

Development Control Committee

28 April 2021

Planning Application DC/20/1849/FUL – Boyton Hall, Anne Sucklings Lane, Little Wrating

Date registered: 16 November 2020 **Expiry date:** Extension of time to 30 April requested

Case officer: Penny Mills **Recommendation:** Refuse

Parish: Haverhill Town Council **Ward:** Haverhill North

Proposal: Planning application - a. Sixty-six bed care home for the elderly including car park, bicycle, refuse and garden stores b. new vehicular and pedestrian access onto Anne Suckling Road (following demolition of existing house)

Site: Boyton Hall, Anne Suckling Lane, Little Wrating

Applicant: Mrs Maidment/LNT Care Developments

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:

1. This application has been referred to the Development Control Committee following a call-in request from one of the local Ward Members (Councillor Joe Mason).

Proposal:

2. The application seeks full planning permission for the construction of a 66 bedroom three-storey care home with associated parking and access following the demolition of Boyton Hall.

Application supporting material:

3. The supporting plans and documents are set out below:

Document/Plan	Reference	Date Received
Application Form		22.10.2020
Heritage Statement		02.03.2021
Planning Statement		02.03.2021
Design and Access Statement	Rev A	02.03.2021
Energy Statement		22.10.2020
Arboricultural Impact Assessment	15249-C/AJB	02.03.2021
Land Contamination Assessment		22.10.2020
Flood Risk		22.10.2020
Landscape Strategy	Rev A	02.03.2021
Drainage – Pre Planning Report		22.10.2020
Drainage Calculations		18.12.2020
Biodiversity Survey	Preliminary Ecological Appraisal	23.10.2020
Biodiversity Survey	Ecological Impact Assessment	11.11.2020
Environmental Report		08.12.2020
Geoenvironmental Appraisal		08.12.2020
SUDs Proforma		10.11.2020
Drainage Strategy	BHHH-BSP-22-00-DR-C-SK240-P02	18.12.2020
Ecology Statement	MKA Ecology	08.03.2021
Drainage Strategy	SK240 REV. P06	02.03.2021
Travel Plan		02.03.2021
External Lighting Scheme	E104A	02.03.2021
Site Location Plan	CB97TA-A-01 REV B	16.11.2020
Vehicle Tracking Plan	CB97TA-A-07-A	02.03.2021
Tree Removal Plan	CB97TA-I-14-A	02.03.2021
3D Visual	CB97TA-A-06.2-A	02.03.2021
3D Visual	CB97TA-A-06.1-A	02.03.2021
3D Visual	CB97TA-A-06-A	02.03.2021
Topographical Survey	CB97TA-A-02	22.10.2020

Proposed Block Plan	CB97TA-A-03-A	02.03.2021
Proposed Floor Plans	CB97TA-A-04 -A	02.03.2021
Proposed Elevations	CB97TA-A-05-A	02.03.2021
Summer Solar Study		02.03.2021
Winter Solar Study		02.03.2021

Site details:

4. The application site is located on the northern side of Ann Suckling Road within the housing settlement boundary for Haverhill. The site is approximately 2.77 hectares and comprises the residential dwelling known as Boyton Hall and its associated garden land. Boyton Hall is set back around 60 metres from the highway.
5. The site is surrounded by residential development, including new dwellings within the north west Haverhill strategic development to the north east, existing dwellings accessed from Ann Suckling Road to the east and west and dwellings which are under construction to the north. There is an approved access road from Ann Suckling Road which runs along the western side of the application site.
6. The site contains a number of trees and hedges including trees covered by tree preservation orders as well as an area of protected woodland. The listed building Chapel Farm Cottage lies approximately 100 metres to the west of the site.

Planning history:

7. The relevant planning history for the site is set out below:

Reference	Proposal	Status	Decision date
E/80/1621/P	ERERCTION OF GARAGE AND SHEDS	Application Granted	3 April 1980
E/78/1492/P	ERECTION OF EXTENSION AND ALTERATIONS	Application Granted	13 April 1978
E/77/1559/P	RESIDENTIAL DEVELOPMENT INCLUDING THREE SHOPS AND ONE PUBLIC HOUSE	Application Withdrawn	10 August 1979
E/76/3104/P	HOTEL AND ACCESS	Application Granted	17 February 1977

Consultations:

8. Amended/additional plans and documents have been submitted during the course of the application and a full reconsultation has been carried out.
9. The consultation responses set out below are a summary of the latest response received. Full copies of consultation responses are available to view online through the Council's public access system

https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QIM043_PDG3W00

10. Suffolk County Council is abbreviated to SCC in the consultation responses set out below.

SCC Highways

11. Highways Authority recommends that permission be refused.

12. Further to our previous comments we note that no additional details have been provided and the application is now due for determination, therefore this response is based on the information currently submitted (N.B. Our response refers to Anne Suckling Lane U6740, however we are aware it may also be known locally as Ann Suckling Road).

13. Parking

- We note that we have been made aware of an error in our previous parking space calculations. The application is proposing a total of 34 spaces not 40.
- We note the applicant claims in the revised planning letter of 2nd March that there will be 14 FTE staff, however the Design and Access Statement (Feb 2021 Rev A) Table 1 shows 24 staff per day shift. As we previously explained it is difficult to assess FTE staff for a Care Home operating 24 hours a day and we accept the total 24 day shift staff as the FTE. We do not accept the 14 FTE staff as quoted in the revised letter of March 2021 as this is not evidenced and appears contrary to the Design and Access Statement.
- Based on this, the recommendations in the Suffolk Guidance Parking 2019 would be for 46 vehicle parking spaces. The proposed 34 parking spaces would lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety.
- This application does not include suitable cycle storage for staff and visitors.

Therefore, we would recommend a minimum of 40 parking spaces with very good cycle store facilities and the promotion of sustainable travel modes for staff and visitors.

14. Access

- As we have previously noted the application proposes connecting to the highway - Anne Suckling Lane - via a private access consented as part of a different planning application, DC/18/1498. We advise that the widths illustrated on drawing CB9 7TA - A-03-A appear to differ from those approved with DC/18/1498. DC/18/1498 is consented to have a 5.5m access for the first 10m only then reducing to 4.8m.
- This application (DC/20/1849) would need a 5.5m carriageway width to continue from Anne Suckling Lane to the access into the Care Home to accommodate the increased vehicle movements and vehicle types associated with this application.
- The visibility from the Care Home access will need to be to Manual for Streets recommendations. We advise that to achieve this visibility to the right (toward to development approved with DC/18/1498) the

- proposed trees and hedges are likely to be in the visibility splay. We also advise that car park spaces 1 and 6 may obstruct the visibility.
- The applicant has not provided any visibility splay information.

Therefore, if the access was constructed to these drawings there is a high risk of a severe impact on the safety of all users and we recommend the access designs should be revised accordingly.

15. There appears to be some confusion with the status of the access consented with DC/18/149. We confirm that this access was consented on the basis that it is to be a privately maintained road. We acknowledge that the developer has approached the highway authority to offer the road for adoption. A request for highway adoption is not a guarantee of eventual highway adoption and for the purposes of this application (DC/20/1849) it must be assumed the access will remain a privately maintained access.
16. Conditions were recommended should the local planning authority be minded to approve the application.

SCC Lead Local Flood Authority

17. Holding objection removed. Recommend approval of the application subject to conditions to secure the following:
 - Implementation of the submitted drainage strategy
 - Details of the sustainable drainage systems components and pipe networks to be submitted for inclusion on the Flood Risk Asset Register
 - Details of a construction surface water management plan
 - Informatives relating to the flood risk asset register, construction surface water management guidance and other relevant legislation.

SCC Archaeology

18. No objection subject to conditions.
19. Advised the site is in an area of high archaeological potential and recommended conditions to ensure preservation in situ of important heritage assets and recording of findings.

West Suffolk Conservation Officer

20. No objections.
21. Advised the proposed development will not adversely affect the setting of the nearby listed building Chapel Farm Cottage
22. In response to the original submission and based on the limited information provided Boyton Hall had been identified as a non-designated heritage asset. Further information has been submitted by the applicant and having considered the content of the additional information the conservation officer advises that the building no longer meets the criteria to be identified as a non-designated heritage asset.
23. The conservation officer's reassessment is copied below:

Reassessment of Boyton Hall – following receipt of additional information

- Age - based on the information submitted as part of the original submission the estimated date of the building was late 19th century. Appendix 2 of the recent Heritage Statement indicates Boyton Hall existed in 1904. Further maps indicate it did not exist in 1886 or 1893. The date of the building is therefore somewhere between 1893 – 1904. The building dates from between Late 19th century early 20th century.
- Rarity – the additional information illustrates the building has changed notably since construction removing key features. Whilst there may be few examples within the locality I believe its significance has been reduced due to the changes.
- Aesthetic value - Architectural and artistic interest - additional information confirms notable changes to the principal elevation have been undertaken and whilst the building as it exists today is not unattractive the changes have resulted in the removal of key features which have as a result significantly reduced the architectural and historic interest of the building as a non designated heritage asset. The most notable changes are indicated within the photos and include the following:
 - The removal of faux timber framing to the two storey bay and gable end;
 - removal and infilling of the decorative balcony at first floor level;
 - removal of decorative detailing to ground floor open porch

All of the above have altered its appearance considerably to the extent its aesthetic/architectural and artistic interest is reduced.

- Group value – comments remain unchanged - the building appears to sit in isolation and it would appear it is not within sight of other historic buildings contributing towards group value.
- Historic Association - not known at the time of writing - comments remain unchanged.
- Archaeological interest – defer to Suffolk County Council for advice - comments remain unchanged
- Landmark status – not applicable - comments remain unchanged
- Social and communal value - The Heritage Statement advises Boyton Hall was the home of Mr Fred Taylor former owner of the flour mill in the pightle subsequently sold in 1915 to Hovis Bread and Flour Company. Whilst it might have been argued the flour mill held social and communal value not least as it provided employment for the area, it would be inappropriate to attribute the same value to the Boyton Hall just because it housed the former owner of the flour mill.

Whilst Boyton Hall is not an unattractive building, based on the information provided I no longer believe the building meets the criteria to be identified as a non-designated heritage asset.

West Suffolk Public Health and Housing

- 24.No objection subject to the use of conditions.
- 25.Comments provided in respect of lighting following submission of external lighting design. Advised that additional information with regard to the proposed lighting design, including the submission of lux calculations at the boundary of the site, should be submitted for approval. The local authority can then be confident that the external lighting installations at the care home, including within the car parking areas and grounds, will not adversely impact on existing residential occupiers in the vicinity.

Recommended conditions

- Noise relating to fixed plan and machinery
- Control of odours
- Commercial delivery times
- Restriction on external lighting
- Hours of demolition
- Construction method statement

West Suffolk Strategic Housing

- 26.Advised affordable housing would not be required if this is a C2 use.
- 27.Planning Officer comment - Use Class C2 covers residential institutions, which would include use for the provision of residential accommodation and care to people in need of care. The proposed Care home is considered to fall within this use class.
- 28.Note that whilst the NPPF seeks to deliver a wide choice of high-quality homes including provision for older people, we would welcome local evidence of need to support a care scheme in Haverhill due to the fact that the North East Haverhill application has a parcel allocated for a care home which may impact on the overall need within Haverhill.

West Suffolk Environment Officer

- 29.No objections subject to conditions
- Satisfied that the risk from contaminated land is low. Advice notes recommended.
 - Electric vehicle charging to be secured by condition

West Suffolk Waste Services

- 30.Advised that the bin store is in a location that does not have vehicular access and should be positioned close to the access road to minimise the distances that bins are wheeled.
- 31.The current proposed layout would not allow an RCV access to collect waste from the premises due to a conflict with the proposed retaining wall.

West Suffolk Tree Officer

32. Concerns raised in consultation responses dated 15 January and 14 April summarised below:

- There is likely to be a significant detrimental arboricultural impact and this should be considered against the relevant development management policies, particularly DM12 and DM13.
- A considerable number of trees are proposed to be removed. Given the scale of development on the site, it is not clear how appropriate mitigation planting could be secured, both from the resultant negative impact on the landscape and the impact on biodiversity.
- There are several aspects of the proposal that will equate to harm to retained trees. Of most concern is the likely impact to the Horse chestnut (T1) which is a landscape feature, and one of the few fine mature specimens in the immediate surroundings. The feasibility of the tree's short and long term retention is not thought to have been sufficiently demonstrated, and I would suggest that this is contrary to Policy DM13 'Landscape Features - Development will be permitted where it will not have an unacceptable adverse impact on the character of the landscape, landscape features, wildlife, or amenity value'

Suffolk Wildlife Trust

33. Holding objection removed in respect of bats and dormice but remaining concerns regarding biodiversity.

- We have read the ecology letter statement (MKA Ecology, March 2021) and we are satisfied with the findings of the consultant regarding bats and dormice.
- We still believe the development fails to deliver biodiversity net gain in accordance with National Planning Policy Framework (section 174) (2019) and St Edmundsbury Local Plan Policy CS2. We note there has been a change in landscape proposals, but this has resulted in the development keeping a section of leylandii in an area that had previously been set aside for native hedgerow planting. As leylandii provides less benefits to biodiversity than a mixed species, native hedgerow, then we believe that the new proposals do not deliver biodiversity net gain. As demonstrated in our previous comments, we believe that a substantial amount of habitat of value to wildlife, including trees, grassland and hedgerows, are to be lost to facilitate the development.
- We do not feel the proposals demonstrate measures to compensate for this and so do not constitute biodiversity net gain. Therefore, the proposals will need to be amended to demonstrate measures that will achieve biodiversity net gain, including planting specifications to outline what species will be used in replacement tree and hedgerow planting.

Ecology comments

34. Holding objection removed- subject to securing biodiversity mitigation and enhancement measures. Conditions recommended.

35. Place Services Ecology has reviewed the Preliminary Ecological Appraisal and Preliminary Roost Assessment (PEA and PRA) (MKA Ecology, March 2020), the Ecological Impact Assessment (MKA Ecology, Nov 2020) and the Ecology Letter Statement (MKA Ecology, March 2021) relating to the likely impacts of development on designated sites, protected and Priority species & habitats.

36. Advise that there is now sufficient ecological information for the local planning authority to determine the application.

37. The submitted information provides certainty in terms of the likely impacts on Protected and Priority species and habitats and with appropriate mitigation measures secured it has been demonstrated that the development can be made acceptable.

Conditions recommended to secure the following:

- Mitigation and enhancement measures
- Submission of EPS licence for bats
- Environmental Management Plan
- Biodiversity enhancement strategy
- Landscape and Ecology Management Plan
- Wildlife sensitive lighting scheme

Anglian Water

38. Comments and recommended conditions summarised below:

- Requested informative regarding Anglian Water Assets
- Advised capacity issue with the Haverhill Water Recycling Centre. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
- Advised on method for developer to seek connection to sewerage network.
- Recommended condition regarding surface water drainage and surface water hierarchy.

Design Out Crime

39. Comments summarised below

- Parking area lacks surveillance.
- Parking area could be used by people who are not staff or visitors and consideration should be given to some form of access control.
- The building design has lots of recessed areas and a flat roof area. Recessed areas can off the potential for hiding areas and restrict surveillance. It is better to reduce the number of these areas.
- The flat roof area should not be easy to access through climbing aides such as drain pipes or bins/garden furniture positioned close by or easily accessible from the ground level.
- There is an air-lock area into the main reception area which should be appropriately accessed controlled. The lifts should also be accessed control to ensure that only authorised visitors/staff are able to use them, this also should be applied to the ground floor restaurant day

- room area and the main corridor that allows access to the stairs and living quarters.
- The close board fencing shown on the plans should be 1.5 m close board at the rear with 300 mm trellis topping and defensive planting positioned on the inside of it and where metal hoop top railings are used to secure the rear garden areas this should be 1.8 m high. All garden gates must be access controlled and spring closing to ensure that only residents and visitors can use them.
 - Any walls that have railings situated on the top should not provide an easy footing onto so that the railings could be climbed over. A defensive hedge of a 1 m wide but not more than 1 m high should be planted on the inside of any railing fencing.
 - The Landscaping strategy refers to using a native hedgerow along the parking boundaries to soften the view from the access road and to provide a screening for the vehicles within the car park. This could restrict surveillance into the area and hide offenders and should ensure that it doesn't allow for either.

SCC Fire and rescue

40. Condition requiring fire hydrants requested and advised consideration to the use of sprinklers advised

SCC Infrastructure Officer

41. Requested contribution of £5,940 to support improved services and outreach at Haverhill Library.

West Suffolk NHS Clinical Commissioning Group

42. Identified the development would impact on the primary healthcare provision in the area
43. A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £16,500.00 Payment should be made before the development commences.
44. West Suffolk CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

Representations:

Town Council

45. Initial objection which was reaffirmed following reconsultation. Concerns summarised below.

Residential Amenity and Street Scene

- The development is an overdevelopment of the site and would overshadow surrounding properties to the detriment of residential amenity.

- The appearance of the three-storey building is out of character with neighbouring existing properties.

Parking

- The parking provision is inadequate, well under what is needed and does not take into account deliveries, care giving services and visitor parking.

Highway issues

- The traffic generated by this development would adversely impact on Anne Suckling Road and add to existing parking and traffic issues. This would also have a negative cumulative effect on the A143. Current data taken from a VAS shows that current traffic volume on Wratting Road is close to the 2035 suggested volume of traffic. At peak times the volume of traffic along Wratting Road causes congestion and queues for traffic exiting from Anne Suckling Road. A traffic survey must be undertaken.
- Access to the site is inadequate and request that alternatives to entering and exiting the site are looked at.

Infrastructure

- Design and Access statement states that '1.5 The site has good accessibility to public transport, amenities and local services. The surrounding area has seen a significant amount of development recently, detailed within the report'.
- Local amenities are a car drive away in the Town Centre and there is no provision for access to public transport, there is no bus stop near the development.
- North West Haverhill had seeing a huge growth of residential developments and the addition of a care home would add to an already struggling GP and NHS service in Haverhill.

Landscaping

- There is no benefit to the environment from landscaping on this site. The loss of trees and hedges will have a detrimental effect on the habitat for nature and biodiversity.
- There is no provision of hedges or trees for screening to the front of the building facing Anne Suckling Road.

Design Statement

- Policy CS3 Design and Local Distinctiveness 4.23 This policy identifies the need for new development to create and contribute to a high quality, safe and sustainable environment. Proposals are required to address heritage and conservation, protection of landscape and historic views and have an understanding of local context. It is considered that the scheme adheres to the requirements of this policy.
- The Town Council do not agree that this proposal adheres to Policy CS3.

Other

- The planning application requires a heritage statement by a suitably qualified person as the application proposes to demolish a large Victorian Hall dated between 1891-1902.

- Significant harm will be caused to the character and setting of Chapel Farm Cottage which is listed Grade II. The masterplan for North/West Haverhill said the setting of Chapel Farm Cottage would be protected.
- As Haverhill expands, we must respect older buildings that sit in the path of expansion as they play an important role in our history. We would like to emphasize the positive benefits to the sense of place and wellbeing of the residents from retaining some elements of the historic background within a developing urban landscape.
- Boyton Hall is likely to be a 'Non designated heritage asset'. The National Planning Policy Framework demands that such assets are assessed for their significance before alteration or demolition, and to assess the degree of harm to the asset posed by the application. In this case the degree of harm is total destruction.

Ward Member, Councillor Joe Mason.

46.Called application in to Development Control Committee and made the following comments:

I do not believe the proposed development and the proposed plans are suitable for this location for the following reasons.

Loss of Heritage and impact on nearby buildings. Haverhill has few local landmarks and whilst Boyton Hall may not be listed, it is a local landmark and one which would be a material loss to Haverhill if demolished.

Building to the West of the proposed site are not shown on the plans and will be severely impacted upon a three storey development so close in proximity. It is interesting to note that no visualisations are presented to show the impact of the proposed site on these buildings. Grade II listed Chapel Farm Cottage and buildings must not be adversely affected by new developments and respect be given to the historical value of this site.

Design. Justification for scale has been based on planning submitted by Persimmon for the proposed Gateway complex in 2B. This planning has not been approved and so this justification is speculative at best and does not mitigate concerns on the impact this building will have on building in close proximity to the site.

Environmental. The proposed site is not suitable for this type of development. The natural habitat will be too adversely affected and ecological diversity lost. There are too many important trees identified for removal. This plot is suitable for residential but the proposed site is far too extensive to fit on this land without adverse impact on the environment leading to a material loss of ecology. There is still insufficient screening from Ann Suckling Road to mask the size and scope of the development.

Infrastructure & Parking. The improved plans indicate more spaces than shown on the original plans, but the site is unsuitable for this sort of development due to the high likelihood of visitors using cars. The Travel plan places significance on the locality of the town centre being walking distance away and wanting to move away from people using cars. This narrative is convenient due to the limited space available on the site for parking. For many people the relatively steep elevation of Wratting Road, means that most visitors will use the car as opposed to travelling by foot.

There is a significant risk that this site will lead to visitors parking on Anne Suckling Road as there will be no available free spaces.
Boyton Hall Estate is residential and the significant increase of traffic and disturbance this development will bring makes this site location inappropriate.

Public representations:

47.44 nearby addresses were notified and site notices were posted.
Representations received from 17 addresses. Full comments available online.

Comments in support summarised below:

- The building of care homes is important and necessary - expressed general support for the principle of a care home.
- With a suitable tree and shrub planting scheme the street view as currently shown on the plans would be a considerable improvement when compared to the existing overgrown mainly Leylandii hedging.

The concerns and objections summarised below:

Character and appearance

- Three story building would be too imposing in an existing housing area where no domestic dwelling is more than two storeys high.
- Out of place in the environment. Locally, other care homes are only 2 storeys and integrate better with their surroundings.
- This very large building will be out of scale to this area and overshadow dwellings in an unacceptable way.
- No attempt has been made to fit in with the surroundings.
- Height is exacerbated by the fact the site is elevated from surroundings
- This proposal would accelerate the loss of dark night skies that are so characteristic of the landscape.
- Use of smooth grey tiles is out of character

Residential amenity:

- Three storey building would introduce overlooking to the private gardens at Boyton Woods, Boyton Meadows, Boyton Close, and Chapel Farm.
- Increase in noise
- Plans should be updated to show the surrounding properties with distances to boundaries, with regard to daylight/sunlight. The covering letter of LNT suggests that this is evidenced but it is not completed within the documentation supplied. We would request that this is also updated to include impact of night time lighting.
- The building will directly block daylight and sunlight from our home (1 Boyton Woods) on both ground and first floors.
- Adverse impact on outlook from the Willows. Request that consideration will be given to ensure adequate hedging is provided to help screen and soften our view from The Willows. In addition suitable planting would help screen the residents from looking out onto The Willows.
- The proposal would demonstrably harm the amenities enjoyed by local residents, in particular safe and available on-road parking, valuable

green space, privacy and the right to enjoy a quiet and safe residential environment.

- Light pollution from the car park will impact on amenity of 1 Boyton Wood.
- The assumptions within the transport statement are incorrect.
- The start of Ann Suckling Road (with Wratting Road) has many cars parked and the access onto and off of the road is already quite dangerous. Increased traffic would be a big problem.
- Query if there could there be an alternative access to the site through the land to the north.
- 24 parking spaces is insufficient and fall short of the parking standards.
- Concern over increase in traffic.

Heritage impacts:

- The demolition of the existing building ,important to the town's heritage.
- This will significantly alter the backdrop of Chapel Farm Cottages, which is a listed building.

Trees and ecology:

- This whole area has already suffered enough from the removal of trees/bushes/hedgerows
- There are trees partly shielding the site which should be retained.
- Removal of natural habitat.
- The parking area will destroy the orchid lawn identified in the Biodiversity Survey. And due to the insufficient number of parking spaces provided, one can assume that cars will be parked on the small remainder of the meadow. The plans include no commitments from the developer to safeguard protected plants or animals
- The impact of the drainage strategy is not assessed in the arboricultural impact assessment. But the arboricultural impact assessment indicates ground level changes need to be reviewed and approved.
- Installation of close-boarded fencing would be contrary to the Boyton Woods Woodland Management Plan (WMP). (See planning application SE/13/0613).

Drainage:

- Drainage strategy BHHH-BSP-ZZ-00-DR-C-SK240 REV PO1 indicates run-off of surface water to east of site, towards Boyton Woods houses. As the soil consists of clay, run-off water will not be absorbed, but will run down-hill to the east. Although the drainage strategy mentions 'Proposed landscaping levels to be raised locally to prevent escape of flood water from site', this is not achievable in the wooded area as proposed without significant impact on the trees. The wood is covered by a TPO. The wood also conceals a ditch running east not drawn on the plan, which will take any run-off into the neighbouring housing estate (persimmon phase 1) on the east.

Accuracy of submitted information:

- The planning map is difficult to decipher as it is not up to date - the new road built from Ann Suckling Road to access the new (Clearwater) houses under construction on the land, is only partially shown and the houses are not shown at all.

- The access shown for the home is from an existing approved road for Boyton Meadows (DC/18/1498/FUL). The traffic statement totally ignores this new estate being built and is therefore incorrect.
- Application incorrectly represents the context of the development as it ignores impacts of previously approved applications in the immediate vicinity, relating to parking, traffic, and impact on neighbours.
- Contrary to the statement of community involvement in the Design and Access Statement, we have not received any information from the developer.
- We believe that the statement concerning the maximum staff on site at any one time to be incorrect. Day and night shifts are listed in (Design and Access Statement' document, section 6, Table 1) as starting and finishing at exactly the same time. Shifts will require a handover. This will necessitate that more than 24 members of staff are on site at these times.

Other issues

- Further demands on medical and care resources, already lacking in Haverhill.
- Concern with the concept of care homes being 3 storey for the elderly. Views for residents on the upper floors are very limited.
- Query how wide the notification of the building process is for this application.
- Concern that there are a number of other developments affecting the route into this site, yet applications to build do not seem to be considered discussed together.
- A building of this size would also be difficult to manage in an emergency. Difficulties with evacuations.
- Inadequate size of communal areas
- Adversely impact on human rights of neighbouring occupants with respect to article 8 that states that a person has the substantive right to respect for their private and family life.

Policy:

48.On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved St Edmundsbury Borough Council.

49.The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy 2010 & Vision 2031 have been taken into account in the consideration of this application:

Joint Development Management Policies Document 2015

- DM1 Presumption in Favour of Sustainable Development
- DM2 Creating Places Development Principles and Local Distinctiveness
- DM6 Flooding and Sustainable Drainage

- DM7 Sustainable Design and Construction
- DM11 Protected Species
- DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity
- DM13 Landscape Features
- DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
- DM16 Local Heritage Assets and Building Protected by an Article 4 Direction
- DM17 Listed Buildings
- DM20 Archaeology
- DM22 Residential Design
- DM23 Special Housing Need
- DM45 Transport Assessments and Travel Plans
- DM46 Parking Standards

Haverhill Vision 2031

- HV1 - Presumption in Favour of Sustainable Development

St Edmundsbury Core Strategy 2010

- CS1 - St Edmundsbury Spatial Strategy
- CS2 - Sustainable Development
- CS3 - Design and Local Distinctiveness

Other planning policy

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance

The NPPF was revised in February 2019 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2019 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

50. This section of the report begins with a summary of the main legal and legislative requirements before entering discussion about whether the proposed development can be considered acceptable in principle in the light of development plan policies. It then goes on to assess the detail of the development with regard to local and national policies, planning guidance and other relevant material planning considerations (including site specific considerations), before reaching conclusions on the suitability of the proposals.

Legal Context

Planning and Compulsory Purchase Act 2004 (as amended)

51. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The principle of development in relation to the Development Plan and the conformity of the proposals with key policies is discussed through the rest of this report.

The Conservation of Habitats and Species Regulations 2010

52. The local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by Regulation 61 of The Conservation of Habitats and Species Regulations 2010 (as amended).

53. The application site is not in close vicinity of any designated (European) sites of nature conservation and it is considered that the proposals are unlikely to give rise to significant effects on the conservation objectives of any designated sites. As such it is concluded that the requirements of Regulation 61 are not relevant to this proposal and appropriate assessment of the project is not be required.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations).

54. The application has been considered under Regulation 8 of the EIA Regulations and it was concluded that the development is not EIA Development and does not require the submission of an Environmental Statement.

Natural Environment and Rural Communities Act 2006

55. The Natural Environment and Rural Communities (NERC) Act (2006) Section 40(1) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity.

56. The duty applies to all local authorities and extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.

57. The potential impact of the application proposals upon biodiversity interests is discussed later in this report.

Equality Act 2010

58. Consideration has been given to the provisions of Section 149 of the Act (public sector equality duty) in the assessment of this application. The proposals do not raise any significant issues in this regard.

Crime and Disorder Act 1998

59. Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998 (impact of Council functions upon crime and disorder), in the assessment of this application. The proposals do not raise any significant issues in this regard.

Planning (Listed Buildings and Conservation Areas) Act 1990

60. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;

In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA)... ...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72(1) of the same Act states;

...with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

61. These statutory duties and the impact of the development is discussed under 'Heritage Impacts' later in this report.

Principle of the development

62. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The relevant parts of the West Suffolk Development Plan are the adopted Core Strategy, the Vision 2031 Area Action Plan for Haverhill and the adopted Joint Development Management Policies Document 2015.

63. The national planning policies set out in the NPPF and the online Planning Practice Guidance are also material considerations.

64. Policy DM23 of the Joint Development Management Policies Document states that proposals for new accommodation for elderly and/or vulnerable people, will be permitted on sites deemed appropriate for residential development by other policies contained within this and other adopted Local Plans, provided that such schemes meet the following criteria:

- a. the proposed development is designed to meet the specific needs of residents including requirements for disabled persons where appropriate; and
- b. includes appropriate amenity space for residents of an acceptable quantity and quality; and
- c. the location of the development is well served by public transport, community and retail facilities; and
- d. the proposed development does not create an over concentration of similar accommodation in any one street or area.

65.The application site is within the settlement boundary for Haverhill where residential development would be deemed appropriate in principle. The site includes appropriate amenity space and the location within the town is considered to offer appropriate public transport, community and retail facilities. There would also not be an over concentration of this type of development within the immediate area as a result of this proposal.

66.In light of the above, the development accords with the policy and is acceptable in principle.

67.Having considered the principle of the development, it is necessary to consider the detail of the proposals and the relationship to its surroundings, taking into account all relevant planning policies, identifying those areas that either accord or conflict with the plan. Any harm arising from the development must also be identified, along with relevant material considerations weighing in its favour. It is only once all factors have been weighed in the final planning balance that a decision can be made as to the acceptability or otherwise of the development.

Benefits of the development

68.The applicant has identified economic benefits associated with the development in terms of employment opportunities and investment in construction, which bring associated benefits to the local economy.

69.In terms of employment generation, the planning statement advises that between 40-50 full-time equivalent jobs would be created. These jobs would range from the Home Manager; a series of Care Workers; through to Catering and Domestic Assistants.

70.It is recognised that weight should be attributed to the contribution that new development can make to economic growth. Given the scale and nature of the development proposed it is considered that this carries considerable weight in favour of the scheme.

71.The Haverhill Vision 2031 states there is a growing elderly population in Haverhill. This development would increase the provision care accommodation in the area, and this is a further benefit weighing in favour of the scheme.

72.Both the NPPF and the PPG state that the needs of groups with specific housing requirements are to be addressed and advise that decision makers should take a positive approach to schemes that propose to address an identified unmet need. In this case there is no substantive evidence to suggest that there is currently an unmet need. Indeed, the council published a 5 Year Housing Land Supply report in September 2020, listing C2 schemes with planning permission. This illustrated that there are existing commitments for some 275 beds in the district.

73.In the absence of any further evidence to indicate that there is an unmet need in the area and given the current supply of this type of accommodation, the weight to be attached to the provision of an additional 66 bed care facility is reduced and is considered to weigh moderately in favour of the development.

Visual Amenity and impact on the character of the area

74. The NPPF stresses the importance the Government attaches to the design of the built environment, confirming good design as a key aspect of sustainable development. The Framework goes on to reinforce this by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The National Design Guide also emphasises the importance of good design, setting out how this can be achieved.
75. These design aspirations are reflected in policy CS3 of the Core Strategy and policy DM2 of the Joint Development Management Policies Document.
76. Policy DM2 sets out a number of development principles which development proposals should adhere to. In terms of the impact on visual amenity and the character and appearance of an area, points a, b, d and j of policy DM2 are most relevant. These are set out below:
- a)
Development should recognise and address the key features, characteristics, landscape/townscape character, local distinctiveness and special qualities of the area and/or building and, where necessary, prepare a landscape/townscape character appraisal to demonstrate this.
 - b)
Development should maintain or create a sense of place and/or local character, particularly restoring or enhancing localities where strong local characteristics are lacking or have been eroded.
 - d)
Development should not involve the loss of gardens and important open, green or landscaped areas which make a significant contribution to the character and appearance of a settlement.
 - j)
Development should produce designs that respect the character, scale, density and massing of the locality.
77. The development to the south of the site is characterised by modest two storey dwellings fronting onto cul-de-sacs accessed from Ann Suckling Road. These properties are for the most part separated from Ann Suckling Road by areas of soft landscaping containing trees and hedges.
78. The northern side of the road where the application site is located has a wider variety of building forms. Towards the western end of the road, dwellings are set back from the highway, and are generally less prominent in the streetscene. Where the road joins the A143 to the east there is a row of frontage development, with smaller two storey properties at the very east and larger detached dwellings further to the west closer to the application site.

79. Within this overall mixed character, the scale of development is predominantly two storey, with a smaller number of larger 2 ½ storey properties, including Boyton Hall; a building of architectural merit which makes a positive contribution to the character of the area.
80. Whilst new development has taken place along Ann Suckling Road and further growth is anticipated in the wider area, this part of Ann Suckling Road has retained something of a sylvan setting. Boyton Woods extends from the eastern part of the application site, towards the A143 to the east, behind the development on the northern side of the road. The other trees and hedgerows at the front of the application site within the garden land associated with Boyton Hall enhance this setting and make a significant positive contribution to the character of the area.
81. The proposed three storey care home would be far greater in scale than any of the other buildings in the area. Whilst it would be set some way back from the road, the L shaped building would create lengthy elevations which would appear incongruous and overly dominant.
82. The building scale and design is informed by the operational needs of the care home and to meet the requirements of the Care Standards Act, allowing less scope for reflecting local distinctiveness in the architectural approach. The applicant has endeavoured to incorporate some of the design features apparent in the surrounding area, with the use of red brick and render and hanging tile detailing and asserts that the design is of a scale and intensity which would sit comfortably within the site and its surroundings. This assessment is not shared by officers and it is considered that the development would appear as an alien and intrusive form of development in the locality.
83. It is considered that the development would have a significant adverse effect on the character of the area, and that this effect would be exacerbated by the loss of garden and associated landscape features and through the demolition of the existing building, both of which currently make a positive contribution to the character of the area.
84. In light of the above, the application would be contrary to policy CS3 of the Core Strategy and to points a, b, d, and j of policy DM2 of the Joint Development Management Policies document.
85. Given the degree of harm identified in terms of the impact on the character of the area, it is considered that this carries significant weight against the proposal.

Trees and landscape

86. There are a number of trees currently on the site, some of which are covered by tree preservation orders. Collectively, these trees contribute to the landscape setting of Ann Suckling Road and are an important part of its character.
87. Policy DM13 of the Joint Development Management Policies Document seeks to prevent unacceptable adverse impacts on the character of the landscape and landscape features.

- 88.The scheme has been revised and the removal of the coniferous tree line to the front of the site is no longer proposed. However, other existing trees including a group of Silver Birch to the front of the site would still be removed. These trees currently make an important contribution to the character of the area and it is considered that their loss would have an unacceptable adverse impact contrary to policy DM13. Given the given the scale of development on the site, it is considered that it would not be possible to secure replacement planting that would mitigate this negative impact.
- 89.Turning to the trees that are indicated to be retained, the Tree Officer has advised that there are outstanding matters of concern relating to both direct impacts (installation of hard surfaces within root protection area (RPA), installation of underground apparatus within RPAs and raising of soil levels) and indirect impacts (shading and seasonal nuisance).
- 90.The Aboricultural Impact Assessment (AIA) and drainage strategy show several incursions in the RPA of retained trees. Whilst mitigation measures have been recommended in the AIA, the Tree Officer has highlighted that the following factors do not appear to have demonstrated: justification for encroachment in the RPA; the tolerance of the affected trees to the disturbance; and compensatory measures for said encroachment. This also applies to the proposed soil bunding.
- 91.Root pruning is shown to be necessary in the RPA of the large mature Horse chestnut (T1 on plan) and again the Tree Officer has advised that the justification for RPA encroachment and the likely impact does not appear to have been sufficiently demonstrated.
- 92.A daylight/sunlight assessment has been submitted for the retained trees in relation to the main building, although there is no quantitative data or commentary to demonstrate that habitable rooms will receive an adequate level of daylight. At present, the Tree Officer has advised that it has not been sufficiently demonstrated that the proposed layout, when considered in conjunction with retained trees, represents adequate daylight/sunlight that would avoid future pressure for harmful tree works or felling. This potential impact is magnified by the fact the internal layout is such that rooms on the western elevation are served by a single window.
- 93.The tree officer has also flagged up a potential conflict between the retained Horse chestnut tree (T1) and the proposed footpath running under its crown which would likely to present a hazard in terms of slips, trips and falls, not only from typical detritus but also from a significant shedding of fruit (conkers) in the autumn.
- 94.Overall, it is considered that there are several aspects of the proposal that will equate to harm to retained trees. The Tree Officer has particularly highlighted the concern over the likely impact to the Horse chestnut (T1) which is a landscape feature, and one of the few fine mature specimens in the immediate surroundings. The feasibility of the tree's short- and long-term retention is not thought to have been sufficiently demonstrated, and it is anticipated that it is likely to be subject to significant post development resentment pressure, which would jeopardise its long-term retention. This would be contrary to Policy DM13 which states that

development will be permitted where it will not have an unacceptable adverse impact on landscape features.

95. Taken together it is considered that the loss of trees and the harm to retained trees would amount to a significant adverse effect of the development, which carries substantial weight against the development in the planning balance.

Residential Amenity

96. The protection of residential amenity is a key component of good design and the NPPF states that good planning should contribute positively to making places better for people. Policy DM2 of the Joint Development Management Policies Document also seeks to safeguard residential amenity from potentially adverse effects of new development.

97. There are a number of existing residential dwellings surrounding the site, including a new development under construction to the north. The neighbouring properties that would be most likely to be affected would be 1 Boyton Woods to the east, which fronts onto Ann Suckling Road, the Willows to the west which is set back from the highway, and the new dwellings currently under construction to the north. Properties in the new development in Claydon Court to the north east would be less likely to be affected due to the intervening woodland and properties further to the west and south would be less likely to be affected due to the separation distances.

98. The new care home is set within a generous sized plot allowing for separation from the neighbouring properties. However, given the scale and mass of the building it is considered that it would still result in an impact on the outlook from the neighbouring properties the Willows and 1 Boyton Woods.

99. 1 Boyton Woods is the first in a row of relatively large, detached properties fronting on to Ann Suckling Road to the east of the application site. This property currently enjoys a high degree of privacy, particularly in the amenity space immediately to the west of the house, which includes a private balcony/terrace area.

100. There are no adopted standards that specify appropriate separation distances in a case such as this. However, given the scale of the building, which would result in a long elevation with numerous window openings, many of which would be at an elevated level, it is considered that there would be an adverse effect on the amenity this property, with a marked increase in actual and perceived of overlooking. Due to the nature of the proposed layout and the position of the existing woodland there would be less landscape buffering between the building and this neighbour.

101. The Willows is located to the west of the development and looks towards the site, with the private amenity space for the dwelling positioned to the rear. Therefore, whilst this dwelling would be closer to the new building, there would be less impact on the level of private amenity they currently enjoy. There would however be a significant change in the outlook from the property.

102. It is not the role of the planning system to protect private views. However, where a development would interfere with the outlook, to the extent that the building would appear unduly intrusive and oppressive, this is an important and legitimate consideration.
103. It is considered that in this case, given the size of the building and the degree of change from current situation, the development would have an oppressive impact on the outlook from the neighbouring properties The Willows and 1 Boyton Woods such that there would be an adverse effect on the level of amenity they currently enjoy.
104. The intensity of the use of the site would increase as a result of the development with increased noise and disturbance from the parking areas. There would also be a change in the nocturnal environment through the introduction of lighting. The Public Health and Housing Officer has reviewed the proposals and has recommended conditions relating to lighting, delivery times and odours. It is considered that impacts on amenity relating to these aspects of the development could be adequately controlled by conditions.
105. Overall, it is concluded that the proposal would result in some harm on the living conditions of occupiers of neighbouring homes, with particular regard to levels of privacy and outlook.
106. Policy DM2 of the Joint Development Management Policies Document states proposals should not adversely affect residential amenities of adjacent areas.
107. In view of the identified harm, the proposal would give rise to some conflict with this policy. Given the nature and level of harm and taking into account the degree of separation, moderate weight is afforded to this.

Highways and site layout

108. The NPPF promotes all forms of sustainable transport, advising that development should provide for high quality walking and cycling networks. It goes on to advise that development should not be prevented or refused on transport grounds, unless there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.
109. Policy DM2 of the Joint Development Management Policies Document also requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network and policy DM46 confirms that the authority will seek to reduce over-reliance on the car and promote more sustainable forms of transport.
110. A Transport Statement has been provided with the application. This sets out the likely transport impacts but does not provide any traffic survey information. The local highway authority does not object to this approach in this case.
111. The Suffolk Guidance for Parking 2019 recommends 1 parking space per full time equivalent (FTE) staff and 1 space per 3 beds for visitors. It is accepted that it is difficult to assess FTE staff for a Care Home operating

24 hours. The Design and Access Statement (Feb 2021 Rev A, Table 1) shows 24 staff per day shift and the highway authority accepted this 24 day shift staff number as the FTE.

112. The Highways Officer has noted that in the revised planning letter of 2nd March it states that there will be 14 FTE staff. However, this is not evidenced and appears contrary to the Design and Access Statement.
113. Based on the advice of the Highway Officer and the adopted parking guidance, the recommendation would be for 46 vehicle parking spaces. In this case, the highways authority had accepted that a lower figure of 40 could be tolerated if there were good cycle store facilities and the promotion of sustainable travel modes for staff and visitors.
114. The Highways Officer has advised that the application does currently not include suitable cycle storage for staff and visitors. They further advise that the proposed 34 parking spaces would lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety.
115. The application proposed that development would be served via a recently approved access serving a development to the north for 38 dwellings, which is under construction. As part of this access a new footpath will extend to Ann Suckling Road and a pedestrian crossing will be provided allowing for a safe pedestrian connection to the site.
116. The Highways Officer has commented on this arrangement and has highlighted that there appears to be some confusion with the status of the access consented with DC/18/149. Highways has confirmed that this access was consented on the basis that its was to be a privately maintained road. The developer of the adjacent site has now approached the highway authority to offer the road for adoption. However, a request for highway adoption is not a guarantee of eventual highway adoption and they have advised that for the purposes of this application (DC/20/1849) it must be assumed the access will remain a privately maintained access.
117. The widths illustrated on drawing CB9 7TA - A-03-A with this application appear to differ from those approved with DC/18/1498. DC/18/1498 is consented to have a 5.5m access for the first 10m only then reducing to 4.8m. This application shows the width as 5 metres at the point where the access into the care home site would be.
118. Highways has confirmed that this application (DC/20/1849) requires a 5.5m carriageway width to continue from Anne Suckling Road to the access into the care home to accommodate the increased vehicle movements and vehicle types associated with this application. The visibility from the Care Home access will also need to be to Manual for Streets recommendations and highways advise that to achieve this visibility to the right (toward to development approved with DC/18/1498) the proposed trees and hedges are likely to be in the visibility splay. Car park spaces 1 and 6 may also obstruct the visibility.
119. If the access was constructed to these drawings, there is a high risk of a severe impact on the safety of all users, and they recommended that the access designs should be revised accordingly.

120. Public representations have raised concerns over the impact on the wider public highway with particular concern over the junction between Ann Suckling Road and the A143. The Transport Statement concludes that, given the proposed staff levels, shift patterns and resulting travel movements, together with the accessible nature of this site, it is not considered that the proposal will have any significant traffic impact. The local highway authority has reviewed this document and has raised no concerns regarding highway safety or impacts on the wider highway network.
121. In light of the above it is considered that the current proposals show an insufficient level of car parking spaces and do not include suitable cycle storage for staff and visitors. In this context it is considered that the proposal would lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety.
122. In addition, the access is below the required 5.5 metres in width and it appears that the layout may conflict with the required visibility splays. Highways has advised that this access arrangement introduces a risk of a severe impact on the safety of all users.
123. The development is therefore contrary to policy DM2 (I) and DM 46 of the Joint Development Management Policies Document as it fails to deliver a design in accordance with standards that maintains or enhances the safety of the highway network.
124. It is considered that this carries significant weight against the development.

Heritage Impacts.

125. Heritage assets encompass a wide range of features, both visible and buried, including archaeological remains, Listed Buildings and non-designated heritage assets.
126. The conservation of heritage assets is a core principle of the planning system (paragraph 17) upon which the NPPF places great weight as part of achieving sustainable development. The NPPF guidance is reflected in Development Plan Policies DM15 (listed buildings), DM16 (local Heritage Assets) DM17 (Conservation Areas) and DM20 (archaeology).
127. Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 requires the decision maker to have special regard to the desirability of preserving or enhancing a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the same Act requires the decision maker to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
128. The Haverhill Conservation Area is sufficiently distant from the application site to ensure that there would be no impacts associated with this development. As such policy DM17 of the Joint Development Management Policies Document 2015 is not relevant to the determination of this application.

129. The listed building Chapel Farm Cottage is located to the west of the application site. The Conservation Officer has looked at the proposal with regards to potential impact on the setting of this building.
130. Chapel Farm Cottage is separated by existing intervening development and when viewed from the east, Chapel Farm Cottage does not benefit from an uninterrupted setting with wide open views which enable its significance to be appreciated.
131. The Conservation Officer has advised that the proposed development does not appear to affect any planned views of or from the heritage asset which either contribute towards its significance or enable its significance to be appreciated. Similarly, it would appear the proposed development will not interfere with any intended/planned intervisibility between Chapel Farm Cottage and any other built heritage assets. As such, the Conservation Officer has advised that they are satisfied that the proposed development will not adversely affect the significance of Chapel Farm Cottage or how the asset is appreciated. The development therefore accords with policy DM15 of the Joint Development Management Policies Document.
132. In terms of archaeology, the Suffolk Archaeological Service has advised that the site is in an area of high archaeological potential and have recommended conditions to ensure preservation in situ of important heritage assets and recording of findings. The development therefore accords with policy DM20 of the Joint Development Management Policies Document.
133. When the application was first submitted Boyton Hall was identified by the Conservation Officer as a non-designated Heritage Asset. This initial assessment was made based on the limited information provided at that time. Further information was subsequently submitted by the applicant and as such the building has been reassessed.
134. The additional information confirms that notable changes to the principal elevation have been undertaken and whilst the building that exists today is not unattractive, the changes have resulted in the removal of key features which have as a result significantly reduced the architectural and historic interest of the building.
135. Based on the additional information provided, the Conservation Officer has advised that the building is no longer considered to be a non-designated heritage asset. As such policy DM16 of the Joint Development Management Policies Document 2015 is not relevant to the determination of this application.

Ecology

136. The NPPF confirms that the planning system should contribute to and enhance the natural environment by minimising impacts on biodiversity and providing net gains where possible (paragraphs 174 and 175). This is reflected in policies DM11 and DM12 of the Joint Development Management Policies Document and policy CS2 of the Core Strategy. These policies seek to safeguard protected species and state that measures should be included in the design of all developments for the

protection of biodiversity, the mitigation of any adverse impacts, and enhancements commensurate with the scale of the development.

137. The applicant has submitted a Preliminary Ecological Appraisal and Preliminary Roost Assessment (PEA and PRA) (MKA Ecology, March 2020), the Ecological Impact Assessment (MKA Ecology, Nov 2020) and the Ecology Letter Statement (MKA Ecology, March 2021) relating to the likely impacts of development on designated sites, protected and Priority species & habitats.
138. Ecology comments received advise the local planning authority that there is sufficient ecological information to determine the application. In addition, the documents set out acceptable mitigation and compensatory measures in relation to protected and Priority Species particularly bats, bee orchids and Hazel Dormice. This includes the requirement for a European Protected Species Licence for bats. These measures would be secured through planning conditions should the development be permitted.
139. Support is also given to the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured as a condition of any consent.
140. The Suffolk Wildlife Trust has advised that they do not feel the proposals demonstrate measures to constitute biodiversity net gain and recommend the proposals be amended to demonstrate measures that will achieve biodiversity net gain, including planting specifications to outline what species will be used in replacement tree and hedgerow planting. This additional information could be secured through the recommended condition.
141. Public representations have raised concerns over the conflict between the level increases in the drainage strategy and the ability to implement the biodiversity measures on the site. In particular, the increase in levels indicated in the woodland and wildflower areas.
142. The most recent ecology letter statement dated 8th March details how the bund at the edge of the carpark would be constructed without harm to bee orchids in the vicinity, including having a suitably qualified ecologist present immediately prior to the bund being installed to check for the presence of bee orchids within the footprint. These would be carefully moved to a suitable location if required.
143. However, there is a reference to other level increases to the east of the bund on the drainage plan which are not referenced in the ecology information. This specific question was raised with the lead local flood authority and they have advised that the proposed bunds/areas of ground raising are in place to ensure that even if the system failed or was overwhelmed surface water would not leave the site. However, if these were excluded from the design the lead local flood authority would still

accept the scheme as, during the design storm event, there is no flooding experienced either on or off site.

144. Overall, it is considered that the proposed development, as amended, is acceptable in terms of ecology subject to the use of conditions to ensure mitigation, compensation and enhancement measures are secured and implemented through appropriate future management.
145. The development is therefore considered to be in accordance with policies CS1, and CS2 of the St Edmundsbury Core Strategy 2010, policies DM2, DM11, and DM12 of the Joint Development Management Policies Document 2105 and the guidance set out in the NFFP.

Drainage and contamination

146. Suffolk County Council have reviewed the application in their capacity as the lead local flood authority (LLFA). Additional information has been provided in response to their initial comments and having reviewed this information the LLFA has confirmed that the proposed surface water drainage scheme is acceptable.
147. Public representations have raised concerns over the adequacy of the drainage scheme, identifying that water would flow off the site onto neighbouring properties.
148. The LLFA has responded to these concerns and has advised that the drainage system proposed by the applicant has been designed to accommodate all surface water runoff originating from the worst-case scenario, including an allowance for climate change over the design life of the building(s).
149. To ensure that every eventuality was covered an 'exceedance flow routes' plan was requested showing where water would travel in the event of an extreme storm event or failure of the system. However, the LLFA has advised that the management and maintenance plan submitted as part of the proposals ensures that the system will be inspected and maintained regularly throughout its lifetime with repairs made where necessary to reduce the risk of a failure/blockage within the system.
150. In terms of contamination, the Environment Officer has reviewed the submitted Preliminary Geoenvironmental Appraisal and is satisfied that the risk from contaminated land is low.
151. Considering the above, and subject to the use of appropriate conditions, the proposals are considered to be acceptable with regard to surface water drainage and pollution and in accordance with policies DM6 and DM14 of the Joint Development Management Policies Document 2015.

Other matters

Air Quality and Sustainability

152. As this is a residential scheme there is no policy requirement for the development to achieve BREEAM excellent or equivalent. However, the development would still be expected to adhere to the principle of

sustainable design and construction and optimise energy efficiency as set out in policy DM7.

153. In this regard, a sustainability and energy statement would be secured through a planning condition to set out the measures incorporated into the proposed building.
154. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions ... and ensure no deterioration to either air or water quality. Paragraph 35 of the NPPF states that 'plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to ... incorporate facilities for charging plug-in and other ultra-low emission Vehicles'.
155. To address this, electric vehicle charge points would be secured by condition to promote and facilitate the uptake of ultra-low emission vehicles in order to enhance local air quality in line with the National Planning Policy Framework (NPPF) paragraph 35 and Policy DM2 (k) of the Joint Development Management Policies Document.
156. Subject to the use of conditions, it is considered that the development would adhere to the principles of sustainable design and would be in accordance with Development Plan policies and National planning policies.

Designing out crime

157. Suffolk Police have raised concerns about access control to the ground floor lifts, communal areas, apartments and concerns around secure parking, mail delivery, cycle storage.
158. Many of the issues raised relate to the internal design and operation of the building and the site. Some issues relate to the precise nature of proposed details such as boundary treatments and landscaping.
159. It is considered that these issues could be adequately addressed using conditions.

Impact on local infrastructure

160. The NHS has advised that there would be an impact on local healthcare provision as a result of the development, which should be mitigated through a financial contribution. This would be secured through a S106 agreement.
161. Suffolk County Council has also advised that the development would require a contribution to library facilities to improve the outreach provision in the town. This would also be secured by S106.

Planning balance and Conclusion

162. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

163. In this case the proposed care home accords with policy DM13 in terms of its location and the nature of the development proposed. Having determined that the principle of the development is acceptable, the detail of the proposals and the relationship to its surroundings have been assessed, considering relevant planning policies and identifying areas that either accord or conflict with the plan.
164. Harm arising from the development has been identified and this must be weighed against the relevant material considerations weighing in its favour.
165. The benefits associated with the development are a material consideration in this case. These have been identified as economic benefits through employment and investment in construction with associated benefits to the local economy and social benefits through the provision of additional care accommodation. Given the scale and nature of the development proposed and the new employment that it would generate, it is considered that the economic benefits carry significant weight in favour of the scheme. However, the social benefits are limited in this case given that there is not an unmet need for care in the area and therefore carry moderate weight.
166. It is considered that subject to the use of appropriate conditions, the development would accord with development plan policies in relation to sustainability and air quality (DM7 and DM14), ecology and biodiversity (DM11 and DM12), heritage (DM16, DM17 and DM18) and highways (DM2, DM45 and DM46). These factors would therefore be neutral in the planning balance.
167. It is considered that the development would have a significant adverse effect on the character of the area, and that this effect would be exacerbated by the loss of garden and associated landscape features and through the demolition of the current building, which currently make a positive contribution to the character of the area. As a result of this, the application would be contrary to policy DM2 and policy CS3. Given the degree of harm identified in terms of the impact on the character of the area, this carries significant weight against the proposal.
168. Harm has also been identified in terms of the impacts on trees and landscape, contrary to policy DM13. Taken together it is considered that the loss of trees and the likely harm to retained trees would amount to a significant adverse effect, carrying significant weight against the development in the planning balance.
169. It is considered that the development would result in some harm on the living conditions of occupiers of neighbouring homes, with regard to levels of privacy and outlook, contrary to policy DM2(g). Given the nature and level of harm and taking into account the degree of separation, moderate weight is afforded to this.
170. Finally, given the inadequate parking provision, lack of suitable cycle storage facilities and inadequate access, the Highways Officer has advised that the proposal would lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety and the proposed access arrangement introduces a risk of a severe impact on the safety of

all users. This is contrary to policy DM2 (I) and DM 46 of the Joint Development Management Policies Document and carried significant weight against the scheme.

171. Taking the above into account it is considered that the benefits weighing in favour of the development would be outweighed by the harm identified in respect of character and appearance, trees and landscape, highways impacts and residential amenity and the associated conflicts with those development plan policies. As such, the application should be recommended for refusal.
172. Suffolk County Council and the NHS Clinical Commissioning Group have identified that contributions are required in respect of libraries and local health care respectively, in order to meet the needs of the development. A S106 agreement would be required to secure these contributions and in the absence of such an agreement this would need to form an additional reason for refusal. However, it should be noted that this issue is not determinative in terms of the planning balance and could be addressed through the submission of a suitable legal agreement at the appeal stage, should the applicant wish to do so.

Recommendation:

173. It is recommended that planning permission be **REFUSED** for the following reasons:

Reason 1

The proposed three storey care home would be significantly greater in scale than the surrounding buildings with large areas of hard landscaping. It would appear as an incongruous and intrusive form of development and would have an adverse effect on the character and appearance of the area. This adverse effect would be exacerbated by the loss of garden and associated landscape features and through the demolition of the existing building, both of which currently make a positive contribution to the character of the area. The development would therefore be contrary points a, b, d, and j of policy DM2 of the Joint Development Management Policies document and policy CS3 of the Core Strategy.

Reason 2

The size and nature of the proposed building is such that it would create long elevations containing numerous windows, many of which would be in an elevated position. The development would have an oppressive impact on the outlook from the neighbouring properties The Willows and 1 Boyton Woods. The development would also have an adverse effect on the level of private amenity currently enjoyed by the neighbour 1 Boyton Woods through a significant increase in the level of actual and perceived overlooking. The development would therefore be contrary to policy DM2 of the Joint Development Management Policies Document which states proposals should not adversely affect residential amenities of adjacent areas.

Reason 3

There are a number of trees currently on the site, some of which are covered by tree preservation orders. Collectively, these trees contribute to

the landscape setting of Ann Suckling Road and are an important part of its character.

Several trees would be removed to facilitate the development including a group of Silver Birch to the front of the site. The development would also result in harm to the retained Horse chestnut tree(T1) which is an important landscape feature. The feasibility of the tree's short- and long-term retention has not been sufficiently demonstrated, and it is anticipated that it is likely to be subject to significant post development resentment pressure, which would jeopardise its long-term retention. The development would therefore be contrary to policy DM13 of the Joint Development Management Policies Document 2015 as it would result in an unacceptable adverse impact on landscape features.

Reason 4

The application does not provide an adequate number of parking spaces or suitable cycle storage for staff and visitors. As such the development would be likely to lead to an unacceptable risk of obstructive on-street parking which would impact on highway safety. Additionally, the access is below the required 5.5 metres in width and it appears that the layout may conflict with the required visibility splays. As such the access arrangement introduces a risk of a severe impact on the safety of all users. The development is therefore contrary to policy DM2 (I) and DM 46 of the Joint Development Management Policies Document as it fails to deliver a design in accordance with standards that maintains or enhances the safety of the highway network.

Reason 5

The development would give rise to impacts on the local library and local primary healthcare provision in the area and financial contributions are required to mitigate these impacts. A S106 agreement to secure the necessary contributions has not been secured and as such the development does not comply with policy CS14 of the St Edmundsbury Core Strategy which requires all new proposals for development to secure the necessary on and off-site infrastructure required to support the development and to mitigate the impact of it on existing infrastructure.

Documents:

174. All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/20/1849/FUL](#)