

Committee Report

Item 7A

Reference: DC/21/02564
Case Officer: Bradly Heffer

Ward: Elmswell & Woolpit.

Ward Member/s: Cllr Helen Geake. Cllr Sarah Mansel.

RECOMMENDATION – APPROVAL OF RESERVED MATTERS WITH CONDITIONS

Description of Development

Submission of Details - Reserved Matters application in part for Outline Planning Permission 1636/16. Appearance, Landscaping, Layout and Scale for construction of a car park to be associated with Woolpit Health Centre.

Location

Land South Of, Old Stowmarket Road, Woolpit, IP30 9QU

Expiry Date: 4th August 2021

Application Type: RES - Reserved Matters

Development Type: Major Small Scale

Applicant: Mid Suffolk District Council (Strategic Property Team)

Agent: None

Parish: Woolpit

Site Area: Approximately 0.4 hectares

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

The proposal has been submitted on behalf of Mid Suffolk District Council

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

National Planning Policy Framework

Mid Suffolk District Core Strategy Development Plan Document (2008):

CS1 – Settlement Hierarchy
CS5 – Mid Suffolk’s Environment
CS6 – Services and Infrastructure

Mid Suffolk District Core Strategy Focused Review (2012):

FC1 – Presumption in Favour of Sustainable Development
FC1.1 – Mid Suffolk Approach to Delivering Sustainable Development

Mid Suffolk District Local Plan (1998):

GP1 – Design and Layout
H16 – Protecting Existing Residential Amenity
T7 – Provision of Public Car Parking
T10 – Highway Considerations in Development
T11 – Facilities for Pedestrians and Cyclists
T12 – Designing for People with Disabilities

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-

Stage 6: Referendum

Accordingly, the Neighbourhood Plan has significant weight, in the determination of this proposal.

Consultations and Representations

Due to the pressing need to provide this parking facility in close proximity to Woolpit surgery, in order to support the public health response to the pandemic and thus provide Covid-19 resilience, the proposal has been brought to Committee for determination as promptly as possible. This will enable the prompt consideration thereafter of CIL funding aspects.

The period for notification and consultation on the application had not expired at the time this report was written and the report is therefore put forward subject to any material considerations which may subsequently arise therefrom.

Members will therefore be updated at the committee meeting on any further comments and consultation responses as (apart from the site notice that expires on 3rd June and the newspaper advertisement that expires on 9th June) the stakeholder consultation period will have expired prior to the meeting taking place. The recommendation will nonetheless be made to ensure regard is had to such later comments etc as may be material.

The following comments had been received at the time this report was written:

A: Summary of Consultations received as at 19th May 2021

Town/Parish Council (Appendix 3)

At the time this report was prepared, the views of **Woolpit Parish Council** were not available. The period for the Parish Council to comment expires prior to the Committee date and it is therefore intended that any comments received will be available at the meeting.

The following comment has been received from **Elmswell Parish Council**:

'Councillors have asked that I write in support of this emerging development which they consider to be entirely appropriate given the well-versed problems of parking at the Health Centre. The proposal offers a sustainable and efficient travel route for the Elmswell catchment which forms a significant element of the patient list, and the incidental pedestrian access to Woolpit School would seem to be a worthwhile benefit.'

National Consultee (Appendix 4)

None undertaken

County Council Responses (Appendix 5)

The **Highway Authority** were consulted on the proposals and any comments received will be reported at the meeting.

Internal Consultee Responses (Appendix 6)

The **Public Realm** team has no comment to make on the proposal.

The **Environmental Health** officer has recommended a condition be imposed that would require the submission of lighting details prior to the commencement of development.

Officer comment: Members are advised that condition 04 attached to the grant of outline planning permission requires the submission of lighting details and therefore the imposition of a similar condition at reserved matters stage to address the same issue would not meet the relevant tests e.g. necessity and reasonableness.

Place Services Ecology, Place Services Landscape and the **Communities** team were consulted on the proposals and any comments received will be reported at the meeting.

B: Representations

This reserved matters proposal has been advertised in a newspaper, site notices have been posted and neighbour notification letters sent. At the time of writing this report no representations had been received. A verbal update shall be provided, as necessary.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: 1636/16

Outline planning permission with all matters reserved except for access for the erection of up to 120 dwellings. Construction of a car park to be associated with Woolpit Health Centre. Access to the site and individual accesses to five self-build plots and associated open space. (Proposal includes highway improvements to Heath Road and Old Stowmarket Road, including double mini-roundabout at The Street, Old Stowmarket Road and Heath Road junction).

DECISION: GTD 04.07.2018

REF: DC/18/03517

Application under Section 96a of the Town and Country Planning Act - Erection of up to 120 dwellings with construction of car park Ref 1636/16 Non amendment to Condition 2 (Approval of Reserved Matters) and Condition 13 (Landscape and Ecological Management Plan) only as follows, Condition 2 to read, Before any development is commenced within any of the following individual phases Phase A -115 dwellings; Phase B first self-build plot; Phase C- second self-build plot; Phase D - third self-build plot; Phase E - fourth self-build plot; Phase F - fifth self-build plot; Phase G - the car park to be associated with Woolpit Health Centre approval of the details of the appearance, scale and layout of the building(s) and the landscaping for that individual phase (hereinafter called "the reserved matters!") shall be obtained in writing from the Local Planning Authority, Condition 13 to read:

Prior to the commencement of any dwelling/s above slab level within Phase A (as defined by condition 2), a landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the local Planning Authority for Phase A. The LEMP shall include the following: (Remaining wording unchanged).

DECISION: GTD 08.11.2018

REF: DC/19/05196

First submission of details application (for approval of reserved matters) for outline planning permission 1636/16 amended by Section 96a permission DC/18/03517. Layout, Scale, Appearance and Landscaping to be considered for the erection of 115No dwellings.

DECISION: GTD 16.04.2020

REF: DC/20/04288

Application for Non Material Amendment - Amendment to the wording of Condition 2 of permission 1636/16 (as amended) to provide for a separate phase for the provision of drainage infrastructure to serve the proposed self-build plots. Further details of the proposed wording for the condition are included within the covering letter.

DECISION: GTD 26.10.2020

REF: DC/21/01928

Application for Non Material Amendment relating to 1636/16 – Vary to terms of condition 16 to enable provision of a temporary vehicular access to the car park from the Health Centre.

DECISION: GTD 13.04.2021

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. This reserved matters proposal relates to an approximately rectangular-shaped, level piece of land (with a given area of 0.4 hectares) located to the south of Old Stowmarket Road/east of Saffrons Close, Woolpit. Notable features include a line of established hedging and trees located on the western boundary of the site where it abuts the rear gardens of dwellings in Saffron Close, and a group of established trees adjacent to, but outside of, the south-eastern corner of the application site. The south-western corner of the site abuts the established curtilage of Woolpit Health Centre, and the site itself abuts the settlement boundary.
- 1.2. The identified site forms part of a larger site, for which planning permission has been granted for residential development. Outline planning permission was approved under application ref. 1636/16, with reserved matters (for the residential development) being approved under ref. DC/19/05196. The construction of the residential development is underway.
- 1.3. The site for the car park is the final remaining area for development that is covered by the outline planning permission ref 1636/16. The outline planning application reserved all matters apart from access (for which full planning permission was sought). Therefore this current submission seeks approval for the layout, appearance and landscaping of the car park.
- 1.4. As part of the outline application approval, a Unilateral Undertaking was secured whereby the land comprising the current site is to be transferred to the Council, to be used as a car park to serve the Health Centre.

2. The Proposal

- 2.1. This proposal seeks reserved matters approval for the development of the site as a car park. The proposal would accommodate 136no. car parking spaces in total (including 20no. spaces for disabled motorists). In addition, the development would include facilities to enable charging for 10no. electric vehicles as part of the overall number of spaces. Other facilities would include 28no. 'Sheffield' cycle-parking stands and 8no. spaces for powered two-wheel vehicles.
- 2.2. The access to the site for cars would take place from the northern boundary i.e. via the surrounding residential development that is currently under construction. However, the pressing need for the facility means that a *temporary* vehicular access to the site would be made available from the Health Centre site, while the development to the north is completed. The submitted plans also show footpath links to north, east, south and west. The site would be illuminated via lights on 8no. 6 metre high columns, located on the periphery of the site, with 1 no. column located centrally. Other features on the site would include gates (and a height restrictor) to serve the northern vehicular access, and gates to serve the temporary access from the Health Centre.
- 2.3. In terms of the proposed soft landscaping for the car park, this would include new trees and hedging, together with areas of seeded wildflower planting.
- 2.4. Members should note that a specific condition attached to the grant of outline planning permission (no. 15) requires the submission and agreement of a car park Management Plan prior to the first

use of the car park. The full text of all supporting documents may be viewed on the Council's website.

3. The Principle of Development

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that '*...If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with plan unless material considerations indicate otherwise...*'
- 3.2. The site for this proposal is land that is currently unallocated for development, as defined in the adopted development plan. However, within the emerging Joint Local Plan the site forms part of an area that is identified as being suitable for residential development (allocation ref. LA094). Inter alia, the allocation recognises the provision of a car park to serve Woolpit Health Centre. Given the point that the Joint Local Plan has reached i.e. pending examination it can be afforded limited weight in the determination of development proposals. That said, it is useful as context for Members as it does indicate a preferred 'direction of travel' for this location, in planning terms.
- 3.3. In relation to the Woolpit Neighbourhood Plan, policy WPT3 relates specifically to the provision of residential development (up to 120no. homes) on land south of Old Stowmarket Road. As part of the policy, it requires '*...A main car park of approximately 0.5 hectares area for Woolpit Health Centre with direct access through the development...*'
- 3.4. Notwithstanding the above summary of the policy position, in the case of the determination of this reserved matters proposal, it is considered that the outline planning permission granted by the Council under application ref. 1636/16 clearly establishes the acceptability in principle of a car park being located on the identified site in planning terms, and this is an immutable fact. It is therefore not necessary for Members to re-consider the grant of permission for the car park; rather it is appropriate to consider the matters reserved in relation to the car park and to ensure it would continue to sit within the four corners of that permission. It is noted that, as part of the planning conditions that were added to the grant of outline planning permission, a specific condition (no. 14) inter alia identified that the car park has to contain 136no. spaces.

4. Nearby Services and Connections

- 4.1. Within the adopted Development Plan, Woolpit is recognised as a Key Service Centre and contains a number of facilities, including shops, village hall, surgery, primary school, local employment opportunities etc. As noted elsewhere in this report, it is intended that the car park facility would serve the Woolpit Health Centre. It is understood that the Health Centre provides a service for a significant number of parishes as well as Woolpit, and clearly the need for sufficient parking facilities is imperative.
- 4.2. Members will also note that the design of the car park includes cycle and pedestrian links to the east and south, in anticipation of development that is currently underway and also will be taking place in the foreseeable future (to the south). On this basis, pedestrian and cyclist access will be available through the car park; utilising the space as a shared surface. In this regard, signage would advise pedestrians and cyclists as such.

5. Site Access, Parking and Highway Safety Considerations

- 5.1. Reflective of the requirements of NPPF paragraph 108, local plan policy T10 identifies inter alia that safe access and egress to a development site is. The outline planning permission granted under application ref. 1636/16 included a layout plan for the proposed residential development, and the car park. This plan shows the vehicular access to the car park being achieved through the

residential development, which itself is accessed via Old Norwich Road. As noted elsewhere, the principle of this arrangement is established in planning terms.

- 5.2 This reserved matters proposal includes the approved means of vehicular access to the north of the site, and the intention is that permanent access for vehicles would take place from this point. However, as an interim measure, it is proposed that a temporary means of vehicular access would be obtained via the existing Health Centre car park. This is because the provision of the car park facility is urgent, due to demands created by the current Covid pandemic. The approved access from the residential area would not be available in the short term, therefore requiring an alternative means of access, on a temporary basis. It is important to bear in mind that while vehicular access to the site from the Health Centre car park would be temporary, the outline planning permission recognises that a pedestrian or cycle/pedestrian access would be available permanently.
- 5.3 The acceptability of the means of access to the site, via the adjacent residential area, has been established through the outline planning permission for the overall development. In relation to the proposed temporary access, the views of the Highway Authority have been sought in relation to the proposal, but were not available at the time this report was produced. Members will therefore be updated via tabled papers or verbally at the Committee meeting.
- 5.4 The outline planning permission establishes the overall number of spaces that should be available on the site (136). Members will note that these would include 20no. spaces for disabled motorists. The size of each parking space meets the requirements of the Council's adopted parking standards. In addition, the width of the aisle between rows of spaces accords with adopted requirements i.e. 6 metres. In addition there are parking facilities for cyclists (provided through 28no. cycle stands) and powered two-wheel vehicles.
- 5.5 It is also intended that infrastructure for charging points for electric vehicles would be provided on the site. The submitted plans show provision to serve 10no. spaces in total.
- 5.6 In order to enable the creation of a temporary access to serve the car park, a Non Material Amendment (ref. DC/21/01928) was approved via notice dated 13th April that varied the wording of condition no. 16 attached to the outline planning permission as follows:
- 'Prior to the first use of the hereby approved car park to serve the Woolpit Health Centre, a scheme, including timetable for implementation and completion, to provide a pedestrian and cycle link, and also a **temporary vehicular access**, between the Health Centre and new car park shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall be carried out as may be approved and in accordance with the agreed timescale.'* (Officer emphasis)
- 5.7 Members are advised that, in order to enable the temporary vehicular access to be formed between the Health Centre car park and the proposed facility, it would be necessary to temporarily lose 5no. spaces in the Health Centre car park. That said, 4no. of these would be reinstated when the temporary access is no longer required (bearing in mind that 1 no. space would be lost to provide the permanent pedestrian/cyclist link that is approved under the outline planning permission).

6. Design and Layout [Impact On Street Scene]

- 6.1. The requirements of adopted policy GP1 – design and layout of development include elements such as the maintenance and enhancement of the character and appearance of a development's surroundings. The plans submitted with the application show the arrangement of parking spaces in three main rows across the centre of the site, with spaces also located along the periphery. The submitted layout also shows the location of disabled motorists' spaces, and cycle parking stands,

located towards the southwestern corner of the site (adjacent to the access to the site from the Health Centre).

- 6.2 Clearly, the design and layout of a car parking facility is led, to a significant degree, by the functional nature of the space. In this regard, of course a key issue is that of manoeuvrability and the ability of vehicles to access spaces easily etc. That said, the functional role of the space can be achieved while creating an overall environment that is pleasant to use and is acceptable within the context of the existing, and emerging environment. It is considered that the reserved matters proposals achieve these aims.
- 6.3 Bearing in mind that the car park is located adjacent to an emerging residential area to the north, and Members recently approved an outline application for further residential development to the south (under application DC/19/02656 – determined at the Committee meeting held on 12th May), the issue of connectivity has also been considered. To this end the submitted design includes links to the east and south, in addition to the northern and western links that are discussed elsewhere in this report.

7. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 7.1. The development of the identified site for a car park will clearly have an impact within the local landscape. In this case, the site sits adjacent to a significant residential development that is currently being constructed. In addition, Members have recently resolved to grant outline planning permission for a development to the south of the site, consisting of 40no. dwellings together with provision of land for the extension of Woolpit Primary Academy School. Lastly, the site is located adjacent to established residential development and the Woolpit Health Centre (with its associated car park). Therefore the environment in which the car park would be located is, or will become, physically altered. In this regard it is considered that the provision of a car park (for which outline planning permission already exists) would not appear visually incongruous.
- 7.2 That said, it is the case that the proposed development would preserve the existing vegetation on the western boundary. The development would also avoid damage to the established tree that is located adjacent to the south-eastern corner of the site. In addition, the submitted details include the provision of new landscaping features such as trees, hedging and grassed areas. In combination, it is considered these new elements would assist in softening the overall visual impact of the development.
- 7.3 In relation to ecology, the reserved matters submission includes a report that follows on from recent ecological survey work undertaken on site. While it is advised that no further surveys are required for protected species, the report recommends a precautionary approach whereby vegetation removal takes place outside of the nesting bird season (March to Mid-August). In this regard, Members are advised that tree/hedging removal has previously taken place at the point of the proposed temporary access from the Health Centre car park. This work was undertaken earlier this year, outside of the nesting season, in anticipation of the submission of this reserved matters proposal, and there is no intention to remove any other trees or hedging on the site. In addition, the scheme includes new soft landscaping elements which have the potential to improve wildlife habitat.

8. Land Contamination, Flood Risk and Drainage

- 8.1. As this car park site formed part of the outline planning application site (defined under application ref. 1636/16) issues such as land contamination, flood risk and drainage were considered as principle elements at that stage.

- 8.2 In regard to land contamination it is noted that the Council's Land Contamination Officer had no objection to the use of the overall site for the proposed uses. This followed on from the submission of a land contamination assessment as part of the outline application supporting documents. In relation to flood risk, the outline application also included a Flood Risk Assessment that identified the site (including the land for the car park) was within Flood Zone 1 where '...there is less than a 0.1% annual probability of flooding from rivers...'.
- 8.3 As regards the proposed drainage of the site, this would consist of a surface water drainage arrangement (there being no requirement for foul drainage provision) whereby surface water would flow towards a series of filter drains across the site, which would then be stored in an underground Geocellular Attenuation tank. Water would then be discharged by gravity into the approved storm water drainage system for the residential site being developed immediately to the north. Members are advised that a specific condition of the outline approval (18) requires the submission, agreement, and provision (in accordance with an agreed timescale) of surface water drainage details.

9. Heritage Issues

- 9.1. As Members are aware, the consideration of impacts arising from development proposals on heritage assets is an important material consideration in relation to development proposals. As such, the range of impacts arising from the combined residential and car park development were considered as part of the outline application, and it was determined that an unacceptable level of harm would not result. At the time of the outline application, the following comments were made in the report produced by the officer:

'In this case the reference can be given to both Lady's Well, a scheduled ancient monument and Woolpit church. There are potential views of both these heritage assets from the frontage of the site, but given the distance and relationship with roads and fields between it is not considered that the development would have significant impact and would be outweighed by the benefits of the scheme.'

- 9.2 In this regard the location of the car park is further to the south, away from the overall site frontage, and as a consequence its visual impact would be further lessened (augmented by tree/hedgerow screening on the western boundary). The application submission includes an assessment of heritage impacts, drawing on the conclusions that were reached in consideration of the outline application proposals. The fact that the development would include above-ground structures, such as lighting columns and gates, does not alter the overall conclusion with regard to the impact of development on heritage assets in the wider vicinity of the site.

10. Impact on Residential Amenity

- 10.1. Adopted policy H16 deals specifically with the important issue of protecting residential amenity, and identifies elements such as appearance, traffic generation, nuisance, safety, loss of open space etc. In this regard, the nearest *occupied* dwellings to the site are those in Saffron Close – indeed, the site abuts the rear gardens of no.s 6 and 7. As advised elsewhere, the acceptability, in principle, of a car park in this location is established. Nevertheless, it is anticipated that the use of the car park, in itself, would not give rise to unacceptable levels of disturbance.
- 10.2 The practical operation and management of the car park is a matter which is under discussion as part of lease negotiations with the expected tenant, the Woolpit surgery, by the Council's Assets team. The outline planning permission included a condition regarding the agreement of the expected management arrangements in order to safeguard local amenity. These details are not

part of the Reserved Matters but this application is accompanied by details of the proposed management arrangements. It is important to note that these remain under discussion and this detail is not intended to discharge that condition. In particular there are ongoing discussions regarding the hours of operation, hours the car park will be lit, the need for gates and barrier at the entry which may need to accommodate future school traffic and other details. These are clearly matters of interest in the community and whilst landlord and tenant negotiations are not part of the planning process a verbal update will be given at your meeting.

- 10.3 It is recognised that a potential source of amenity loss for local residents could arise from the lighting scheme for the car park. Clearly the facility has to be safely illuminated, not least for the safety of users, and therefore lighting will be required. In this regard, it is proposed to locate two lighting columns within proximity to the shared boundary of the site with Saffrons Close; these being part of nine such columns overall. These lighting columns would be 6 metres high. The orientation of lighting located on the boundaries would be towards the site, and a horizontal illuminance (lux) diagram included in the application submission demonstrates that light wash would not adversely affect the rear curtilages of the nearest dwellings to the site. Notwithstanding this, Members are advised that a specific condition (04) of the outline planning permission requires the details of external lighting to be agreed with the Local Planning Authority. It is presently anticipated that the timed operation / dimming of the lighting would be remotely controlled by SCC.
- 10.4 In terms of visual impacts which were clearly considered at the time the Outline permission was granted, the car park would be screened from the abutting curtilages of dwellings in Saffrons Close by the line of established trees and hedging on the shared boundary, which would assist in filtering views and reducing overall prominence. It is considered that as detailed there would be no unacceptable loss of local and residential amenity having regard to the foregoing.

11. Parish Council Comments

- 11.1 The comments of **Woolpit Parish Council** were not available at the time this report was written and will be reported to Members at the Committee meeting. It is noted that **Elmswell Parish Council** is supportive of the submission.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1. Notwithstanding the current adopted development plan allocation, the grant of outline planning permission via application reference 1636/16 established the acceptability in principle of a car park being created on the identified site, to serve the Woolpit Health Centre. On the basis of the above the principle and nature of the development is fixed; Members are not required to re-consider the permission from scratch and officers are satisfied that the development will continue to deliver the anticipated benefits and within the envelope of impacts already considered.
- 13.2 The details for the proposed car park are considered to create an appropriate development in planning terms. Although the nature of this development is fundamentally functional, it is considered that the overall space created would fit within the local context. The proposal recognises and retains existing features that are of landscape value, with further planting proposed. This, in combination with existing established planting, would assist in reducing the

overall visual impact of the development in this location – a key consideration bearing in mind the proximity of the site to existing, and proposed residential development.

- 13.3 The accelerated need for the car park, resulting from the Covid pandemic, means that a temporary vehicular access has to be obtained from the Health Centre car park, immediately adjacent to the site. This is while the approved permanent access to the north, via the housing estate under construction, is provided. Nevertheless, the temporary means of access can be provided in a convenient manner for users of the car park, and in a form that does not give rise to concerns regarding visual or amenity impacts.
- 13.4 The application detail is considered to be consistent with the extant planning permission and it is recommended that Members grant reserved matters approval for the submission.

RECOMMENDATION

- (1) That authority be delegated to the Chief Planning Officer to APPROVE the reserved matters following expiry of the period for publicity (being 9th June) subject to the following conditions, plus any further conditions as may be deemed necessary by the Chief Planning Officer:**
- **Reserved Matters approval given in accordance with the terms of the outline planning permission relating to this site and the conditions attached thereto remain in force.**
 - **Approved Plans (plans submitted that form this application)**
 - **Landscaping proposals to be provided in accordance with a timescale that has previously been agreed in writing with the Local Planning Authority.**
 - **Plus such additional conditions as may be appropriate to safeguard relevant planning matters arising as a result of the current publicity and consultation that, in the opinion of the Chief Planning Officer, are necessary to impose on a reserved matters approval.**
- (2) That if further representations are received before this date which, in the Chief Planning Officer's opinion, raise new material considerations which cannot be appropriately managed by condition attached to the reserved matters approval that the application be reported back to Committee with a report and updated recommendation.**
- (3) That the Chief Planning Officer add such Informative Notes as may be appropriate or identified in consultee responses, as necessary.**