

MID SUFFOLK DISTRICT COUNCIL
PLANNING COMMITTEE -

AGENDA ITEM NO	
APPLICATION NO	2742/14
PROPOSAL	The demolition of forty-two dwellings and 10 garages and erection of sixty-two affordable dwellings with associated external works and parking .
SITE LOCATION	Land at St Marys Road Kingsmead Road Kingsmead Close Lydgate Close and Silverdale Avenue Stowmarket
SITE AREA (Ha)	1.83
APPLICANT	Orbit Homes
RECEIVED	August 26, 2014
EXPIRY DATE	October 24, 2014

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

- (1) it is a "Major" application for:-
 - a residential land allocation for 15 or over dwellings
- (2) Mid Suffolk District Council has an interest in the land.

Members should note that this application is part of a wider scheme for "Tranche 2" of Unity homes redevelopment.

PRE-APPLICATION ADVICE

1. The applicant received detailed pre-application advice prior to the submission of this application. This application has been brought to Committee in line with an agreed timetable in order to safeguard the potential delivery of this redevelopment in a timely manner. The application is subject to a Planning Performance Agreement which has enabled consensual project management and cost recovery

SITE AND SURROUNDINGS

2. The proposed development involves the redevelopment on five roads within a post-war estate located on the west side of Stowmarket. The site currently comprises 21 pairs of semi-detached two storey dwellings and 8 maisonettes in two, two storey blocks. The properties are mainly of the Unity style which was a

type of low cost dwelling built of concrete pillars with walls made of stacked concrete panels between them. These properties date from the 1970's and are relatively large properties, sited in generous plots compared to modern day standards. Adjacent to 10 St Marys Road is an access road which provides access to a garage court containing 10 garages in 2 blocks and access to the rear of 1 St Edmunds Road and 91 Constable Way.

In the centre of the site is an large area of grassed open space with two mature trees, surrounded by roads. Surrounding the site are residential properties including pairs of semi-detached two storey dwellings and semi-detached bungalows. Along Wolsey Road they are 8 retail units with flats above. To the east of the site is a footpath to a primary school, along this is a number of mature trees. Two matures trees on Lydgate Road are located within the site. To the south of the site is St Mary's Hall which provides community facilities.

HISTORY

3. The planning history relevant to the application site is:

2279/13	Land at St Mary's Road, Stowmarket	The demolition of 13 -19 St Marys Road and 39 garages and the erection of 14 affordable dwellings - Tranche 1
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PROPOSAL

4. The proposed development comprised the demolition of 42 dwellings and 10 garages and replacement with 62 dwellings.

The development is as follows:

St Marys Road - Replacement of two pairs of semi-detached dwellings with a terrace of three 2 bed houses and a pair of semi-detached 3 bedroom dwellings. To the rear of St Marys Road, it is proposed to replace the existing garage blocks with 6 one bedroom two storey houses in a courtyard arrangement with parking to the front.

Silverdale Avenue - Replacement of 2 blocks of 4 maisonettes and 4 pairs of semi-detached dwellings with 7 pairs of semi-detached 2 and 3 bed dwellings with driveway parking. To the rear of Silverdale Avenue an access road would lead to two pairs of semi-detached 2 bed bungalows with parking to front.

Kingsmead Road - Replacement of 3 pairs of semi-detached dwellings with 1 pair of semi-detached 3 bed property and 2 terraces of three 3 and 4 bed dwellings with parking courts to front.

Kingmead Close - Replacement of 5 pairs of semi-detached dwellings with three terraces of 2 and 3 bed dwellings and a pair of 2 bed dwellings. Parking is proposed on the existing highway and in two parking courts adjacent to the existing footpath. It is proposed to add soft landscaping between the parking areas and the footpath to open views to the footpath and make it more attractive. A terrace of four dwellings would be located to the south of Kingsmead Close accessed through the parking area.

Lydgate Road - Replacement of 2 pairs of semi-detached dwellings with a

terrace of four 2 bed dwellings and a pair of 4 bed dwellings.
Worsley Road, introduction of 15 car parking spaces on the existing open space and landscape enhancement works to the open space.

The dwellings would be a mix of brick and render with tiled roofs.

POLICY

5. Planning Policy Guidance

See Appendix below.

CONSULTATIONS

6. **Stowmarket Town Council**

No objections. Wishes to make the following recommendations:

- Proposed parking spaces on Wolsey Road are removed
- Wolsey Road is widened by 1 metre to allow parking on both sides and that it becomes a one way road
- The developer takes steps to prevent parking on verges

Suffolk Wildlife Trust

No objection, recommend conditions.

MSDC - Environmental Health - Land Contamination

No objection

Suffolk County Council - Highways

No objection to the principle of development. The submitted details relating to car parking are not acceptable. The area of Kingmead Close in front of plots 14 to 21 is adopted highway. It is therefore not possible to allocate car parking for plots 14, 15, 16, 17 and 21 on the public highway. These plots will require car parking positioned within their curtilage or in a parking court.

MSDC Sports Development Officer

This application is proposing the demolition of 42 and the erection of 62 dwellings. Taking into account the existing dwellings to be demolished the contribution for this application is based on 45 persons in accordance with the Council's adopted Supplementary Planning Document for Social Infrastructure including Open Space, Sport and Recreation is £82,575.00.

The Open Space, Sport and Recreation Strategy recognises the need to improve community facilities in the ward of Stowmarket. This includes the Community Centre at Combs Ford, Cedars Park Community Centre and Red Gables, Stowmarket Sports and Social Club, the Guide Hut and The John Peel Centre as well as various churches. There is a generally recognised shortage of Community Buildings within the town,

Local sports facilities require investment including at the Bowls Clubs, Football Clubs, Tennis Club, Rugby Club, Cricket Club and Netball Club.

SCC - Corporate S106

The scheme is for a net increase of 20 dwellings and contributions have been calculated on this basis.

Early years and primary education: A minimum of 1 early years pupil and 5 primary age pupils will arise. Request a contribution of £6,091 for early years and £60,905 for primary school purposes

Libraries: A contribution of £216 per dwelling is sought i.e. £4,320.

Waste: A contribution of £216 per dwelling is sought £1,020.

This scheme is part of the Unity Project Tranche 2 which includes similar re-provision of schemes in Woolpit and Haughley. It has been agreed that whilst the infrastructure requirements will be separately assessed against each individual scheme there may be an element of cross-subsidy in terms of development contributions. The Stowmarket obligations will require mitigation having regard to viability.

MSDC - Strategic Housing

Stowmarket is the largest market town and demonstrates a significant housing need. The affordable housing proposed is a redevelopment of the existing sub-standard Unity homes and the erection of new homes built to code 3+. The proposed mix has been reached following a detailed analysis of the needs of the existing tenants and owner occupiers on the site and the spread of applicants on the Council's Housing register awaiting rehousing. The type of property in highest need on the housing register is one and two bed roomed units. The types of unit most in need for existing tenants is for 2,3 and 4 bed units, a balance has been struck between the two needs groups. Some of the new units will be available for shared ownership purchase to introduce a new tenure into the housing mix of the area.

The additional 20 new homes in addition to the gain of 10 homes on the site already under construction in Tranche 1 will assist in bridging some of the shortfall of affordable develop in Stowmarket from developer-led S106 sites that have been recently given permission during the last 9 months.

The application proposes off street parking which will provide a tangible visual improvement and assist with an improved traffic flow and access for emergency vehicles as present cars park on the green verges that are part of the public open space and public highway area. The proposal also includes the improvement of public parking adjacent to the parade of shops in Wolsey Road to increase capacity in the area. . Granting of planning permission will end the uncertainty experiences by the existing residents during the past 3-4 years.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.
- Support long overdue redevelopment areas
 - Concern raised over parking arrangements at Wolsey Road, it would be better if the road was widened slightly to allow parking down both sides.
 - Loss of garages will result in more on road parking
 - Loss of view
 - Overlooking

- Loss of access to private parking area
- Concern raised over boundary treatment during works
- Inadequate parking provision will lead to more on road parking

Stowmarket Society:

- Design and layout is prosaic
- Lack of locally equipped play area
- Enhancement of central grassed open space needs careful consideration
- Proposed parking spaces for shops will result in an overall loss of parking spaces, Wosley Road should be widened to allow parking on both sides of the road.

ASSESSMENT

8. The following matters are considered to be appropriate in the consideration of this proposal:
- Principle of development
 - Impact on the Character and Appearance of the area
 - Residential amenity
 - Highway matters
 - Landscaping
 - Biodiversity
 - S106 Obligation Requirement

9. **Principle of Development**

Stowmarket is defined as a town in Policy CS1 of the Mid Suffolk District Core Strategy 2008 and as such is a focus for the majority of development. The NPPF sets out a clear presumption in favour of sustainable development referring (at paragraph 14) to this being a 'golden thread running through both plan-making and decision-taking'. It notes that, for decision takers, this means approving development proposals that accord with the development plan without delay. Section 6 of the NPPF for housing specifically states in para 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review 2012 reconfirms the guidance as contained in the NPPF on sustainable development. The proposal involves the redevelopment of an existing area of housing and is therefore brownfield land within the settlement boundary. The principle of development is therefore acceptable.

Impact upon the character and appearance of the area

Policy CS5 of the Mid Suffolk Core Strategy 2008 states that development will

be of a high quality design that respects local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district. Policy SB2 of the Mid Suffolk District Local Plan 1998 states that within settlement limits proposals will be supported where they do not have a negative impact on the character and appearance of the surrounding locality. Policy GP1 states to be supported all proposals should maintain or enhance the character of the surrounding area and should respect the scale and density of surrounding development.

The current site is not particularly unattractive, being of uniform character with spacious dwellings, grass verges and large street trees. However the unity type dwellings are themselves of poor quality and require replacing. While the new development will be of a much higher density it has retained the much of the existing layout. In particular the verges will remain. The layout of pairs of semi-detached dwellings along St Mary's Road and Kingsmead Road will be retained. It is unfortunate that some of the unity housing between 11 and 24 Kingsmead Road will be retained as this prevents a comprehensive development; however this is understood to be due to ownership issues and as the retail units are also to be retained the mixture of different types and ages of dwellings will be acceptable. The general style of the area is of a mix of different house ages and types which the development will add to. The development will also be in keeping with the Tranche 1 development on St Marys Road. Some of the dwellings will have a backland siting with no road frontage. This is not ideal in design terms but allows for a high density scheme and preserves the more spacious layout to the front. Overall it is considered that the scheme to deliver much needed housing and will have a neutral impact on the character and appearance of the area, will the high density development being an acceptable alternative to the poor quality housing.

Residential amenity

Policies SB2, H13 and H16 of the Mid Suffolk District Local Plan aim to protect the living conditions of neighbouring occupiers. These policies are considered to have significant weight in the determination of this application as they do not conflict with the main thrust of the NPPF as stated in paragraph 215 of the NPPF.

The development is a high density scheme and the layout has had to be been carefully designed to avoid loss of amenity. In particular the use of single aspect 1 bedroom dwellings and bungalows in the backland areas will prevent loss of privacy.

The proposed development on St Mary's Road will have an impact on the neighbouring properties on St Edmunds Road, Constable Way and St Mary's Road. Plot 39 will be slightly closer to no. 12 St Marys Road but there will still be an access road between the two dwellings so there will be no loss of amenity. The access driveway will lead to 6 one bedroom dwellings with 10 parking spaces provided. As such the noise and disturbances from users of this access road will not be significantly greater and the existing use for garages and general parking. The 1 bedroom dwellings will face into a courtyard so there will be no overlooking onto 91 St Edmunds Road or 1 Constable Way. Although the neighbour at 1 Constable Way has objected due to loss of view, this is not a planning matter. Access to the rear gardens of 1 Constable Way and 91 St Edmunds Road will be retained.

The dwellings on Kingsmead Road will be further back into the site than the existing properties, however there only be obscure windows to the side elevations, protecting 24 and 39 Kings Mead Close. Plot 9 of Kingmead Close will be in a similar position to the existing dwelling, thereby protecting the amenity of no. 11. The shops and flats above Wolsey Road are considered to be of a sufficient distance away from the new dwellings on Kingsmead Close not to be detrimentally affected by the development.

Within the development the dwellings have been designed to avoid overlooking, and although some gardens are very small, all have space to sit out and put washing out. In addition the family type houses have bigger gardens.

Highway Matters

Policies SB2, H13 and T10 of the Mid Suffolk District Local Plan states that development will be supported where it does not have a negative impact on highway safety. Policies GP1 and T9 also provide criteria in relation to the provision of car parking in relation to development. The policies referred to above are in line with the requirement of paragraph 39 of the NPPF to provide safe and suitable access for all and carries significant weight in the determination of this application.

The proposed development retains the existing road layout with new access roads off them. The highway authority is generally supportive of the proposals although has concerns regarding the proposed parking spaces to the front of the properties at Kingsmead Close. This area is already blocked paved and used for parking, despite being part of the public highway it has the character of a private parking area. While it may not be possible to allocate individual parking spaces on this area, the reality is that it will be used for parking as it is close to properties. It is proposed to be used as the second parking space for the two bedroom properties who will also have allocated parking within the parking court.

To have to provide all the parking outside of the public highway would result in loss of landscaping and an oversupply of parking as residents will still park in the more convenient spaces outside there dwellings. There is plenty of space to park cars at Kingsmead Court without blocking access to the parking courts. The parking standards do not rule out carefully planned parking on the highway. It is therefore considered that the proposals are acceptable and comply with the general thrust of the adopted parking standards.

The town council has raised concerns regarding the proposals to provide off road parking for the shops outside Wolsey Road Currently cars parking informally on both sides of Wolsey Road, narrowing it to a single carriageway and making it dangerous to both pedestrians and motorists. The proposed parking bays were requested by the shop owners and would provide 15 parking spaces. The presence of formal parking spaces would improve the attractiveness of the area and make it much safer for pedestrians who would have a clearer view of the road. The shops are close to a school and church hall as well as being surrounded by dwellings so are likely to be frequently attended by pedestrians. While the 15 spaces may be slightly less than the informal parking, these would have a high turnover as they would be available for customers as there is off street parking for the staff of the shops to the rear. It is therefore considered that the amount of car parking will be sufficient.

Landscaping

Existing landscaping on the site consists of the central grassed area, street trees and verges. The verges are to be retained and however some of the street trees will need to be felled to provide new dropped kerbs. It is also proposed to enhance the existing central grassed area, while retaining the existing mature trees. Given its busy location on the opposite side of the road to shops and takeaways, it is not considered that this area is suitable for play equipment. Appropriate landscaping will also take place around the parking spaces and parking courts. Landscaping adjacent to the footpath on the east of the site will be low level to allow natural surveillance.

The arboricultural officer has had concerns regarding the initial proposals which showed two mature oak trees on the corner of Lydgate Road to be removed. These are trees of exceptional quality and worthy of TPOs. Their loss would have a significant impact on the character of the area particularly as they are adjacent to the footpath. The developer is currently drawing up revised plans to amend the house sizes and types in this area, this would allow sufficient space between the houses and the trees to allow them to be retained (although one in particular would have to be continually cut back given the closeness to the proposed dwelling). The arboricultural officer has confirmed that he does not object to the revised proposals although there will need to be conditions relating to tree protection measures. The alterations will have an impact on the overall layout of the application and revised plans will be provided at committee.

Biodiversity

Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions." Policy CS5 of the Mid Suffolk Core Strategy also applies which states that development will maintain and enhance biodiversity.

The properties on site are all in a reasonable weather tight condition, are mainly occupied and do not appear to be an obvious place to provide habitat for protected species. Furthermore, there are no ponds or any other water environment in the locality which could provide habitat from protected aquatic species. The applicant has carried out a protected species report which has identified that there are no protected species either within the dwellings or within the gardens or open space areas within the site.

Having regards to the recommendations of the protected species report, it is considered that the proposal complies with the Wildlife and Countryside Act, the requirements of policy CL8 of the Mid Suffolk District Local Plan, policy CS5 of the Mid Suffolk District Core Strategy and the advice as contained in paragraph 118 of the NPPF. In summary it is concluded that there would be no risk of committing an offence to protected species.

Section 106 planning application requirements

The proposal as submitted due to its size triggers the Council's requirements for contributions towards the provision of Open Space and Social Infrastructure (OSSI), affordable housing and education as required by policy CS6 of the Mid Suffolk Core Strategy. The contributions requested are as follows: -

OSSI - £75,023 towards enhancing existing and providing new facilities in the Stowmarket area which is as a consequence of the needs of the residents of the proposed development.

Affordable Housing - Policy H4 of the Mid Suffolk District Local Plan (as amended) requires that for schemes of 5 or more dwellings in Woolpit, developers are required to provide 35% of the scheme as affordable housing. In this scheme, the applicant is proposing that the scheme is 100% affordable and as such there is a requirement in the section 106 agreement to ensure that this is delivered.

Education Contributions - Early years and primary education: A minimum of 1 early years pupil and 5 primary age pupils will arise. Request a contribution of £6,091 for early years and £60,905 for primary school purposes

Libraries: A contribution of £216 per dwelling is sought i.e. £4,320.

Waste: A contribution of £216 per dwelling is sought £1,020.

The proposal is one of three concurrent Unity housing schemes which have current planning applications, the other two being at Woolpit and Haughley. Your officers have agreed that the s.106 contributions can be considered together for the three schemes and a viability appraisal has been undertaken over all three schemes. The viability appraisal has shown a surplus of £60,000 over Tranche 2. Given the high proportion of affordable houses and the requirement to provide an education contribution proposal. It has nevertheless been concluded that it would not be viable to provide the full OSSI, libraries or waste contributions for the Stowmarket Scheme. However it has been agreed to secure £60,905 for primary education and there will be some "in kind" contribution to public open space through the enhancement of the existing grassed open space. It is considered that, having regards to the wider Unity programme, it is appropriate to treat the Section 106 aspects in a conjoined manner.

Conclusion

The development is considered to be in accordance with the Development Plan and the NPPF. The proposal would provide new affordable dwellings which would in part replace existing substandard houses. The development would not be detrimental to neighbour amenity and would have a neutral impact on the character of the immediate area. The lack of contribution to public open space, libraries and waste would be outweighed by the high proportion of affordable housing and contribution to education.

RECOMMENDATION

- (a) That authority be delegated to the Corporate Manager (Development Management) to GRANT PLANNING PERMISSION subject to the applicant first entering into a Section 106 Planning Obligation to his satisfaction to secure:

- [a] To secure the provision of the 42 dwellings as 100% affordable;
- [b] To secure a contribution of £60,905 for educational purposes
- [c] Construction of those dwellings to Level 3 of the Code for Sustainable Homes;
- [d] Compliance monitoring costs;

and that the planning permission be subject to conditions covering the following matters:

- Time limit for commencement
- As recommended by SCC Highways
- Detailed landscaping
- Additional details and implementation of tree protection measures
- Compliance with the ecological survey
- Development to be carried out in accordance with approved plans and documents

Philip Isbell
Corporate Manager - Development Management

Elizabeth Truscott
Senior Planning Officer

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review

Cor1 - CS1 Settlement Hierarchy **Cor5** - CS5 Mid Suffolks Environment **Cor6** - CS6 Services and Infrastructure **CSFR-FC1** - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT **CSFR-FC1.1** - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT **CS SAAP** - Stowmarket Area Action Plan

2. Mid Suffolk Local Plan

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
HB13 - PROTECTING ANCIENT MONUMENTS
HB4 - EXTENSIONS TO LISTED BUILDINGS
SB2 - DEVELOPMENT APPROPRIATE TO ITS SETTING
T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT

3. Planning Policy Statements, Circulars & Other policy

NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of **3** interested party(ies).

The following people **objected** to the application

[REDACTED]

The following people **supported** the application:

[REDACTED]

The following people **commented** on the application:

[REDACTED]