Road for general access. This arrangement raised concern locally and consequently revised plans were submitted showing it as an emergency access only, with collapsible bollards.
10. At the August committee meeting members expressed a desire for a gate to be installed at the emergency access rather than bollards. The applicant has had further discussions with the County Council highway engineer who has confirmed that gated access would not be supported.
11. A gate could hold up an emergency vehicle while a bollard can be quickly removed when access is needed, or in a true emergency situation it would be easily flattened by an emergency vehicle needing to access the site. This route is seen as a sustainable link with the northern part of the village and a gate could hamper access by pedestrians and cyclists. Bollards make this sustainable route easier for cyclists and pedestrians to negotiate and avoids the need for cyclists to dismount.

Impact on the tree belt on the eastern boundary

12. The applicant has made further reference to the Arboricultural Method Statement submitted with the application, which states that all work associated with the access road would take place outside the Root Protection Area (RPA) of the Trees. The Statement sets out the tree protection methods, construction techniques and working practices that can be applied to ensure the trees are retained and effectively protected.
13. Paragraph P1.1 of the Arboricultural Method Statement states that an onsite meeting will be held, if required, with all relevant parties including the developer, appointed arboricultural supervisor and LPA representative to record site features including tree condition, agree any works, location of storage and location of tree barriers.
14. An underground root barrier will be inserted on the tree side of the proposed access road. The applicant has highlighted the distance between the edge of the footway and the canopy of the trees in a number of places. These distances range from 1.2m to 3.7m. Examples of the root protection barrier

have also been supplied, with further details able to be secured under conditions 6 and 7 as proposed by officers.

15. The Landscape and Ecology Officer has reviewed the additional information submitted by the applicant but remains concerned that the tree belt may be compromised by the development. As such her comments, as set out in the first committee report, remain valid.

Clarification on the purpose for Condition 21

16. The Committee raised a concern that in the event that the ghost right hand turn was not completed to an acceptable standard that this would lead to a sub-standard, and potential unsafe, connection to the access road that is the subject of this application. A query was also raised regarding the nature and purpose of condition 21. As drafted condition 21 states:

Before the access is first used visibility splays shall be provided as shown on Drawing Nos 215-E-201 Rev D & 215-E-200 Rev D 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.

Reason: To ensure vehicles exiting the access have sufficient visibility to enter the public highway safely and vehicles on the public highway have sufficient warning of a vehicle emerging to take avoiding action in the interests of road safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

17. The purpose of the condition is to ensure that the necessary visibility splays within the curvature of the access road are maintained. Future phases of development will not be accepted if they compromise these splays in any way. Reference to the 'public highway' is made in the reason for the condition as it is the intention of the applicant to offer up the access road for adoption by SCC Highways. In any event, the use of the road by traffic renders it a 'public highway' for planning purposes.

18. In order to avoid any confusion officers propose to amend the wording of the condition reason as follows:

Reason: To ensure vehicles using the access road have sufficient visibility to enter and exit the road and safely traverse the road in connection with all future phases of development, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

19. Officers are in discussions with SCC Highways in relation to whether it is possible to prevent the use of the access road until the ghost right turn has been completed to an acceptable standard. A further update on this point will be given to the Committee at the meeting.

Recommendation:

20. It is recommended that planning permission be **APPROVED** subject to the conditions set out in the Committee Report at Working Paper 1, with the reason attached to condition 21 amended as per paragraph 18 above.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/19/1146/FUL](#)