

Committee Report

Item 7C

Reference: DC/18/05612

Case Officer: Mark Russell

Ward: Needham Market

Ward Member: Cllr Stephen Phillips, Cllr Mike Norris

RECOMMENDATION – GRANT RESERVED MATTERS PLANNING PERMISSION WITH CONDITIONS

Description of Development

Submission of details under Application 4188/15 relating to Appearance, Landscaping, Layout and Scale for hybrid application of 52 dwellings and new training facility, workshop and parking area (housing only).

Location: J Breheny Contractors Ltd, Flordon Road, Creeting St Mary

Parish: Creeting St. Mary

Expiry Date: 28/03/2019

Application Type: Reserved Matters planning application

Development Type: Major Small Scale - Dwellings

Applicant: J Breheny Contractors Ltd

Agent: Wincer Kievenaar Architects Ltd

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

It is a 'Major' application for:

- a residential development for 15 or more dwellings.

Details of Previous Committee/Resolutions and Member Site Visit

Permission 4188/15 was granted permission on 08.04.2016. This was a hybrid application for:

- a) Outline Application for 52 dwellings including access and associated works (matters to be reserved layout, scale, appearance and landscaping).
- b) Full planning application for a proposed new training facility, workshop and parking area.

The application at hand relates to paragraph a)

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Relevant policies in the Core Strategy Focused Review 2012 and Mid-Suffolk Local Plan 1998:

CS01 - Settlement Hierarchy

CS03 - Reduce Contributions to Climate Change

CS04 - Adapting to Climate Change

CS05 - Mid Suffolk's Environment

CS06 - Services and Infrastructure

CS09 - Density and Mix

FC01 - Presumption In Favour Of Sustainable Development

FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development

FC02 - Provision and Distribution of Housing

GP01 - Design and layout of development

H 13 - Design and layout of housing development

H 15 - Development to reflect local characteristics

H 16 - Protecting existing residential amenity

T10 - Highway Considerations in Development

H14 - A range of house types to meet different accommodation needs

H17 - Keeping residential development away from pollution

T09 - Parking Standards

RT04 - Amenity open space and play areas within residential development

RT12 - Footpaths and bridleways

CL08 - Protecting wildlife habitats

National Planning Policy Framework (NPPF)

Supplementary Planning Documents

Suffolk Adopted Parking Standards (2015)

Consultations and Representations

During the course of the application consultation and representations from third parties have been received. These are summarised below.

A: Summary of Consultations

SCC Highway Authority

No objections. It was noted that planting should not interrupt visibility splays or footways. Standard conditions were proposed.

Heritage

No comments.

Travel Plan

No comments.

Historic England

No comments

Natural England

No comments

NHS

Requested funding in line with CIL (NB – the matter of CIL was dealt with at Outline).

Place Services (Landscapes)

Two parking spaces should be relocated away from the POS, simpler surface palette of materials, additional planting and other measures required.

OFFICER COMMENT – The issue of surface materials can be left to condition. The comment about the parking is noted, but this is just two visitor spaces and is not held to be unacceptable.

SCC Infrastructure

No comments (already dealt with at Outline)

Strategic Housing

Plans do not clearly show the proposed affordable housing (in accordance with the s.106 agreement relevant to the Outline permission).

OFFICER COMMENT – Amended drawings have now been provided which clarify these matters.

Land Contamination

No comments as no information submitted (NB – at Outline no objection had been raised and a standard set of conditions was proposed).

Flood and Water

No comments at this stage (see commentary in relevant section below).

NHS

There is an existing shortfall in provision. A proportion of payment to the extension/refurbishment of Needham Country Practice. Requested monies via CIL.

OFFICER COMMENT – These matters were dealt with at Outline application.

Anglian Water

Response related to application to discharge relevant conditions (which, at Outline, were conditioned to be discharged “concurrent with Reserved Matters.”

Foul Water: In reference to previous consultation under PLN-0037334, in correspondence with planning reference: DC/18/05601 for foul condition 19, we would recommend the discharge of condition the basis that the developer will be promoting a gravity discharge regime only in reference to drawing BFR-CCL-ST-XX-DR-C-4002 . Should the developer require a pumped solution, further consultation will be required with Anglian Water.

Surface Water Disposal: The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

In reference to previous consultation in correspondence with planning reference: DC/18/05601 for surface condition 6 & 11, we can confirm that the developer is proposing to discharge via infiltration and a ditch as per drawing BFR-CCL-STXX-DR-C-4002 and FRA page 19. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Suffolk Police

Raised concerns about various matters concerning the layout of the housing development, such as proximity to the car park and lack of surveillance and defensive planting, as well as several points relative to the employment site (not relevant to this Reserved Matters application).

Environmental Control

No comments

Economic Development

No comments

SCC Rights of Way

No objections, comments in relation to Bridleway 32A, standard informatives.

Creeping St. Mary Parish Council

OBJECTS

Current sewerage system cannot cope

Additional traffic

Infrastructure cannot cope with 52 homes

Lack of footpath, very unsafe due to narrowness and large lorries

Why was Sandy Lane bridleway not included in the submitted plans?

OFFICER COMMENT – Most of these points are substantive and relate to the quantum of development – i.e. 52 units of accommodation – which has already been granted at Outline; however, the issue of footpaths/bridleways is dealt with in the report.

B: Representations

One letter of objection was received from a neighbouring property on Flordon Road:

We are very concerned about the branch sewer that runs through our garden, which originally served 5 cottages. Over the 43 years we have lived here there have been repeated occasions, after heavy rain,

when the manhole covers have been forced up and raw sewage has been spread over our garden, then flowing via a ditch into the River Gipping.

Anglian Water came out 3 times in 2018 to try and disinfect our garden.

The addition of 52 homes onto this system, and three on the site opposite, threatens far greater problems in the future.

Unless something can be done to remedy the situation, we feel this development should not be allowed to go ahead.

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1 The application site relates to a site occupied by J Breheny Contractors Ltd. The site is in the Parish of Creeting St Mary, situated approximately 800 metres to the northeast of Needham Market.
- 1.2 The entire site (including the employment use) covers an area of 3.5 hectares, and is sited to the east of Flordon Road. Flordon Road leads southwards on to the B1078, with access to the A14 approximately 1.5 miles to the southeast. The residential part of the development is approximately 70 per cent of the site.
- 1.3 There is an existing vehicular access off Flordon Road serving the premises. The southern part of the site comprises a car parking area in front of an office block which is the headquarters for the business. To the rear (east) of this office building are a number of portacabins and hard standing. The area to the north of the access is a large area of hardstanding with buildings used as a depot for the machinery and equipment used in the operation of J Breheny.
- 1.4 There is a vegetation belt along the eastern boundary of the site along Flordon Road. The land rises upwards from Flordon Road towards the A14 trunk road.
- 1.5 To the north and south of the site are a handful of residential properties. Further to the east is the A14, with an intervening earth bund. To the west is land associated with Alder Carr Farm. This part of Flordon Road has a 30 mph speed limit.
- 1.6 To the northern site boundary is Sandy Lane Bridle Path that links Creeting Hills to Needham Market. Beyond this footpath is a two storey house with a goods yard located to the rear of the property.
- 1.7 There is a listed building to the northwest of the site.
- 1.8 For planning purposes the site is outside any retained settlement boundary as defined by the Mid Suffolk Local Plan (1998) and Core Strategy DPD (2008) and as such is regarded as countryside.

2.0 The Proposal

- 2.1. This is a Reserved Matters application for the details (Appearance, Landscaping, Layout and Scale) of 52 dwellings granted outline approval at hybrid application 4188/15 which also saw full

permission being granted for a training facility and workshop for the civil engineers J Breheny Contractors. An access is also included in the drawings, but this was granted approval at 4188/15.

3.0 Policy Background

- 3.1 Core Strategy and Focused Review: Policy CS5 provides that all development will maintain and enhance the environment, including the historic environment, design and landscape and retain the local distinctiveness.
- 3.2 Policy CS9 provides requirements on the density and mix of new housing development. The policy seeks a mix of types, sizes and affordability in terms of residential schemes, but does not set any specific levels or percentages to achieve. The policy also provides that new development should provide an average density of at least 30 dwellings per hectare.
- 3.3 The CSFR was adopted by Full Council on 20 December 2012 and should be read as a supplement to Mid Suffolk's adopted Core Strategy (2008). This document updates some of the policies of the 2008 Core Strategy as already addressed above. The CSFR document does introduce new policy considerations, including Policy FC 1 - Presumption in favour of sustainable development that refers to the National Planning Policy Framework (NPPF) objectives and Policy FC 1.1 - Mid Suffolk approach to delivering Sustainable Development that provides "development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to the Mid Suffolk context through the policies and proposals of the Mid Suffolk new style Local Plan.
- 3.4 Proposals for development must conserve and enhance the local character of the different parts of the district. They should demonstrate how the proposal addresses the context and key issues of the district and contributes to meeting the objectives and the policies of the Mid Suffolk Core Strategy and other relevant documents."
- 3.5 Saved Policies in the Local Plans: Members will be aware that the weight to be attached to the 1998 Local Plan must be considered carefully by reference to the NPPF to ensure consistency.
- 3.6 The saved Local Plan through policies GP1, H 13, H 15, H 16, and T10 supports good design that reflects Suffolk character, avoids adverse impacts on amenity and considered traffic and highway implications of development. Policy HB1 while not wholly NPPF compliant refers to setting of historic buildings and along with other policies including employment matters shall be considered in the detailed assessment below.
- 3.7 Members will be further aware that the new draft Joint Local Plan is currently out to consultation under Regulation 18. This does not fundamentally affect matters at hand here (particularly given that Outline permission already exists) and carries little weight at this stage.
- 3.8 The Principle Of Development: Permission for housing on this site already exists in Outline form. The principle is, therefore accepted.

4.0 Site Access, Parking and Highway Safety Considerations

- 4.1 The access had already been approved at Outline. As noted above, the Highway Authority has not objected at this stage, but has raised a concern that planting should not interrupt visibility splays or footways. This can be addressed by a bespoke condition.
- 4.2 Parking is as per the adopted standards, the details of this are elaborated upon in the section below.
- 4.3 In wider Highways terms, a footpath linking the site formed part of Planning permission 4188/15 had, as condition 10, "Prior to the commencement of development a scheme, including a timetable, for the provision and adoption of the footway shall be submitted to and agreed in writing by the

Local Planning Authority.” The submission of these details will need to be agreed by condition before any work commences on the housing phase.

5.0 Design and Layout

- 5.1 Policy CS5 requires development to be of a high-quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district.
- 5.2 Policy H13 of the Local Plan requires new housing development to be expected to achieve a high standard of design and layout and be of a scale and density appropriate to the site and its surroundings, whilst Policy H15 of the Local Plan similarly requires new housing to be consistent with the pattern and form of development in the area and its setting.
- 5.3 Policy GP1 of the Local Plan states that proposals comprising poor design and layout will be refused, requiring proposals to meet a number of design criteria including maintenance or enhancement of the surroundings and use of compatible materials.
- 5.4 Paragraph 56 of the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development.
- 5.5 The dwellings are to be served by an access to the south (also to be serving the training facility) with a spine road looping around to the north. This road is fronted by housing to the east and west, with three small stub roads radiating from it to the east and a further small group of housing at the northern end.
- 5.6 The access road to the south of the site is denied a termination to the vista. This is because of the position of the road in relation to the neighbouring user, J. Breheny to the south of the proposed houses.
- 5.7 Parking courts have been kept to a minimum, with just one such in the south-eastern corner showing twelve spaces.
- 5.8 The issue of “triple parking” has almost entirely been avoided, with only two such instances (plots 32 and 50).
- 5.9 The proposed houses are a mix of red and gault brick, with weatherboarding at first floor. Some are bungalows, but most are two-storey. The designs have some vernacular references with steep-pitched roofs and barge-boards, but are generally fresh and modern in their appearance, lacking in traditional chimneys for example.

6.0 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 6.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.
- 6.2 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.

- 6.3 The site is not in an area of special character designation such as an Area of Outstanding Natural Beauty or Special Landscape Area. Nor is the site adjoining, or in proximity to, any designated landscape areas of special significance.
- 6.4 Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity.
- 6.5 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.
- 6.6 Paragraph 118 of the NPPF requires planning authorities, when determining planning applications, to seek the conservation and enhancement of biodiversity by ensuring significant harm resulting from a development is avoided (through locating on an alternative site with less harmful impacts), or where not possible to be adequately mitigated, or, as a last resort, compensated for, and if this cannot be secured then planning permission should be refused.
- 6.7 The Outline permission was accompanied by An Ecology Report and it was held that ecological matters had been properly assessed at that time. The issue of trees on the housing part of the site was left to a condition. This condition was discharged in March of this year.

7.0 Impact on Residential Amenity

- 7.1 Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas.
- 7.2 Paragraph 9 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.3 Other than this minor point, given the separation between the two sites there is no identifiable harm to residential amenity. The proposal responds favourably to local Policies H13 and H16.

8.0 Flooding and Drainage

- 8.1 Conditions 41 and 42 of the Full element of Planning permission 4188/15 (relating to the training facility) covered matters of drainage. The first was to prevent discharge of water on to the highway, the second was to secure a surface water drainage strategy.
- 8.2 Both of these conditions were discharged in March of this year. Confirmation is awaited that the Outline (housing) element is also now satisfied. This will be reported within the late papers. In any event, this matter is dealt with by condition rather than being an integral part of the application itself. The condition is number 6 of 4188/15 and its discharge will mean the issue is dealt with.
- 8.3 It is noted that a neighbour has objected on, amongst other matters, grounds relating to sewerage issues. However, as detailed in the consultations paragraphs, Anglian Water has no objections

PART FOUR – CONCLUSION

9.0 Planning Balance and Conclusion

- 9.1 The site in question benefits from Outline Planning permission. There is, therefore, no dispute that the application is acceptable in principle.
- 9.2 The design and layout are acceptable and the scheme gives rise to no residential amenity issues or any other matters of concern.
- 9.3 The proposal contributes towards the delivery of 52 units of accommodation, which will count towards the District's housing provision.
- 9.4 For the above reasons, the application is recommended for approval.

10.0 RECOMMENDATION

- 10.1 That authority be delegated to the Acting Chief Planning Officer to grant planning permission, subject to conditions listed at 10.2. (These are in addition to the conditions on the outline consent that remain in place and will need to be discharged).
- 10.2 Conditions:
- Approved Plans;
 - Amended planting to avoid splays and footways;
 - Surface materials to be agreed
 - Phasing to be agreed