

Committee Report

Item No: 7B

Reference: DC/21/06871

Case Officer: Elizabeth Thomas

Ward: Mendlesham.

Ward Member/s: Cllr Andrew Stringer.

RECOMMENDATION – TO GRANT RESERVED MATTERS PLANNING PERMISSION WITH CONDITIONS

Description of Development

Application for approval of Reserved Matters following grant of Outline Planning Permission DC/19/01310 dated: 11/12/2019 - Appearance, Landscaping, Layout and Scale for Erection of 20no. dwellings and access (following demolition of existing buildings)

Location

Land Adjoining The Principals House, Stoke Road, Thorndon, Suffolk IP23 7JG

Expiry Date: 22/07/2022

Application Type: RES - Reserved Matters

Development Type: Major Small Scale - Dwellings

Applicant: Burgess Homes Ltd

Agent: Phil Cobbold Planning Ltd

Parish: Thorndon

Site Area: 1.22ha

Density of Development:

Gross Density (Total Site): 16.4 dwellings per/ha

Net Density (Developed Site, excluding open space and SuDs): 19.8 dwellings per/ha

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:

It is a “Major” application for:

- a residential development for 15 or more dwellings.

CLASSIFICATION: Official

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS01 - Settlement Hierarchy
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
CS07 - Brown Field Target
SB02 - Development appropriate to its setting
GP01 - Design and layout of development
CL06 - Tree preservation orders
H03 - Housing development in villages
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
HB13 - Protecting Ancient Monuments
H04- Proportion of Affordable Housing
CL02 - Development within special landscape areas
CL08 - Protecting wildlife habitats
T09 - Parking Standards
T10 - Highway Considerations in Development
NPPF - National Planning Policy Framework
Thorndon Neighbourhood Plan

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at: Stage 7: Adoption by LPA

Accordingly, the Neighbourhood Plan has Significant weight.

Consultations and Representations

During the course of the application Consultation responses have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

11th April 2022

Do not wish to add any further comments to those previously submitted and still expect the site to comply with policies laid out in the Neighbourhood plan.

10th Jan 2022

The Parish Council noted that the draft Thorndon Neighbourhood Plan has been examined, amended and a referendum is being arranged for February 2022. The Parish Council therefore expects that the policies contained within the Neighbourhood Plan are given significant weight when a determination of this application is made.

Councillors support this application as it is a development contained in the plan, however they recommend that any decision on the development is deferred until the agreed condition reached at outline stage regarding the submission of details of the surface water drainage strategy is satisfied.

National Consultee (Appendix 4)

Natural England

1st April 2022

No comments. Provide standing advice.

Anglian Water

23rd Dec 2021

The reserved matters application is related to Appearance, Landscaping, Layout and Scale therefore the application is outside of Anglian Water jurisdiction to comment.

County Council Responses (Appendix 5)

Highways

7th June 2022

Satisfied with the revisions.

24th May 2022

Conditions for outline planning permission DC/19/01310 relating to highways are as follows: Condition 8 - Construction Management Plan

Condition 18 - Provision of Roads and Footpaths

Condition 19 - storage and presentation of refuse bins

Condition 20 - Provision of Parking

Layout

- Dimensions of the proposed roads and footways have not been supplied- if the design is Shared Surface roads as Suffolk Design Guide; the road widths need to be 5.5m and reduced to 4.1m where no frontage development is present. 1m surfaced maintenance strips are required on both sides (enables the kerbing to be maintained). Recommend granite ramps are required to the approaches of each shared surface road. By scaling, the road widths are to Suffolk Design Guide.
- All footway links within the site are to have bound surfacing to enable use throughout the year.

Parking & Bins

- Drawing No 2121278/03D indicates sufficient secure cycle storage for all dwellings.
- Sufficient bin storage and presentation areas have been provided.

NOTES

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. These works will need to be applied for and agreed with Suffolk County Council as the Local Highway Authority.

Application form for minor works licence under Section 278 of the Highways Act 1980 can be found at the following webpage: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

LLFA

22nd March 2022

Holding objection.

Reserved Matter Application DC/21/06871

1. There are no above ground opens SuDS on the proposed landscaping plan nor in the submitted block plan. Therefore, they are not multifunctional and do not meet the four pillars of SuDS. See National policy points below
2. The LLFA recommends that the layout is amended to utilise above ground open SuDS for collection, conveyance, storage, and discharge. unless there is clear evidence that this would be inappropriate. This can either be due to site constraints or viability, if the latter they will need to do a viability assessment for the LPA to assess.

SCC Developer Contributions

22nd Dec 2021

There is a completed planning obligation dated 10 December 2019 attached to the outline permission under reference 5007/16. The planning obligations previously secured under the first planning permission must be binding upon this application if Mid Suffolk District Council resolve to approve and grant a further planning permission. I have no further comments to make

SCC Archaeology

12th Jan 2022

No comments relating to archaeology as conditions were discharged on the outline consent, DC/19/01310

Fire and Rescue

22nd Dec 2021

Please ensure that Condition 12 of the original Decision Notice for planning application DC/19/01310/OUT, following this build until its conclusion.

Internal Consultee Responses (Appendix 6)

Strategic Housing

22nd May 2022

No objections.

I have been asked for 'additional comment' based on the revised drawing changing the previous layout of plots: 14, 15,16, 17 and 18.

The revised drawing has now made plot 18 a separate dwelling for affordable rent.

Plots 14,15,16,17 remain as one 'building' for affordable rent.

Agreed mix for Affordable Houses

Affordable Rent (**agreed these will be plots 14-18**)

Affordable Rent = 5

4 x 1 bedroom 2 person flats @ 50sqm

1 x 2 bedroom 4 person house @ 79sqm

Shared Ownership = 2 (**agreed that these will be plots 10 and 11**)

1 x 2 bedroom 4 person house @ 79sqm

1 x 3 bedroom 5 person house @ 93sqm

Environmental Health (noise/odour/light/smoke)

17th March 2022

Do not wish to make any additional comments further to our comments of the 4th January 2022 and requirement for the submission of a Construction Management plan in connection with this proposal.

4th Jan 2022

Requirement of construction Management Plan. Linked to DOC application

Environmental Health (Sustainability)

5th April 2022

Do not wish to make any additional comments to the comments of the 10th Jan 2022.

10th Jan 2022

Do not wish to make any additional comments

Environmental Health (Land Contamination)

11th Jan 2022

No comments to make with respect to land contamination as all such issues were addressed at the outline permission stage.

Environmental Health (Air quality)

23rd Dec 2021

No objections.

Disability Forum

18th March 2022

The Mid Suffolk Disability Forum wishes to emphasise that all dwellings should meet Part M4 of the Building Regulations in this planning application.

All dwellings should be visitable and meet Part M4(1), and at least 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2).

Every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with roads for ease of access.

All surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used.

30th Dec 2021

The Mid Suffolk Disability Forum would like to point out that all dwellings should meet Part M4 of the Building Regulations in this planning application.

All dwellings should be visitable and meet Part M4(1), and 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2).

Every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with the road for ease of access.

Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used.

Waste Management

22nd Dec 2021

No objection subject to conditions.

Arboricultural

6th Jan 2022

The application is missing the detailed Arboricultural Method statement and tree protection plan in order to comply with condition 15 of the outline permission.

B: Representations

At the time of writing this report no third party comments received.

PLANNING HISTORY

REF: DC/18/02496	Non Material Amendment to Application 3701/15/FUL- Removal and replacement of existing tiles	DECISION: GTD 14.06.2018
REF: DC/18/02926	Non Material Amendment to 3701/15 - Addition of window to north elevation, repositioning of doors to north elevation and addition of render finish to ground floor of north elevation.	DECISION: GTD 24.07.2018
REF: DC/18/03516	Non Material Amendment to 3701/15 - Reduction in width of window on the proposed east elevation, repositioning of door and window on the proposed east elevation and repositioning of door on the proposed south elevation.	DECISION: GTD 22.08.2018
REF: DC/19/01508	Non-material amendment to 3701/15 and Section 73 permission 4714/16 for use of proposed Torver Textured paving in 'Buff' in lieu of the approved Bradstone Utility Peak in 'Grey'.	DECISION: GTD 09.04.2019
REF: DC/19/05719	Application for Confirmation of Compliance with Conditions- 4714/16 - All conditions for plots 8-27 inclusive and Plot 2 'The Chapel'	DECISION: GTD 17.02.2020
REF: 4714/16	Variation of Conditions 2 (Approved Plans) & 14 (Parking/turning Provision) following grant of planning permission of 3701/15. (Conversion of Kelly House to residential use, Conversion of the Old Chapel to Residential Use, Demolition of workshop adjoining the Old Chapel, Demolition of free-standing workshop building and the erection of 7No new houses	DECISION: GTD 09.11.2017
REF: 3413/16	Non material amendment sought following grant of planning permission 3701/15. Widen the access road in front of the Old Chapel to 4m to adoptable standard. Additional information added regarding outbuildings. The boundary fence to plot 19 amended to ensure adequate area for outbuilding facilities. Root protection areas added to site plan drawings. Kelly House floor plans amendment to internal layout. Elevations amended window and rooflight positions.	DECISION: SPL 19.09.2016

REF: 3701/15	Conversion of Kelly House to residential use, Conversion of the Old Chapel to Residential Use, Demolition of workshop adjoining the Old Chapel, Demolition of free-standing workshop building and the erection of 7No new houses.	DECISION: GTD 08.04.2016
REF: 3024/15	Conversion of Kelly House to Residential Use, Conversion of the Old Chapel from Industrial Use to Residential Use, Demolition of Workshop Adjoining The Old Chapel, Demolition of Free-Standing Workshop Building and the Erection of 7No. New Houses (Plot 1, 3 to 7 and 28). Please also refer to Planning Application Ref No. PP-04245016: Conversion of Existing Premises from B1a Office Use To Use Class 3 Dwelling houses at Kelly House, Stoke Road, Thorndon.	DECISION: WDN 04.09.2015
REF: 3536/14	Re-development of site. FOR SALE	DECISION: REC
REF: 2399/13	Change a building (The Old Chapel) from B1 to C3 dwelling.	DECISION: REC
REF: 2195/07	Change of use from Leisure and Recreation to Leisure, Recreation and Child care combined.	DECISION: GTD 15.11.2007
REF: DC/19/01310	Outline Planning Application (with some matters reserved) - Erection of 20no. dwellings and access (following demolition of existing buildings).	DECISION: GTD 11.12.2019
REF: 0237/06	Residential Development with dwellings and garages.	DECISION: GTD 21.06.2006
REF: DC/21/06871	Application for approval of Reserved Matters following grant of Outline Planning Permission DC/19/01310 dated: 11/12/2019 - Appearance, Landscaping, Layout and Scale for Erection of 20no. dwellings and access (following demolition of existing buildings)	DECISION: PCO
REF: DC/21/06852	Discharge of Conditions Application for DC/19/01310- Condition 4 (Phasing of Development), Condition 8 (Construction Management), Condition 9 (Archaeological Works), Condition 10 (Archaeological Recording), Condition 11 (Archaeological	DECISION: PCO

Recording), Condition 13 (Scheme for Hard Standing Areas), Condition 15 (Tree Protection), Condition 16 (Surface Water Drainage Scheme), Condition 19 (Refuse Bins and Collection Areas) and Condition 21 (Mitigation to be Agreed).

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1 The site is within the settlement boundary of Thorndon. The site is an area of land that formed part of the Kerrison's site, including the Principals House of the former school. The main Kerrison's building, originally being a school, subsequently a conference centre, has planning permission for conversion to residential, and is currently in the process of being redeveloped. To the east of the site is a playing field.

1.2 The site the subject of this application is accessed by the existing access into the Kerrison's site, situated to the east of the Kerrison building and consisting a variety of buildings/uses. These include Settles House, the former gymnasium and the former Principal's House.

2. The Proposal

2.1. This proposal is the reserved matters submission to outline permission DC/19/01310, which granted the principle of development for 20 dwellings and access of the site.

2.2 The discharge of conditions (DOC) application DC/21/06852 has been running simultaneous to this reserved matters application (DC/21/06871). Under the DOC application conditions 4, 8, 9, 10, 11, 13, 15, 16, 19, 21 have been submitted for discharge from the outline application (DC/19/01310).

2.3 Concurrent conditions:

- Condition 4 (Phasing of Development)
- Condition 8 (Construction Management)
- Condition 9 (Archaeological Works)
- Condition 10 (Archaeological Recording)
- Condition 11 (Archaeological Recording)
- Condition 13 (Scheme for Hard Standing Areas)
- Condition 15 (Tree Protection)
- Condition 16 (Surface Water Drainage Scheme)
- Condition 19 (Refuse Bins and Collection Areas)
- Condition 21 (Mitigation to be Agreed).

2.4 Drawing amendments have been sought during this application. The amended drawings are:

- Site Plan Sheet 1 – 2021278 02D
- Site Plan Sheet 2 – 2021278 03D
- Block plan - 2021278 01D
- Plot plan and elevations for plots 14 to 18 – 2021278 15C

2.5 The proposal contains the following dwellings, size and tenure/mix (including 35% affordable):

- Plot 1 – detached two storey (4 bed) with single garage.
- Plot 2 – detached two storey (4 bed) with double garage.
- Plot 3 – detached single storey (2 bed) with single garage.
- Plot 4 – detached two storey (4 bed) with single garage.
- Plot 5 – detached single storey (3 bed) with single garage.
- Plot 6 – detached two storey (4 bed) with double garage.
- Plot 7 – detached two storey (4 bed) with single garage.
- Plot 8 – detached two storey (4 bed) with single garage.
- Plot 9 – detached two storey (4 bed) with double garage.
- Plots 10 (affordable) – semi-detached two storey (2 bed) (shared ownership).
- Plot 11 (affordable) – semi-detached two storey (3 bed) (shared ownership).
- Plot 12 – semi-detached two storey (3 bed) with single garage.
- Plot 13 – semi-detached two storey (3 bed) with single garage.
- Plot 14 (affordable) – semi-detached (1 bed) (affordable rent)
- Plot 15 (affordable) – semi-detached (1 bed) (affordable rent)
- Plot 16 (affordable) – terrace (1 bed) (affordable rent)
- Plot 17 (affordable) – terrace (1 bed) (affordable rent)
- Plot 18 (affordable) – semi-detached (2 bed) (affordable rent)
- Plot 19 – semi-detached two storey (3 bed) with single garage.
- Plot 20 – semi-detached two storey (3 bed) with single garage.

2.6. The proposal would contain 47 parking spaces, 6 visitor parking spaces and 16 garages (3 double garages).

2.7. The development has a net density of 19.8 dwellings per/ha.

2.8. Scale of dwellings will be a mix of single and two storey.

2.9. The proposed block plan shows a range of garden sizes for the dwellings, which is considered reasonable for the development proposed.

2.10. There is no back to back housing within the scheme.

2.11. The dwellings will contain a variety of materials:

- Plot 1 black pantiles and red brick
 - Plot 2 red pantiles and render
 - Plot 3 black pantiles and buff brick
 - Plot 4 red pantiles and red brick
 - Plot 5 red pantiles and boarding
 - Plot 6 black pantiles and buff brick
 - Plot 7 slate and render
 - Plot 8 red pantiles and red brick
 - Plot 9 red pantiles and render
 - Plots 10 and 11 red pantiles and red brick
 - Plots 12 and 13 black pantiles and buff brick
 - Plots 14 to 18 red pantiles and red brick
 - Plots 19 and 20 red pantiles and render
- The garages will be a combination of red and black pantiles, boarding and brick.

2.12. Site Area is 1.22 ha

3. The Principle of Development

3.1. In accordance with planning law (PCPA 2004, section 38(6)) and paragraph 47 of the NPPF (July 2021) requires that applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.

3.2. The principle of development has already been established through the granting of outline application DC/19/01310, therefore, this element is not being reassessed. It is also noted this reserved matters application is within the time limit of condition 1 of the outline permission which gave three year time limit from 11th December 2019 (date of permission) for the reserved matters submission. This reserved matters application seeks to gain approval on the remainder of the details (appearance, landscape, layout and scale).

3.3 The site is within the Thorndon Neighbourhood plan policy THN3 – land at the Kerrison Centre allocation. The proposed scheme complies with the set out criteria of that policy. Also, local policy THN11 shows the access to local green space, which the proposal also complies with.

4. Nearby Services and Connections Assessment of Proposal

4.1. The site is within the settlement boundary of Thorndon and well related to the Thorndon settlement to access services and facilities within the settlement.

5. Site Access, Parking and Highway Safety Considerations

5.1. Access to the site was approved under the outline permission. The proposal utilises this access and provides for access and parking within the site. The proposed parking is to highway standards. The Highway Authority confirm that the parking provisions do conform and are acceptable. The proposal is not considered to cause any highway safety concerns.

5.2 The parking arrangements mainly consist of single or tandem parking. The access on and off the site is considered acceptable and no significant objections raised.

6. Design and Layout

6.1. The design and layout of the proposal has created a mix of properties, which creates character into the development and a good aesthetic on the street scene.

6.2 There are a range of design styles to introduce character within the scheme. Different roof forms, chimneys, porches, two storey, single storey and different materials are proposed.

6.3 The layout of the scheme is conventional. The dwellings are arranged in cul-de-sacs approach which helps with better amenity with no cut through areas or rat runs.

6.4 The scheme allows for reasonable dwelling curtilage space. The good design, dwelling aesthetics and variety in dwelling character is considered be appropriate and in keeping with the locality.

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

7.1. There are a few trees around the periphery of the site that help to enclose and screen the development. The trees to the front of the site are TPO's and therefore contain their own protection. The arboricultural officer comments do not contain any significant concerns. The Arboricultural Method statement and tree protection plan details are being dealt with under the discharge of condition 15 of the outline permission.

7.2. A condition will be imposed on this permission to ensure a survey and mitigation/enhancement strategy is received and approved prior to commencement of development to ensure any species are protected and appropriate measures are sought to prevent harm.

8. Land Contamination, Flood Risk, Drainage and Waste

8.1. It is assessed that the proposal can provide a functioning drainage system for the development, which meets the minimum operational standard. Therefore, in accordance with paragraph 169 of the NPPF (July 2021) the proposal complies with criteria b and c and to a certain extent with criteria a. The slight conflict with the proposal and the LLFA comments appear to be with the fact the proposal can't provide for multifunctional benefits (criteria d). The LLFA have specifically stated in their comments:

8.2 There are no above ground opens SuDS on the proposed landscaping plan nor in the submitted block plan. Therefore, they are not multifunctional and do not meet the four pillars of SuDS.

8.3 The LLFA recommends that the layout is amended to utilise above ground open SuDS for collection, conveyance, storage, and discharge. unless there is clear evidence that this would be inappropriate. This can either be due to site constraints or viability, if the latter they will need to do a viability assessment for the LPA to assess.

8.4 The agent has provided additional information (Plan 079/2021/002 P3) on the 17th June 2022 which shows a attenuation basin towards the north of the site. The agent has explained in their correspondence:

8.5 This has the risk assessment shown and explains the slopes. As there is no public access, then this negates the need for the dry benching and 1in4 slopes. In addition, there is a 2m wide service strip around the top edge of the basin, although it is not specifically noted. There is no policy requirement for open SuDS.

8.6 It is apparent this addition will help to achieve better biodiversity. The attenuation basin is unlikely to achieve any amenity benefits as people will not be allowed around the basin. The LLFA have informally confirmed on the 17th June 2022 they maintain their holding objection with regard to this matter. It is for the LPA to decide this matter.

8.7 It is recognised that the proposal can't provide for the quality aspect with regard to drainage in relation to amenity and biodiversity. It is also recognised criteria d of paragraph 169 of the NPPF (July 2021), states providing multifunctional benefits where possible. Obviously, in this case it is not a possibility due to site constraints and density. However, when this is weighed against the other benefits of the scheme with regard to housing provision, affordable housing and contributions of major development the benefits are considered to outweigh this aspect. The developer is also working with the LLFA and LPA to ensure acceptable wet/dry benches are installed to ensure condition 16 can be adequately discharged.

8.6 There are not considered to be any land contamination or flood risk issues.

9. Heritage Issues

9.1. There are not considered to be any heritage impacts.

10. Impact on Residential Amenity

10.1. The development is not considered to give rise to significant amenity issues as the dwellings are well spaced.

11. Planning Obligations / CIL

11.1. The appropriate obligations and CIL were secured at outline stage and the proposal complies with these requirements.

12. Parish Council Comments

12.1 The matters raised by Thorndon Parish Council have been addressed in the above report and are reflected within the proposal. The proposal is not considered to give rise to any significant conflicts within the adopted Neighbourhood plan or local plan policies.

13. Other matters

13.1 In considering all other consultation responses there are not considered any significant material planning issues to prevent approval of this application. This proposal is considered in accordance with the outline permission.

13.2 All concurrent conditions will be assessed and concluded following the outcome of this reserved matters application.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

13.1. The proposal complies with local policies and Thorndon Neighbourhood policies. The design of the proposal is considered good and should have a good street scene aesthetic due to the mix and character of different dwelling designs and materials. The concurrent conditions in relation with the application will be discharged subsequent to this application. The benefits of the scheme are considered to outweigh any modest harm.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to GRANT reserved matters subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Approved drawings
- Materials
- Ecological survey and mitigation/enhancement strategy