

MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE - 15 April 2015

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**AGENDA ITEM NO** 2  
**APPLICATION NO** 2532/14  
**PROPOSAL** Erection of 3 dwellings with alteration to access.  
**SITE LOCATION** Land adjacent The Laurels Bungalow, Church Street, Stradbroke  
**SITE AREA (Ha)** 0.22  
**APPLICANT** Mrs J Ward & Mrs C Mayhew  
**RECEIVED** August 5, 2014  
**EXPIRY DATE** April 10, 2015

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**REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

(1) a Member of the Council has requested that the application is determined by the appropriate Committee and the request has been made in accordance with the Planning Code of Practice or such other protocol / procedure adopted by the Council. The Members reasoning is included in the agenda bundle.

**PRE-APPLICATION ADVICE**

1. The applicants engaged in pre-application advice in 2007 and 2013. The principle of developing the site for residential use, as now applied for was identified as being in accordance with policy.

In 2007 SCC Highways advised that there was no objection from a highway point of view and did not give specific requirements for visibility splays. This advice was given as an informal officer opinion.

**SITE AND SURROUNDINGS**

2. The site is in use as grassland/garden area to the applicants bungalow and lies in the centre of Stradbroke, a settlement defined as a Key Service Centre in the 2008 Core Strategy. Policy CS1 identifies such settlements are the main focus for development outside towns.

The access into the site from Church Street, the B1117. Church Street has a footpath adjacent to the highway on its northern side, but on the frontage of the site a brick boundary wall directly abuts the carriageway. There is a footpath in front of the adjacent Baptist Chapel. The northernmost part of the site is included within the Conservation Area, although the bulk of the site lies outside the Conservation Area.

The existing vehicular access to the site currently serves two dwellings in the applicants' ownership : a two storey rendered and black pantiled property on the site frontage and a red brick bungalow which is set back adjacent to the site towards the east, to the rear of the Baptist Chapel. The site was previously used as a Coach depot although this use has ceased and buildings associated with that use have been demolished (see 1375/12 Demolition of outbuildings).

A white and red brick, slate roofed Baptist Chapel lies to the east of the site frontage, with residential properties to the west and south. The boundaries of the site are marked by walls, fences, planting and trees. The southern boundary of the site contains mature sycamore trees which are outside the ownership of the applicants.

### HISTORY

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

1375/12	Demolition of outbuildings.	08/06/2012
1047/89/	ERECTION OF A BUNGALOW AND GARAGE UTILISING EXISTING VEHICULAR ACCESS	Granted 21/11/1989
1281/13		Unknown

### PROPOSAL

4. The scheme is for the erection of 3no. three bedroom residential properties. Plots 1 and 2 are shown to have rooms at first floor level, with dormers or rooflights, and Plot 3 is a single storey property. The designs have taken account of neighbouring development with the position of windows and use of rooflights to minimise overlooking. The south (rear) elevation of the dwelling on plot 2 shows 3 first floor rooflights serving a bedroom, bathroom and en-suite positioned at 1.5m above floor level.

The materials proposed for the properties are brick plinths with rendered walls and pantiled roofs.

Following the comments and recommendation of refusal from SCC Highways a supporting Traffic Note was submitted by the Agent and the scheme was amended to reduce the height of the roadside boundary wall (currently 0.9m high) to The Laurels (in the applicants' ownership) and to set back and re-build a brick pier to the front of the Baptist Chapel. The brick pier is in the ownership of the Baptist Chapel and the relevant notice has been served. These measures were proposed to improve visibility as detailed in the supporting Traffic Note prepared by Consultant Highway Engineers.

**POLICY****5. Planning Policy Guidance**

See Appendix below.

**CONSULTATIONS****6. Stradbroke Parish Council. Reply received 07/10/14**

Unanimously recommend approval.

**Suffolk County Council - Archaeological Service. Reply received 30/09/14.**

The application affects an area of archaeological interest in the medieval settlement core of Stradbroke. There is potential for well preserved archaeological deposits to exist. Any ground work has the potential to cause significant damage or destruction to any underlying archaeological heritage assets.

Recommends two standard conditions relating to site investigation.

**MSDC - Heritage Officer. Replies received 29/10/14 and 09/03/15**

The Heritage Team considers that the proposal would cause

- No harm to the adjacent listed buildings, their setting or the wider conservation area.

The Heritage Team recommends that the application is approved subject to conditions.

The front section of this site is located within the Stradbroke Conservation Area and will be visible from Church Street, a key route within the conservation area. On this basis the elevations facing into the conservation area will have a direct impact upon the setting of the Stradbroke Conservation Area.

The adjacent non-designated heritage assets that are close by consist of the Stradbroke Baptist Chapel and several houses. The closest designated heritage asset is the conservation area along with the grade I listed church. Important views of the church will not be compromised and neither will the wider setting. The impact on the conservation area will be slight as the infill development will only be visible from a few locations, mainly around the access road onto Church Street. The proposed buildings will have an impact on the conservation area which will be similar in nature to the existing bungalow that is situated directly to the rear of the Methodist Chapel. The gable end of plot 2 appears to be a dominant feature of the development site when it is viewed from Church Street. It would be preferable to reduce the scale of this however it is important from an urban design point of view to have positive active frontages facing the highway. Some of the detailing is rather suburban. The use of UPVC for windows and doors is also of concern. The proposed materials for the buildings are generally acceptable however powder coated aluminium should be used for the window frames rather than UPVC. These should be detailed through condition along

with the roof tiles and the specification of the render.  
A landscaping plan should be submitted.

It is proposed to move one of the brick piers that frame the frontage of the Methodist chapel. This is intended to improve vision for vehicles exiting the site. However these pillars form a balanced frame to the frontage of the Methodist chapel and they should remain in situ.

**MSDC - Environmental Health.** Reply received 29/09/14.

A Land Contamination Questionnaire should be submitted.  
This has been received, as has a Land Contamination Report.

**SCC- Highways** . Replies received 08/10/14, 13/02/15 and received 26/03/15 and 01/04/14

The County Council as Highways Authority recommends that permission be refused.

**The original comments stated that :**

Following a site investigation Suffolk County Council has obtained visibility splay measurements of the access onto Church Street have been undertaken. At a setback of  $x=2.4m$  at the centre of the access in either direction the  $y$  splays do not reach 15m. The appropriate standards for the location (within a 30mph speed limit, centre of village setting where vehicle speeds are low) are taken from Manual for Streets, requiring  $x=2.4m$ ,  $y=43m$  visibility splay. The current visibility in both directions is restricted by permanent fixtures (exiting right: wall & exiting left: building) therefore it cannot be improved and at present is a significantly sub-standard access.

Later clarification received relates to a pre-application response given in 2007 which raised no objection but was given informally, not binding the County Council. Since 2007 standards have changed and SCC only work with up to date frame work and planning policies.

Following a site visit, receipt of a Traffic Note/Report and amended proposals for the visibility splays the following comments were received :

Drawing Number: 205258-500-P2 states that proposed visibility splays are: "2.4m x 17m & 2.4m x 39m".

Due to the proposal being for 3 dwellings, which will severely increase vehicle numbers, on a proposed access with substandard visibility which is subsequently detriment to highway safety, SCC will be recommending MS/2532/14 be refused.

**A further response dated 13/02/15 but received 01/04/15 recommends that permission be refused for the following reasons:**

Following an independent automatic traffic count survey carried out January 2015, the 85th%ile speeds for Church Street, Stradbroke (Att - LCOL, OSGR: TM 23281 73978) are: East Bound: 32.4mph, West Bound: 32.7mph. The absolute minimum requirement for visibility splays of vehicular accesses at this location (taken from Table 7.1 Derived SSDs for streets MfS DfT) is 2.4m x 45m

in both directions. Having obtained measured speeds SCC would not be prepared to accept anything less than 2.4m x 45m considering it has now been confirmed that vehicle speeds are higher than 30mph. The reason for this increase in visibility requirement is due to the fact that 2.4m x 43m is the requirement for roads of 30mph speed limits, after obtaining measured speeds, which are an increase on 30mph the visibility requirements increase to coincide with the measured speeds. The new proposal for 3 new dwellings will intensify the use of the existing access which has sub-standard visibility splay in both directions due to an existing wall, hedge and a house. Unless the required visibility can be provided SCC consider this proposal will be detrimental to highway safety and will be recommending MS/2532/14 be refused.

**MSDC - Landscape Officer.** Reply received 01/04/15

I have no objection to this application subject to it being undertaken in accordance with the arboricultural report recommendations. An appropriate condition should be used for this purpose.

**MSDC - Communities Officer .** Reply received 06/10/15.

Based on the erection of 3no. three bedroom properties a sum of £8,604 was required as a contribution to Open Space, Sport and Recreation. However, due to recent Government changes in policy this is no longer applicable .

## **LOCAL AND THIRD PARTY REPRESENTATIONS**

7. This is a summary of the representations received.

**None**

## **ASSESSMENT**

8. Principle of development

The site lies within the Stradbroke Settlement Boundary, a location where development should be focussed, in accordance with Policy CS1 of the Core Strategy. Such a site would constitute sustainable development and be in accordance with the National Planning Policy Framework ( NPPF), Core Strategy Policies FC1 and FC1.1. However that presumption is subject to considerations relating to the maintenance and enhancement of the environment and Conservation Area ( Local Plan Policies HB8 and CS5), the setting of listed buildings (HB1) ,residential amenity and highway safety (GP1).

### Impact on Heritage Assets

The site is currently largely unused; a 'brownfield site ' as the buildings previously associated with a Coach Depot have been removed. The development will have a limited impact on the Conservation Area, with restricted public visibility of the site, indeed to bring the land back into use would enhance this edge of Conservation Area location, improving the appearance of the open

site through the construction of sympathetic ally designed properties. Section 12 of the NPPF relates to conserving and enhancing the historic environment and the desirability of new development making a positive contribution to local character and distinctiveness. Heritage Officers have commented that the scheme does not cause harm to the adjacent listed buildings ( the Grade 1 listed church is the nearest). Important views of the church will not be compromised and neither will the wider setting. Non designated heritage assets include nearby houses and the Baptist Chapel. Heritage Officers have raised the matter of the use of UPVC for windows and doors, and details of fenestration and design. On this particular site it is not considered necessary to pursue these details as the proposed properties are set a minimum distance of 25m back from the highway with restricted public visibility. The garage and part of the gable to plot 1 are the only parts of the proposal in the Conservation Area and such materials and details would not normally be insisted upon outside the Conservation Area.

With reference to moving one of the brick piers to improve visibility the Heritage Officer comments that the pillars form a balanced frame to the Chapel and should remain in situ. As an aid to improving visibility from the access the re-siting of the brick pillar by approximately 0.6m is considered on balance by your Development Management Officers to be acceptable and would not seriously upset the balanced frame to the Chapel. The Chapel is a non-designated Heritage Asset and the balance of the two pillars either side of the Chapel would be maintained as the re-siting would only be for a distance of 0.6m.

#### Impact on residential amenity

The scheme has taken account of adjacent residential properties and the scale and design of the proposed dwellings is comparable to the applicants nearby existing bungalow as well as surrounding properties. Distance, location and window positions do not cause issues relating to overshadowing or overlooking. Plot 1 does not have any windows to the west elevation, where it is adjacent to the neighbours garden. A garage and the gable to plot 2 do not present any windows to the neighbouring property, and the main gable is positioned approximately 8m from the western boundary. The proposed dwelling in the south east corner of the site is a bungalow and so there are no issues of overlooking. The main bulk of the property is positioned approximately 3m from the boundary and the neighbouring property is located approximately 20m into its plot.

#### Impact on Highway matters

Saved policy T10 of the Mid Suffolk Local Plan states that when considering planning applications for development, the district planning authority will have regard to the provision of safe access to and egress from the site.

The access to the site is from the B1117 and currently serves two dwellings. SCC Highways have commented that the minimum requirement for visibility splays in such a location ( taken from the Department for Transport Manual for Streets 2007) is 2.4m x 43m in both directions. The speed limit in this location is 30mph but a speed survey submitted by the applicants has confirmed that vehicle speeds are above 30mph ( 32.4mph eastbound and 32.7mph westbound.) and SCC Highways have confirmed that they would not be

prepared to accept reduced visibility splays. They are concerned that the new proposal will intensify the use of the existing access which has sub-standard visibility splays in both directions due to an existing wall, hedge and a house.

A Traffic Note submitted by Highway Consultants on behalf of the applicants states that the previous use of the site as a Coach depot involved 6 coaches and 4 minibuses working out from the depot which were involved in school travel, and that the proposal will result in fewer overall traffic movements, although there would be more car movements than associated with the previous use..They have proposed the lowering of the brick wall to the west of the access which will improve the visibility splay from 2.4m x 6m to 2.4m x 17m. To the east they propose relocating one of the two pillars in front of the Baptist Chapel. This would improve the visibility from 2.4m x 20m to 2.4m x 39m.

### Summary

Adopted policy and guidance contained in the National Planning Policy Framework (NPPF) indicates the acceptability of this scheme in a sustainable location as described above. The design and impact on the surroundings are acceptable, and the scheme will also make a small but valuable contribution to the five year housing supply.

However, there is a recommendation of refusal from SCC Highways that, unless the required visibility can be provided this proposal is considered to be detrimental to highway safety. The required visibility splays have not been achieved and these highway safety issues outweigh the benefits of the proposal and as such the application is recommendation for refusal .

## RECOMMENDATION

**That Full Planning Permission be refused for the following reasons:**

The proposal for 3 new dwellings will intensify the use of the existing access which has sub-standard visibility splay in both directions due to an existing wall, hedge and a house and accordingly the proposal is detrimental to Saved Policy T10 of the Mid Suffolk Local Plan and the NPPF.

Philip Isbell  
Corporate Manager - Development Management

Sian Bunbury  
Planning Officer

## APPENDIX A - PLANNING POLICIES

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

- Cor1** - CS1 Settlement Hierarchy
- Cor3** - CS3 Reduce Contributions to Climate Change
- 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

**2. Mid Suffolk Local Plan**

**H17** - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION

**HB8** - SAFEGUARDING THE CHARACTER OF CONSERVATION AREAS

**HB9** - CONTROLLING DEMOLITION IN CONSERVATION AREAS

**GP1** - DESIGN AND LAYOUT OF DEVELOPMENT

**T10** - HIGHWAY CONSIDERATIONS IN DEVELOPMENT

**H16** - PROTECTING EXISTING RESIDENTIAL AMENITY

**3. Planning Policy Statements, Circulars & Other policy**

**NPPF** - National Planning Policy Framework

**APPENDIX B - NEIGHBOUR REPRESENTATIONS**

No letters of representation have been received.