

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE A - 30 March 2016

AGENDA ITEM NO	3
APPLICATION NO	2285/15
PROPOSAL	Full Planning Permission- Erection of new Scout Headquarters with associated facilities and new access road. Outline Planning Permission- Erection of 30 new dwellings with all matters reserved (accept the new road access to serve the properties).
SITE LOCATION	Land and Buildings at Red House Farm, Priory Road, Fressingfield IP21 5PH
SITE AREA (Ha)	1.77
APPLICANT	Mr & Mrs Barrett & The First Fressingfield Scout Group
RECEIVED	June 30, 2015
EXPIRY DATE	November 16, 2015

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

PRE-APPLICATION ADVICE

1. Pre application advice was sought from the Corporate Manager- Development Management and Officers prior to the submission of the application. This was generally favourable to the development subject to the resolution of relevant planning issues.

SITE AND SURROUNDINGS

2. The application site relates to a parcel of land extending to an area of 1.7 hectares of open grassland. The site is bounded to the north-west by New Street and to the east by Priory Road. A public right of way extends along the south-east boundary. To the north-east are residential bungalows forming Priory Crescent. To the south are Red House Farm and an industrial unit occupied by Weybread Woodcraft.

The site is enclosed on the north-west, north-east and east boundaries by trees and hedgerow. To the south-east is Priory House a Grade 2 Listed Building.

The site abuts the defined settlement boundary of Fressingfield on the north-east boundary as shown on Mid Suffolk Local Plan Inset Map 36. The site for planning purposes is deemed to be within the countryside.

HISTORY

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

0072/14	Non-compliance with condition 4 of planning permission 0047/03 (Restriction to use as holiday accommodation) to enable use as residential accommodation for temporary period of 12 months	Granted (expired 28 February 2015).
1201/11	Construction of new 4 bedroom holiday accommodation (attached to existing building on the footprint of former farm buildings).	Granted

PROPOSAL

4. This is a "hybrid application" which comprises of:

Full planning permission for the erection of a scout hut to be the headquarters for First Fressingfield Scout Group.

Outline planning permission for up to 30 residential units.

Full element:

The application seeks permission for a new access to be created off New Street which would serve the proposed Scout Hut, the residential development and the existing industrial unit.

The full application relates to the south-eastern part of the site. The Scout Hut would be in the south –east corner of the site and would face south over a new car park which provides 21 space. To the north of the scout hut would be an activity field to be used in connection with the scout group activities and a small outbuilding providing toilets, showers and 'wash-up space'. The activity field will include additional tree and hedge planting and a small pond.

The Scout Hut would be single storey with timber external wall and pitched roof. It would have a maximum height of 4.8m with an overall width of 27.5m and overall depth of 14.8m. The Scout Hut comprises a main hall, toilets, storage, lecture and activity rooms, workshop and kitchen. Adjacent to the hut will be a porous hardstanding to provide parking for two minibuses and trailers. The scout area would be enclosed by a chain link fence and accessed from the new

estate road extending off New Street. Bollards will restrict access from Priory Road for pedestrians and cyclists only. A new footway will be constructed along Priory Road which is an adopted highway.

Outline Element:

Outline planning permission is sought for the erection of up to 30 dwellings. All matters are reserved for subsequent approval with the exception of the access. An indicative layout plan has been submitted within the application. This shows that the new access proposed to serve the Scout Hut would also serve the dwellings. 35% (10) of the dwellings will be affordable units.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. This is a summary of the representations received. A copy of the full consultation responses are enclosed within the agenda bundle.

The Parish Council: Fressingfield Parish Council object to the application, in summary:

- They Support the provision of a new scout hut despite access issues and position of outbuilding but could not agree on the amount of housing.
- New Street is very narrow and the increase of traffic caused by this development would be unacceptable for this road.
- Should this development proceed it would have strong safety issues for pedestrians.
- New Street has no pavements and small grass verge. The building of so many houses would put an added danger on this road. There is no place for pedestrians and cyclists to escape large Lorries and vehicles that use this road into and out of Fressingfield.
- Strain on current services such as water and drainage.
- A reduced number of dwellings would possibly be more of acceptable.

SCC Highways: The Highway Authority recommended that this application be refused on the grounds of safety and unsustainability. Neither the residential element nor the Scout Headquarters element of the application are able to achieve safe and suitable access to the site for all people and are not able to promote sustainable methods of travel to and from the site.

The applicant has attempted to address the concerns raised. This has not been achieved and the final response from Highways was received 11 March 2016. In summary;

Highways are fundamentally against the proposed new access onto New Street

because it does not appear possible to provide a proper footway connection to ensure a safe pedestrian link. Given the layout proposed, with the 30 houses situated to the northern part of the site with access from New Street, it is likely that the desire line will be for people to walk directly from the site onto New Street to access the medical centre, church and the shop. Although the proposed pedestrian enhancement will provide a benefit, it doesn't overcome the problem identified in relation to the access onto New Street and the coloured surfacing and signs do not either.

There is a requirement to provide visibility splays of 2.4m x 80m to the west and 2.4m x 95m to the east and this would be available within the Highway land or land you control. It does not appear that this can be achieved within the Highway land since the visibility splay crosses a wide verge that is privately owned and not Highway. The current layout as shown including 30 new dwellings accessed onto New Street with the creation of a sub-standard new access is unacceptable from our perspective.

Section 106 Planning Obligations: It would be anticipated that a development of 30 houses would yield the minimum pupil requirements:

- Primary school age range (5 - 11 years) - 6 pupil places required (£12,181 per pupil)
- There are sufficient places at the catchment high school

Pre-school provision - In this area there are 7 providers with a surplus of 84 places. No contribution required.

£6480 is to be spent at the local catchment library in Stradbroke for improvements and enhancements to the library services and facilities. £1530 is sought for improvement, expansion or new provision of waste disposal facilities.

A total contribution of £81,096 is sought for the development.

Environmental Health (Land Contamination): The Geosphere report submitted with the application provides a comprehensive assessment of the potential contamination to significantly impact on the proposed development. Given the history of the site it is not considered necessary to require a condition regarding further intrusive works.

Environment Agency: This application falls outside our remit as a statutory planning consultee.

MSDC Strategic Housing: Strategic Housing has no objection to the proposal. The council will seek 35% of the total provision of housing (10 dwellings) to be secured for affordable housing.

Suffolk Fire and Rescue: Suffolk Fire and Rescue advise on the building regulation requirements of this development. The nearest fire hydrant is over 265m from the site and Suffolk Fire and Rescue therefore recommend that proper consideration be given to the provision of an automatic fire sprinkler system.

SCC Archaeological Service: This proposal lies in an area of archaeological interest, in a topographical location that is favourable for early occupation of all

period. A geophysical survey carried out for this site detected a number of anomalies which are likely to be archaeological in nature. As a result, there is a high potential for the discovery of hitherto unknown important features and deposits of archaeological interest at this location. Any groundworks associated with the proposed development has the potential to cause significant damage or destruction to any underlying heritage assets. Two conditions are therefore recommended.

Suffolk County Landscape Officer: The site is an open agricultural grassland field adjacent to the built up area of the village. The south western boundary is open and follows the line of a cross field footpath; however the northern, eastern and southern boundaries are marked by hedgerows and trees. The proposal will be a permanent change to land use and land cover with the loss of open grassland replaced by the built environment. However this loss will not have a significant impact on the character of the landscape. Recommend conditions regarding landscaping, lighting and materials.

Suffolk Wildlife Trust: Suffolk Wildlife Trust recommends a bat survey to the trees on the north boundary is conducted prior to determination of the application in order to inform the decision. Any loss of trees or hedgerow should be compensated for within the design of the proposed development. The recommendations made within the ecological survey report should be implemented in full via a condition of planning consent.

County Ecologist: The ecological report identifies impacts on Protected and Priority species and habitats. These are hedgerows, bat, reptiles, hedgehogs and breeding birds. Detailed conditions should be included to mitigate, compensate and control the impacts, the hedgerow along New Street cannot be retained and this hedgerow needs to be surveyed and assessed for bat roosts prior to determination of the application.

Public Rights of Way: Public Footpath 66 is recorded adjacent to the proposed development area. Public Rights of Way have no objection to the proposed development.

Anglian Water: There is capacity for the foul sewage and wastewater treatment. The surface water strategy/flood risk assessment relevant to Anglian Water is unacceptable and a condition requiring a drainage strategy covering the issues should be agreed.

Environmental Health (Other matter): The Environmental Health Officer recommends a condition requiring a noise assessment of the existing business to demonstrate that the existing business will not likely cause nuisance to occupiers of the proposed new dwellings. Conditions are also recommended relating to construction hours and lighting.

Heritage: The Heritage Team considers that the proposal would cause no harm to a designated heritage asset because it would not result in material harm to the setting of the listed Priory Farmhouse.

Natural England: Natural England has no comments to make on this application.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.

Letters of objection:

- Trees along New Street give privacy for the area of Rivetts Barn and Carpenters Yard.
- Traffic speeds along this road despite the speed limit. Often vehicles are on the wrong side of the road when coming around the bend towards Fressingfield.
- Impact to wildlife. Bats, Birds, and Barn Owls use this site for feeding.
- Land acts as a buffer-zone from the chemically sprayed crop fields so wildlife and wild plants can exist.
- Unacceptable proposal which is unsuited to Fressingfield
- No footpath is available on this part of the village
- Light pollution
- Traffic would exit on to a blind bend.
- This is a rural area which is gradually being turned into a semi-rural area.
- Length of New Street between Priory Crescent and Carpenters Yard is not safe for vulnerable road users and pedestrians particularly during dark evenings.
- New road would serve Weybread Woodcraft generating greater HCV traffic. New Street does not have capacity to cope with large numbers of additional HCV movement.
- Scale of development not in-keeping with the idea of a rural village.
- Impact on public services such as drainage and water supply.
- Scout facility will be used by large number of children in excess of 100 everyday including weekends. This will generate unacceptable noise and nuisance. Not suitable for a residential area.
- Over-shadow nearby properties.
- Loss of prime agricultural land.
- Over-development creating a detrimental westward sprawl.
- Scout HQ is more for a Scout Activity Centre.
- Increase traffic in the area and congestion.
- If dwellings are two-storey they will harm neighbour amenity in terms of loss of light, loss of privacy and over-shadowing.
- Doctors will be over-loaded
- The development of the scout hut is needed but am concerned about the number of properties to go alongside.
- All of New Street is dangerous and once passed Priory Road the speed limit is ignored.
- Infrastructure of the village is no capable of taking this amount of traffic
- Other developments proposed in Fressingfield and this scheme should not be considered in isolation.
- There are several brownfield sites in or near Fressingfield which should be considered first
- If permission is granted landscaping should soften the visual and noise impact of the existing business from Carpenters Yard.
- Need to consider improvements to bus service, footpath maintenance

and sewage drainage.

- Development should be located in towns where they can provide education at all levels, career paths and places of work.
- Development should relate to the identified housing need.
- New Street is narrow and it is difficult for two cars to pass each other let alone allow safe pedestrian access.

Support

- Secure a fantastic youth provision for Fressingfield and the surrounding area but will also go some way to meet the housing demand.
- Valuable recreational facility
- Remove traffic from Priory Road

Following re-consultation :

Letters of objection

- The traffic data confirms vehicles are exceeding the posted speed limits of 30mph. It is impossible to reconcile the data with a solution now submitted that proposes a coloured road surface treatment for pedestrians as their only protection from moving vehicles.
- Will remove the whole strip of hedgerow to the New Street frontage
- Coloured footway strip is worthless. Where there is no proper pavement convention dictates that a pedestrian should walk facing oncoming traffic and it is dangerous to do otherwise.
- Visitors' delivery vans, tradesmen etc. may park ad hoc on this proposed footway strip.

ASSESSMENT

8. Policy background

The application site is situated adjacent to the settlement boundary for Fressingfield as defined by Inset Map No. 36 of the Mid Suffolk Local Plan (1998). The site is therefore considered within open countryside as identified by Policy CS1 "Settlement Hierarchy" of the Mid Suffolk Core Strategy DPD (2008). Policy CS2 "Development in the Countryside and Countryside Villages" of the Core Strategy details that countryside development will be restricted to defined categories. This includes affordable housing on rural exception sites.

Fressingfield is defined (Policy CS1 of the Core Strategy) as a 'Primary Village'. These are villages capable of limited growth for Local Area Market Housing. That said the local authority does not have a five year land supply. Paragraph 49 of the National Planning Policy Framework (NPPF) states;

"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of

deliverable housing sites."

Consequently policies CS1 and CS2 should not be considered up-to-date. Permission should therefore be granted unless there is demonstrable harm. Paragraph 14 of the NPPF reads,

"where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted"

The NPPF requires that development be sustainable and that adverse impacts do not outweigh the benefits to be acceptable in principle. The NPPF (paragraph 7) defines three dimensions to sustainable development- the economic role, social role and environmental role. These roles however should not be considered in isolation. Paragraph 8 of the NPPF identifies that environmental, social and economic gains should be sought jointly. Therefore the Core Strategy Focus Review 2012 (post NPPF) policy FC1 seeks to secure development that improves the economic, social and environmental conditions in the area. The proposal therefore must be determined in regards to sustainable development as defined by the NPPF.

Sustainable Development

The application site abuts the settlement boundary of Fressingfield and is connected by New Street and Priory Road to the services and facilities of this designated primary village. Consequently the proposed housing would support the local facilities and services required by the residential use. The residential use will provide affordable units which will improve the vitality and diversity of the village. Furthermore the inclusion of a recreational field will provide additional community facilities and benefits to the village.

The scheme is therefore considered to provide economic and social gains as required by policy FC1 of the Core Strategy Focus Review and the NPPF. However the NPPF paragraph 6 details that the policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system. Consequently the proposal must accord with the NPPF as a whole to be considered sustainable development.

The proposal seeks to provide a new footway link along Priory Road which joins New Street. A new footway is also proposed along New Street. However due to the limited verge, the footway can only extend along the frontage of the application site. After this a coloured surface treatment would be applied to the road indicating the pedestrian route. This would only extend to Priory Crescent.

The provision of this coloured surface to a narrow, unlit, rural and busy road would not be sufficient to mitigate the risk to pedestrian or cyclist safety. Despite the new footway link along Priory Road occupants or users of the site would still need to walk along New Street for more than 300m without a footway provision to reach the local shop and doctor's surgery. The development therefore would not ensure that there is safe and suitable access for all people. This is a critical requirement of paragraph 32 of the NPPF.

Paragraphs 31 and 34 of the NPPF details that decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised and secure the viable infrastructure necessary to support sustainable development.

Paragraph 72 of the NPPF also details that developments should promote accessible developments, containing clear and legible pedestrian routes. Plans should exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore developments should be located and designed where practical to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities (Paragraph 35 of the NPPF).

It is proposed to construct a new footway along Priory Road. However the new footway is narrow (1.25m in places) and would remain unlit. Also this does not prevent the need for pedestrian to walk along New Street to reach the shop and medical centre. Given the layout proposed, with the 30 houses situated to the northern part of the site with access from New Street, it is likely that the desire line will be for people to walk directly from the site onto New Street to access the medical centre, church and the shop.

The lack of suitable pedestrian links and the inability to provide safe and secure access for all would lead to a reliance on the motor vehicle. The car would form the safest option for transportation. Therefore the proposal is not considered to accord with the NPPF (paragraphs 31, 34, 35 and 72) in promoting sustainable transport modes, giving priority to pedestrian and promote accessibility. Therefore the development is not considered sustainable development as set out in the NPPF when taken as a whole.

Highways

Paragraph 32 of the NPPF states that development should provide safe and suitable access to the site can be achieved for all people. Policy T10 of the Mid Suffolk Local Plan 1998 also provides that development will be considered in regards to the provision of safe access to and egress from the site.

The Highways Authority does not support the application. The visibility splay to the new road falls across land outside of the applicant's ownership and control. As a result the applicant is not able to provide or keep the splay clear in the future. Therefore the proposal would not achieve safe vehicular access and would contrary to policy T10 of the Mid Suffolk Local Plan and paragraph 32 of the NPPF.

As set out above given the lack of village footway links makes the development will increase highway dangers due to the increased number of pedestrians having to walk in the road.

The development therefore cannot ensure safe and secure layouts which minimise conflicts between traffic and pedestrians as required by Policy T10 of the Mid Suffolk Local Plan and paragraph 32 of the NPPF.

Biodiversity

A Phase I Habitat Survey was submitted with the application. The report concludes that the site survey did not reveal any outstanding ecological issues which need to be address by further survey. The proposed development in its current form would not impact significantly on any protected species or habitat. Suffolk Wildlife Trust and the County Ecologist raise no objection to this proposal and recommend enhancement and mitigation measures be agreed through condition.

As the development will result in the loss of hedgerow to the north and as recommended by the County Ecologist and Suffolk Wildlife Trust; a further survey for bats was conducted. This found no evidence of roosting bats. Subsequently it is unlikely the development will harm any protected species and the use of enhancement and mitigation measures will improve the ecological value of the site.

Impact on neighbour amenity

The Scout Hut is located over 60m from the properties on Priory Crescent and the outbuilding is approximately 20m away. The hut will be available for occasional use by schools as an outdoor centre likely to be only 30 pupils at one time and between the 9.30 to 3pm. The scout meetings take place during 6pm to 9pm on term times with an average of 20 young people and 5 adults. The use of the building and grounds would be available for weekends (30 people) including residential elements. Residential elements include sleeping-over in the hall and camping.

It is recognised that the use of this site would increase noise activities in the area. However given the time of use, the type of activities, the distance from neighbouring properties and the amount of users, the development is not considered to create unacceptable harm to neighbour amenity.

The housing plan provided is indicative. The scale, appearance and layout would be dealt with under a further application for reserved matters. The proposal would need to be designed as not to harm adjacent neighbour's amenity in terms of loss of light, over-looking and over-shadowing. This would be controlled by the further application. It is deemed that there is sufficient space to allow an acceptable scheme to be designed.

A noise assessment has been requested by the Environmental Health Officer regarding the existing business. This will again inform the final layout and design of the residential development as to allow for acceptable living conditions for new residents.

Impact on landscape

The site relates well to the existing built environment given the surrounding residential properties. Provided adequate design, landscaping and scale of the residential development the proposal would not significantly harm the character and appearance of this countryside location. Consequently the development is not considered to cause harm to the character and appearance of the locality.

Due to the relationship of both the chapel and residential development with neighbouring properties (orientation and distance) the development is not unacceptably affect neighbour amenity in terms of noise, loss of light or overshadowing. Due to the alteration of the Chapels form the development is on-balance not considered over-bearing and of unacceptable harm.

Finally a Flood Risk Assessment was included with the application which details the measures to control surface water. A drainage condition would secure the appropriate strategy.

The above matters are not considered unacceptable in terms of harm as to warrant additional reasons for refusal.

Conclusion

The proposal cannot provide safe and secure pedestrian links from the application site to the services and facilities of Fressingfield. This would lead to pedestrians walking along a narrow, unlit and busy rural road. Additionally the proposed visibility splays to the new road extend across land outside of the Highways Authority and applicant's ownership or control. It is not demonstrated that these splays can therefore be achieved for safe entry and exit of the new estate road. The proposal does not therefore provide safe and secure access for all people as required by paragraph 32 of the National Planning Policy Framework. The development furthermore does not prioritise the pedestrian. The proposal is not deemed to accord with policy T10 of the Mid Suffolk Local Plan or paragraphs 31, 32, 34, 35 and 72 of the NPPF.

RECOMMENDATION

That Full Planning Permission be refused for the following reasons:

That Full and Outline Planning Permission be Refused for the following reason:

1. The development does not provide adequate pedestrian links to the services and facilities in Fressingfield. The development would lead to an increase in pedestrian activity within the road resulting in greater conflict between pedestrians and traffic. The proposal does not provide suitable and safe pedestrian links to local services and facilities, The development does not provide or promote viable infrastructure necessary for the development, or prioritise pedestrian access and as such does not contribute to the achievement of sustainable development. The proposal is deemed contrary to policy T10 of the Mid Suffolk Local Plan 1998, policies FC1 and FC1.1 of the Core Strategy Focused Review 2012 and paragraphs 6, 31, 32, 34, 35 and 72 of the NPPF.

2. Part of the visibility splay required for the new road entrance and exit are not within the Highway Authority's or applicant's ownership or control. Their provision and future retention cannot be secured and on that basis the development cannot deliver safe and secure access as required by Policy T10 of the Mid Suffolk Local Plan and paragraph 32 of the NPPF.

At such time Committee determine the application without a Planning Obligation being secured the Corporate Manager- Development Management be authorised to refuse full planning permission for reason(s) in resolution (A) including the

following reason for refusal:-

3. Inadequate provision of open space and/or infrastructure contrary to policy CS6 or the Core Strategy 2008 without the requisite S106 obligation or CIL being in place.

Philip Isbell
Corporate Manager - Development Management

Rebecca Biggs
Planning Officer

APPENDIX A - PLANNING POLICIES**1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review**

Cor3 - CS3 Reduce Contributions to Climate Change
Cor5 - CS5 Mid Suffolks Environment
Cor6 - CS6 Services and Infrastructure
Cor2 - CS2 Development in the Countryside & Countryside Villages
Cor1 - CS1 Settlement Hierarchy
CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT
CSFR-FC2 - PROVISION AND DISTRIBUTION OF HOUSING

2. Mid Suffolk Local Plan

RT1 - SPORTS AND RECREATION FACILITIES FOR LOCAL COMMUNITIES
RT12 - FOOTPATHS AND BRIDLEWAYS
T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT
CL8 - PROTECTING WILDLIFE HABITATS
GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
H11 - RESIDENTIAL CARAVANS AND OTHER MOBILE HOMES
H13 - DESIGN AND LAYOUT OF HOUSING DEVELOPMENT
H14 - A RANGE OF HOUSE TYPES TO MEET DIFFERENT ACCOMMODATION NEEDS
H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS
H16 - PROTECTING EXISTING RESIDENTIAL AMENITY
H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
RT4 - AMENITY OPEN SPACE AND PLAY AREAS WITHIN RESIDENTIAL DEV'T
H5 - AFFORDABLE HOUSING ON RURAL EXCEPTION SITES
H4 - PROPORTION OF AFFORDABLE HOUSING IN NEW HOUSING DEVELOPMENT
T9 - PARKING STANDARDS

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letters of representation have been received from a total of **22** interested parties.

The following people **objected** to the application

[REDACTED]

The following people **supported** the application:

[REDACTED]

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

[REDACTED]