

Development Control Committee 1 June 2022

Planning Application DC/21/2328/FUL – Sentinel Works, Northgate Avenue, Bury St Edmunds

Date registered:	22 December 2021	Expiry date:	16 February 2022 EOT 08.06.2022
Case officer:	Britta Heidecke	Recommendation:	Approve application
Parish:	Bury St Edmunds Town Council	Ward:	Tollgate
Proposal:	Planning application - nine dwellings		
Site:	Sentinel Works, Northgate Avenue, Bury St Edmunds		
Applicant:	Mr Terry Sprigings		

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:

Britta Heidecke

Email: britta.heidecke@westsuffolk.gov.uk

Telephone: 07812 509938

Background:

This application is referred to Committee following consideration at the Council's Delegation Panel. The application was called in by the Ward Members and the Town Council objects to the proposal, which conflicts with the Officer recommendation for APPROVAL.

Proposal:

1. Planning permission was granted for the re-development of the site with a contemporary scheme for 8 dwellings and two cartlodges in 2019 under reference DC/19/1406/FUL. The former commercial buildings have now been demolished and contamination remediation begun. The permission therefore has commenced and is extant. The applicant does however not wish to implement the contemporary scheme and this application therefore seeks permission for a more traditional design of 9 dwellings and no cartlodges.
2. The application seeks planning permission for 9 dwellings, one detached 4 bedroom dwelling and four pairs of semi-detached dwellings. Plot 2/3 and 4/5 being 4 bedroom properties with one bedroom within the roof and plots 6/7 and 8/9 being a 2 bedroom and 3 bedroom house.
3. There will be 2 off-street parking spaces per property.
4. The application has been amended during the course of the application to address officer and neighbour comments where possible:
5. Plot 1
 - repositioning to move dwelling slightly forward achieve a slightly staggered building line rather than a big step from plot 1 to plots 2/3.
 - retain one parking space to the front and bin presentation.
 - reduction in ridge height back to that previously approved which will present a similar relationship to No. 45 as other neighbouring properties in the area.
6. Plots 2/3
 - These plots had been amended with a reduced overall width but changed back because the subsequent increased access width was not considered appropriate by officers as it would have resulted in highways dominance and a more interrupted streetscene.
 - The proposed pair of dwellings will have the same separation from the site boundary than the approved and although with accommodation in the roof, will be of the same ridge height. Concerns had been raised about accommodation in the roof and potential impacts on parking requirements.
7. Plots 6/7 and 8/9:
 - The dwellings have been relocated away from the rear boundary to achieve the same separation as previously approved.
 - The central gable design has been changed and the gable moved to the outside of each pair as to create more openness in relation to No.4 Pine Leys.
 - The separation of first floor windows to the rear boundary with No.4 Pine Ley now matches that of the approved scheme.

8. Parking has been reduced to 2 per dwelling given the sustainable location of the site with easy access and short walking distances to local schools and services as well as good access to public transport. Reduced parking provision is therefore considered wholly acceptable in this case.

Site details:

9. The application site is located within the settlement boundary, towards the northern edge of Bury St Edmunds, within a residential area. Access is from the end of Northgate Avenue, at the junction with Norfolk Road.
10. The site is largely rectangular in shape and is approximately 0.3ha in area which was last used for B8 and B1 mixed commercial use. The land gently slopes from south to north with the site being relatively level. The front of the site previously provided an area for car parking and the rear of the site was used by cars and vans serving the site. The commercial buildings have now been demolished and the site has been cleared.
11. There is a wide variety of dwelling scales and designs in the area ranging from large detached houses in relatively large grounds, through to smaller terraced dwellings with narrow, long gardens.
12. The area is characterised by mature trees which line particularly Norfolk Road and Northgate Avenue. There are also trees covered by TPOs along the site boundaries. The boundaries of the site are generally marked with timber fencing with varying heights from 1.6m to 2.0m.
13. Northgate Avenue becomes a bridleway for a section north of the site. It then provides vehicular access for neighbouring properties further north of the site onto Tollgate Lane.

Planning history:

14.

Reference	Proposal	Status	Decision date
DC/19/1406/FUL	Planning Application - (i) 8no. dwellings and (ii) 2 car lodges (demolition of existing commercial buildings)	Application Granted	15 October 2019
DCON(A)/19/1406	Application to discharge conditions 3 (archaeology); 5 (contamination) of DC/19/1406/FUL	Pending Consideration	

Consultations:

Environment & Transport - Highways

15. The Highway Authority initially submitted a holding objection, noting the increase by one dwelling and subsequent minor internal revisions to the layout of the dwellings and parking. Whilst the approved scheme was accepted with reduced parking the increase in dwellings was not accounted

for by more parking, leading to a greater under provision. The substandard parking could lead to difficulty in safe pedestrian movements through the site due to potential parking within the shared space area or vehicles being pushed onto Northgate Avenue

16. Additional comments were made with regards to proposed soft landscaping obscuring visibility to certain parking spaces.

Highways Re-consultation comments (21/02/2022):

17. Following submission of amendments 'The Highway Authority notes the improvements to the scheme and is now comfortable to recommend conditions. The existing/extended metal boundary railings to the Northeast of the site should not exceed 0.6m in height to ensure pedestrian/vehicular inter-visibility for all users of the site.

18. No objection subject to conditions.

Highways Re-consultation comments (14/04/2022):

19. The minor amendments to the plans for properties does not impact the recommendation of conditions made on 21/02/2022.

Waste Management Operations Manager

20. Bin collection from within the site off a private road would not be an option and raised concerns that the dragging distance to the bin collection point exceeds the recommended maximum distance in the waste guidance.

Officer comment: The previous scheme was approved with a bin collection point to the front of plot 1 and a compromise must be found. The access will be properly surfaced such that dragging the bins should not be too onerous, and buyers will be aware of the arrangements when purchasing a property. A bin collection point to the front therefore is considered acceptable.

Environment team comments (17.01.2022)

21. Contaminated land: The application is an amendment of a previously submitted and approved application (DC/19/1406/FUL) which included a Phase One Desk Study undertaken by EPS Ltd, and a discharge of conditions application is currently open which includes a Phase 2 Intrusive Investigation, again undertaken by EPS Ltd. We understand that further intrusive investigations are ongoing and that some remediation is likely to be required.
22. Although we recognise that the applicant has completed much of the work to discharge the land contamination conditions relating to this site, there is still some work to be undertaken. We therefore recommend that the standard land contamination condition is attached, should planning be granted, to ensure that the remaining work in relation to land contamination is completed to the appropriate standard.
23. Air quality: Paragraph 107 of the NPPF states that 'local parking standards for residential and non-residential development, policies should take into account' e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.' Paragraph 112 of the NPPF states that 'applications for development should' be designed to

enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

24. Air Quality Planning Policy Guidance lists mitigation measures for reducing the impact of air quality and includes the provision of "infrastructure to promote modes of transport with a low impact on air quality (such as electric vehicle charging points)."
25. St Edmundsbury Core Strategy policy CS2, Sustainable Development, requires the conserving and, wherever possible, enhancing of natural resources including, air quality.
26. 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.
27. Section 3.4.2 of the Suffolk Parking Standards also has requirements for electrical vehicle charging infrastructure, including the installation of a suitable consumer unit capable of providing 7.4kW charge all in new dwellings.
28. We therefore recommend the condition requesting electric vehicle charge points is attached to the planning consent, should planning be granted, to enhance the local air quality through the enabling and encouraging of zero emission vehicles.

Environment Team (re-consultation)

29. Note that a Supplementary Environmental Assessment, undertaken by EPS Ltd, reference UK19.4432c dated 8th February 2022 has now been submitted in support of the land contamination assessment.
30. This report includes the findings of additional intrusive investigations in areas of the site not previously accessible. The report also includes details of the removal of a below ground fuel storage tank. The report finds numerous contaminants in the shallow soils that require remediation, however, there was no hydrocarbon contamination associated with the removed below ground tank.
31. Outline recommendations for remediation of future garden areas was given and it was recommended that a remediation statement was produced to ensure that the scope and method of remediation was clearly established.
32. The Environment team is therefore in a position to amend their previously recommended condition to the below condition 14 at the end of the report.
33. Air quality: Our comments made on the 17 January 2022 remain valid and unchanged.

Public Health And Housing

34. No objection. The Public Health and Housing Team, in the interest of nearby residents would recommend conditions to control and request submission of details in respect of the following:
 - Construction Hours
 - Noise & Dust

- Construction Management Plan
- Lighting

Development Monitoring Officer

35.No comments received.

Leisure & Cultural Operational Manager

36.No comments received.

Green Access Team Suffolk County Council Rights Of Way And A

37.No comments received.

Natural England

38.No comments to make.

Ramblers' Association

39.No comments received.

Representations:

Town Council

40.Objection on the grounds of loss of amenity, overshadowing, loss of privacy, access and highway safety, overlooking, layout and density of buildings.

Town Council (24.02.2022):

41.Objection on the grounds of loss of amenity, overshadowing, loss of privacy, access and highway safety, overlooking, layout and density of buildings

Town Council re-consultation (07.04.2022)

42.recommends REFUSAL and upholds previous objections ' loss of amenity, overshadowing, loss of privacy, access and highway safety, overlooking, layout and density of building

Ward Councillor

43.Cllr Hind: supports refusal as would want a scheme that takes account of all the points raised.

44.Cllr Nettleton: no formal comments received.

45.Representations have been received from three neighbouring properties raising the following summarised concerns:

- Highways safety / parking under provision
- Impact on Amenity (potential overlooking of No.45 if windows in the side elevation were not obscured; overshadowing and loss of direct sunlight to side windows serving kitchen and utility room and

- secondary bedroom at first floor at Sentinel House. See officer comments on amenity below)
- Waste collection and soft landscaping (responsibility of upkeep)
 - Sustainable building credentials (EV charge points, wood burner, energy efficiency) and whether these are covered under building regulations
 - Overlooking potential from plot 1 landing window and bathroom
 - Overlooking potential from plots 2/3 of garden
 - Loss of direct sunlight
 - Objection to amended scheme from Sentinel House due to relocation and depths of plots 2/3 resulting in additional loss of light and outlook.
 - The traditional design was welcomed by some in comparison to the approved contemporary design.

Policy:

46. 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.

47. 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:

Core Strategy Policy CS1 - St Edmundsbury Spatial Strategy

Core Strategy Policy CS2 - Sustainable Development

Core Strategy Policy CS3 - Design and Local Distinctiveness

Core Strategy Policy CS4 - Settlement Hierarchy and Identity

Core Strategy Policy CS9 - Employment and the Local Economy

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM7 Sustainable Design and Construction

Policy DM11 Protected Species

Policy DM12 Mitigation, Enhancement, Management and Monitoring of Biodiversity

Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards

Policy DM20: Archaeology

Policy DM22 Residential Design

Policy DM30 Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

Policy DM46 Parking Standards

Policy BV1 Presumption in Favour of Sustainable Development

Policy BV2 Housing Development within Bury St Edmunds

Other planning policy:

National Planning Policy Framework (NPPF)

48. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 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 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- Principle of Development
- Layout, Scale and Design
- Amenity
- Highways
- Ecology and trees
- Contamination
- Other Matters

Principle of Development

50. The principle of development has already been established through application DC/19/1406/FUL which is extant and this is a material planning consideration.

51. The application site is within the settlement boundary of Bury St Edmunds in a predominantly residential area. The site was last used for mixed use B8 and B1, albeit not intensively. Residential development within the town's settlement boundary is acceptable in principle.

52. Whilst policy DM30 seeks to prevent the loss of sites and premises used and/or designated on the policies maps for employment purposes, and

that is expected to have an adverse effect on employment generation, in this case the buildings did not appear to be fit for purpose and due to their poor condition the buildings were becoming redundant.

53. For the site to remain in employment use some intensification of the last use could reasonably be expected for viability reasons and to ensure efficient use of land. Being located within a predominantly residential area with dwellings in close proximity, intensified commercial uses would likely result in adverse impacts on residential amenity of surrounding neighbours. An intensification of the use of the access would also likely result in highway safety issues given the access crosses a public right of way.
54. Moreover, Suffolk Business Park and town centre employment sites provide adequate, more suitable alternatives. On this basis the proposed redevelopment of the site with dwellings was not considered to have a significant adverse effect on employment generation.
55. The proposals for the redevelopment of this brownfield site are therefore not considered to conflict with policies CS9 and DM30 and accord with policies BV2, CS1 and CS4. As such the proposals are considered acceptable in principle subject to all other material planning considerations.

Layout, Scale and Design

56. This application is a resubmission following grant of permission on the site for 8 dwellings. This current scheme seeks to change the previous contemporary design to a more traditional design, omit two cartlodges and provide overall one additional unit. Whilst the previous scheme was the result of pre-application discussions and amendments throughout the planning application stage to achieve an acceptable layout and design, design is subjective and a matter of planning judgement. Whilst the change from contemporary to traditional may be regrettable to some, it is welcomed by others.
57. This current application has also been the subject to amendments, which seek to address concerns raised by officers, consultees and neighbours where possible.
58. The application proposes a detached property (plot 1) with the gable end fronting Northgate Avenue and a pair of semi-detached 2 storey houses with accommodation (one en-suite bedroom) in the roof, positioned either side of an improved access. The access road will not be adopted highway. Plot 1 will have an active frontage towards the new access road into the site and also windows in the gable elevation to the front. Plots 2/3 along the frontage will be the same house type as plots 4/5 central to the site. The frontage aligns with the neighbours garage, which is attached to Sentinel House to the north. Plot 1 is slightly set back but not as far as 45 Northgate Avenue to the south, such that the proposed dwellings will provide a gradual staggered building line.
59. The scale of the dwellings is similar to that of dwellings in the area. Plots 2/3 will be 8.65m to the ridge and plot 1 8.3m to the ridge. The room in the roof will be served by rooflight windows. A streetscene drawing has

been provided in support of the application. The amended plans, which for plot 2/3 revert back to the original submission, show an acceptable relationship to neighbouring properties and within the streetscene, where the gap left for the access between plots 1 and 2/3 is less prominent and the scheme less highways dominant as a result.

60. Plots 2/3 each have a two storey gable projecting off the rear elevation on the northern side with a single storey in-fill protrusion with a roof lantern. The gable has a bedroom window on the southern elevation only, which will prevent any overlooking of the neighbour property Sentinel House.
61. Bin presentation and a small area of soft landscaping are shown to the front of plot 1. Bin collection from within the site has been considered, however given the access road will not be adopted highway the waste team confirmed that bin lorries would not enter the site. Concerns were also raised about the dragging distances which will be up to approx. 55m and as such exceed the recommendations in the waste guidance which suggest that residents of dwellings should not have to drag their bins more than 30m. However, the Waste planning guidance is guidance and in some instances a compromise must be found where the 30m cannot be achieved. Noting that the bin presentation point was approved in this location previously and that collection from unadopted highway land from within the site was not an option, the proposal is on balance considered to be acceptable.
62. Concerns have been raised by No.45 Northgate Avenue about the maintenance of the landscaped area to the front of plot 1 as well as the bin presentation. Bin presentation will be a matter of site management and responsibility of the individual occupants, but details of soft landscaping and future maintenance can be secured by condition.
63. North of the access drive will be a footpath into the site. To the rear of plots 1 and 2/3 will be private gardens enclosed by facing brick walls. Behind plots 2/3 will be two rows of tandem parking. Along the southern site boundary will be a staggered row of parking for 9 cars with planting along parts of the row. Central to the site facing south will be a pair of semi-detached dwellings; plots 4/5 which are of the same house type as plots 2/3, with a two storey gable and the windows carefully placed sideways to avoid overlooking of the rear garden to Sentinel House and No 89. The pair of two storey semi-detached dwellings will have a fourth bedroom in the loft and private gardens to the rear. All gardens will have a cycle storage shed, details of which can be secured by condition.
64. At the end of the access road will be two more pairs of semi-detached dwellings. Each will provide one two bedroom and one three bedroom property. The stand-off to the rear boundary from the rear wall of the two-storey dwelling is 12.5 meters. It will be the same separation distance as previously approved. The bungalow beyond the rear boundary is located approx. 2 meters away from the shared boundary with its amenity space on the western side away from the application site. A section drawing has been submitted with the application which demonstrates restricted intervisibility between the existing bungalow and the proposed first floor bedroom windows, subject to a 2m boundary fence and hedge planting, details of which can be secured by condition.

65. All dwellings will have bay windows to the front and be constructed of selected red facing brick with slate roofs and some detailing, including a contrasting buff brick dentil course, stone heads to windows and doors and led finish roofs to the bay windows.

Summary on Design, Scale and Layout

66. The area within which the application site is located is characterised by a variety of dwelling types, scales and designs including large, detached bungalows and houses in substantial plots, some with their roof slope and others with their gable end facing the road. A number of properties have been significantly altered and enlarged, utilising a range of materials. Although, not in the direct vicinity but off Northgate Avenue is Avenue Approach, with predominantly terraced dwellings of traditional appearance with narrow, long gardens. Given the variety of built development in the area and the gradual increase in height which respects the scale of surrounding development, the proposals will sit comfortably within the streetscene and are not considered to be out of keeping with the character and appearance of the area. As such the proposal would make efficient use of land whilst being in accordance with policies CS3, DM2 and DM22.

Amenity

67. The proposed dwellings will face front and rear, or north-easterly/south-westerly directions, to avoid overlooking particularly beyond the site. Plots 2/3 and 4/5 have been arranged so that the first-floor windows do not look towards the north westerly boundary with Sentinel House. The existing boundary fence along the easterly side is 2.5m in height. New brick walls to the front of the plots and close boarded timber fencing is proposed to other boundaries at 2m height.

68. Sentinel House is set back from the front behind its attached garage. A kitchen and utility room window are in the side elevation at ground floor facing the application site as well as a bedroom window at first floor. Whilst the layout and design of the properties adjacent to Sentinel House has changed from the previously approved one, the site must be considered in the urban context it sits within. The proposed dwellings will at the narrowest point be a little over 2m away from the site boundary.

69. The previous application was submitted with a daylight sunlight assessment which clearly demonstrated that the impacts on direct light afforded to the side elevation of Sentinel House will be very limited, mostly to the winter months and early morning hours. The proposed dwellings are of the same height as that approved but the rear gable will project some 1.6m beyond the neighbouring rear garage and along the side of Sentinel House. The highest part of the dwellings at plot 2/3 will be 8.65 metres to the ridge and 5.7 metre to the eaves, and the gable projection will be 8 meters to the ridge and 5.7 meters to the eaves.

70. For comparison, the approved terrace in this same location would be 8.65m to the ridge and 5.3m to the eaves. It would project 0.7m beyond the back of the neighbour's garage.

71. Whilst the concerns raised by the neighbour about potential loss of direct sunlight are noted and the potential for the development to result in some

overshadowing are acknowledged, given the impacts are mostly limited to the winter months and early morning hours and that both kitchen and utility rooms are not generally considered as habitable rooms, the impacts from the proposed development are not considered so harmful that they would justify refusal.

72. Plots 6/7 and 8/9 are located 18.5m away from the south-eastern boundary with no. 4 Pine Leys. New hedging and trees are being proposed to supplement the fencing here to soften the site and reduce the potential for overlooking. Whilst plot 1 adjacent to the bungalow at No. 45 Northgate Avenue will be notably higher, the increase is gradual and the proposed dwelling is situated to the north-east, thus not causing unacceptable overshadowing. Moreover, the part of No.45 nearest to the shared side boundary is the garage. As such the proposal is not considered to result in unacceptable loss of outlook from the habitable rooms.
73. No. 18 Norfolk Road, opposite Northgate Avenue to the north-east, will be separated by some 19m, by road and existing trees and vegetation. The separation and relationship between the proposed dwellings and existing neighbouring properties in this urban context are not considered to result in unacceptable impacts on residential amenity by reason of overlooking, loss of daylight/ sunlight or being overbearing. The proposals therefore accord with policy DM2 and DM22 in this respect.
74. The proposed dwellings in general meet the nationally described space standards, apart from the 4th bedroom in the loft. This is because the space standards state that in order to provide one bed space, a single bedroom should have a floor area of at least 7.5sqm and should at least be 2.15m wide, whilst areas below 1.5m head height do not count towards floor area and any area between 0.9m and 1.5m used for storage only count as 50% of its floor area. The rooms in the loft are 4.2m long and 3.6m wide but only approx. 1.8m wide at a height of 1.5m. This means that these loft rooms do not meet the suggested 2.15m width with a head height over 1.5m and therefore would not count as a bedroom in terms of its size. However, given the dwellings will be market housing and not affordable housing, which is usually occupied at maximum capacity, the slight conflict with the space standards is not considered to have an unacceptable adverse effect on the amenities of future occupants. All dwellings will benefit from private gardens, sizes relative to the size of the dwelling, thus overall providing a good standard of amenity for future occupants in accordance with policies DM2, DM22 and the NPPF.

Highways

75. The existing access diverges into the site from Northgate Avenue and crosses a public right of way (PROW). Bridleway 37 is frequently used to access the local schools and users have got used to the little or no traffic on this southern end. It will be important to ensure great care during the construction phase and to design a safe access. For this reason, an on site meeting was held with a senior highway engineer and the case officer during the life of the previous application.
76. To reinforce the primacy of pedestrians and cyclists using the PROW, the access has, in discussions with the Highway Authority, been carefully engineered under the previous application. The current proposal does not

change the approved access. The access has been straightened to reinforce that the access is an access and not a continuation of Northgate Avenue. The footpath continues into the site, there is a raised table to force vehicles to slow down, a 'give way' sign will be installed on site, shrubs at the front and within the visibility splays will be removed and black metal railings installed to the front.

77. Two parking spaces will be provided per dwelling. This is below the requirement for dwellings set out in the Suffolk Guidance for Parking (SPG), which requires 2 spaces per two and three bedroom and 3 spaces per 4+ bedroom properties, albeit with a note specifically for two-bed properties that a reduction in this figure may be considered. However, the site benefits from good access to local facilities and services as well as public transport. Given the highly sustainable location, reduced car parking is considered acceptable subject to good cycle parking and pedestrian access into the site.

78. Following submission of amended plans and on the basis that the site is in a sustainable location, SCC Highways have no objection to the application subject to conditions. The amended proposal is considered to provide safe access for all without resulting in unacceptable impacts on highway safety, in accordance with policies DM2, DM46 and the NPPF.

Ecology and trees

79. There are a number of protected trees in close proximity to the site boundaries. The scheme is proposed to be implemented in accordance with the previously approved Arboricultural Impact Assessment and Arboricultural Method Statement. No trees will be removed to enable the development and the Council's Tree Officer is satisfied that subject to implementation in accordance with the details, the proposal will not have unacceptable impacts on the viability and vitality of the protected trees on and adjacent to the site.

80. The application site has been cleared since the previous permission was granted (after bat surveys confirmed no roosts on site) and no trees are proposed to be removed. The potential impacts on bats and other protected species are therefore negligible. Additionally, the application proposes suitable mitigation and enhancement measures in accordance with policies DM11 and DM12. This can be secured by condition.

Contamination

81. The application was submitted in support of a Phase 1 Desk Study and Preliminary Risk Assessment. The report provides a summary of the history and environmental setting of the site and surrounding area and presents a conceptual site model. The report identifies potentially complete contaminated linkages and recommends intrusive investigations.

82. The Environment Team noted that a Supplementary Environmental Assessment, undertaken by EPS Ltd, reference UK19.4432c dated 8th February 2022 has now been submitted in support of the land contamination assessment.

83. This report includes the findings of additional intrusive investigations in areas of the site not previously accessible. The report also includes details of the removal of a below ground fuel storage tank. The report finds numerous contaminants in the shallow soils that require remediation, however, there was no hydrocarbon contamination associated with the removed below ground tank.
84. Outline recommendations for remediation of future garden areas was given and it was recommended that a remediation statement was produced to ensure that the scope and method of remediation was clearly established.
85. The Environment team therefore were satisfied that the remaining risks can be dealt with by a bespoke condition to secure a remediation strategy as set out below. Subject to the suggested conditions the proposals will comply with policy DM14 in this respect.

Other matters

86. Policy DM7 states (inter alia) that all proposals for new development including the re-use or conversion of existing buildings will be expected to adhere to the broad principles of sustainable design and construction and optimise energy efficiency through the use of design, layout, orientation, materials, insulation and construction techniques, mostly enforced through building regulations.
87. DM7 specifically requires all new residential development to demonstrate that appropriate water efficiency measures will be employed. No specific reference has been made in regard to sustainable design and construction. Therefore, a condition will be needed to ensure compliance with policy DM7.
88. Section 3.4.2, of the Suffolk Guidance for Parking states that "Access to charging points should be made available in every residential dwelling." Policy DM2(l) and DM46 seek to ensure compliance with the parking standards and to promote more sustainable forms of transport. The NPPF at para 105 seeks to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles and para 110 (d) states 'Within this context, applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.' On this basis a condition is recommended to secure a vehicle charging point for each new dwelling.
89. SCC Archaeology have confirmed that all the archaeological fieldwork has been completed on site such that no further works are required. The post investigation report is still outstanding to fully satisfy policy DM20, which can be secured by condition.

Conclusion:

90. In conclusion, the principle of redevelopment of this site is acceptable and there is an extant permission for residential development of the site. The layout and scale of the proposed development will ensure efficient use of land, as encouraged by the NPPF. The design is not out of keeping with the character and appearance of the area and the impacts on neighbour

amenity and streetscene are not considered to be contrary to policy. The application site is in a sustainable location with easy access to services and facilities as well as public transport such that reduced parking would be supported by policy DM46. Overall, the details of the proposal are, subject to the conditions set out below, considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

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

- 1 The development hereby permitted shall be begun not later than three years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Reference number	Plan type	Date received
21.09/04	Boundaries	25 November 2021
OAS 19-084-TS01	Tree protection	25 November 2021
21.09/03	Location plan	22 December 2021
21.09/02 Rev. D	Proposed block plan	1 April 2022
21.09/04 Rev A	Street scene	1 April 2022
21.09/10 Plot 1	Proposed elevations & floor plans	1 April 2022
21.09/20 REV.B plots 2/3 and 4/5	Proposed elevations & floor plans	1 April 2022
21.09/40 Plots 6/7	Proposed elevations & floor plans	1 April 2022
21.09/500 Plots 8/9	Proposed elevations & floor plans	1 April 2022

Reason: To define the scope and extent of this permission.

- 3 The metal fence along the northeast highway frontage of the site shall be reduced to and not exceed 0.6 metres above the level of the adjacent carriageway before occupation of the development. Notwithstanding the provisions of the Town & Country (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) it shall be retained thereafter at or below that height.

Reason: In the interests of highway safety by providing and maintaining intervisibility between highway users, 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.

- 4 The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No.21.09/02 Rev.D shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway and in accordance with Suffolk Guidance for Parking 2019 and 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.

- 5 Prior to first use of the development hereby permitted, the area(s) within the site shown on drawing No. No.21.09/02 Rev. D for the purpose of loading, unloading, manoeuvring and parking of vehicles shall be provided. Thereafter the area(s) shall be retained and used for no other purpose.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided, in accordance with policy DM2 and DM46 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 6 Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework paragraphs 105 and 110 and the Suffolk Parking Standards.

- 7 The development hereby permitted shall not be brought into use/first occupied until the cycle storage facilities indicated on Drawing no. No. 21.09/02 Rev. D have been provided in their entirety and been made available for use. Thereafter these facilities shall be retained in accordance with the approved details and continue to be available for use unless the prior written consent of the Local Planning Authority is obtained for any variation to the approved details.

Reason: To encourage the use of sustainable forms of transport and reduce dependence on the private motor vehicle, in accordance with policy DM2 and DM45 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 9 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 8 A Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site.

The strategy shall outline the means of mitigation from the effects of construction. This should include the following:

- Methods for the mitigation of noise and vibration from building works, including any piling works, and also from the operation of any temporary power generation or pumping plant which may operate overnight.
- Methods for dust control and suppression. (dust management plan) Details of wheel washing facilities including location and type.
- The areas for the storage of plant and materials.
- Location of site compound.
- All site works shall then proceed only in accordance with the approved management plan unless otherwise agreed in writing beforehand with the Local Planning Authority.

The strategy shall also include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV and construction traffic in sensitive areas, in the interest of highway 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. And to ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that appropriate arrangements are put into place before any works take place on site that are likely to impact the area and nearby occupiers.

- 9 No part of the development shall be commenced until a photographic condition survey of the highway fronting and near to the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway 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, to ensure that damage to the highway as a result of the development is repaired at the developer's cost and satisfactory access is maintained for the safety of residents and the public. This is a pre-commencement condition because the required survey must be carried out before any development takes place.

- 10 The development shall be carried out strictly in accordance with the Arboricultural Impact Assessment & Method Statement ref. OAS 19-084-AR01 Rev A as already submitted with the application.

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policy DM12 and DM13 of the West Suffolk Joint Development

- 11 Prior to works above slab level details of biodiversity enhancement measures to be installed at the site (including three bat bricks, wildlife friendly amenity grassland, House Sparrow boxes on at least 2 of the units, hedgehog gaps within the fencing and three bee bricks within southern elevations of 4 new units at 2-3m height), including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority. Any such measures as may be agreed shall be installed in accordance with the agreed timescales and thereafter retained as so installed. There shall be no occupation unless and until details of the biodiversity enhancement measures to be installed have been agreed in writing by the Local Planning Authority.

Reason: To secure biodiversity enhancements commensurate with the scale of the development, in accordance with policies DM11 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 12 No external lighting shall be installed until a lighting scheme has been submitted to and approved by the local Planning Authority.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting be installed without prior consent from the Local Planning Authority.

Reason: To safeguard the visual amenities of the locality and the ecological value of the area, in accordance with policies DM2 and DM12 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 13 No construction work shall take place outside the hours of 08:00-18:00 hours Monday to Friday, 08:00-13:00 hours Saturday and not at all on Sundays/Public Holidays without the prior written permission of the Local Planning Authority.

The contractor must ensure compliance with current legislation on noise and dust control including the Environmental Protection Act 1990 and the Control of Pollution Act 1974. Relevant Codes of Practice set out procedures for dealing with the control of noise on construction and demolition sites are contained in BS5228: 2009 Noise and Vibration Control on Construction and Open Sites.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 14 No development approved by this planning permission shall commence until the following components to deal with the risks associated with

contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority: i) Based on the risk assessment in the EPS Ltd Supplementary Environmental Assessment (reference UK19.4432c dated 8th February 2022), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

- 15 No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing, by the Local Planning Authority.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy.

- 16 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184, Environment Agency Groundwater Protection: Principles and Practice (GP3), Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy.

- 17 No building shall be occupied or otherwise used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation required under Condition 3 of DC/19/1406/FUL and approved under DCON(A)/19/1406 and the provision made for analysis, publication and

dissemination of results and archive deposition has been secured.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development in accordance with policy DM20 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 16 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 18 Before the dwelling hereby permitted is first occupied/brought into use, the first floor bathroom and landing windows shown on plan 21.09/10 Rev.A as obscured glazing shall be fitted with obscure glass to Pilkington glass level 4 privacy or an equivalent standard and shall consist only of non-operable fixed lights up to a height of 1.7m from floor level and shall be retained in such form in perpetuity.

Reason: To prevent the overlooking of adjacent properties in order to ensure that residential amenity is not adversely affected, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/2328/FUL](https://www.westsuffolk.gov.uk/DC/21/2328/FUL)