

MID SUFFOLK DISTRICT COUNCIL  
DEVELOPMENT CONTROL COMMITTEE A - 08 February 2017

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<b>AGENDA ITEM NO</b>	<b>2</b>
<b>APPLICATION NO</b>	4714/16
<b>PROPOSAL</b>	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
<b>SITE LOCATION</b>	Kerrison Conference & Training Centre, Stoke Ash Road, Thorndon IP23 7JG
<b>SITE AREA (Ha)</b>	
<b>APPLICANT</b>	Witnesham Ventures Ltd.
<b>RECEIVED</b>	November 17, 2016
<b>EXPIRY DATE</b>	February 17, 2017

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**REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

(2) it is a "Major" application for:-

- a residential land allocation for 15 or over dwellings

**PRE-APPLICATION ADVICE**

1. Pre-application advice as to need for Section 73 variation of condition.

**SITE AND SURROUNDINGS**

2. The application site forms part of what was The Kerrison School, subsequently becoming a community home and then a conference centre.

This red line site forms the main Kelly House, Old Chapel and workshop buildings, but does not encompass Settles House, the nursery or The Principles House, these forming part of the original Kerrisons site, but being outside the ownership of the applicant.

Kelly House forms the main building on the site, with the Old Chapel situated to the northern part of the site, fronting Stoke Road. To the rear (north-east) of Kelly House are workshop buildings.

The immediately surrounding area formed part of the original Kerrison School site but has subsequently been redeveloped for housing, with the northern and eastern boundaries to the site adjoining existing residential properties. The exceptions in this regard are the nursery and Activities Unlimited, part of the Mid Suffolk Holiday Opportunity Play Scheme at Settles House which runs activity

days.

Both the application site and these surrounding neighbouring properties are within the settlement boundary of Thorndon as a secondary village.

## HISTORY

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

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 amended to internal layout. Elevations amended window and rooflight positions.	19/09/2016
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.	Granted 08/04/2016
2195/07	Change of use from Leisure and Recreation to Leisure, Recreation and Child care combined.	Granted 15/11/2007
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.	04/09/2015

## PROPOSAL

4. Following grant of planning permission 3701/15 this application is to relocate visitor parking to keep development within the ownership boundary and subsequently amend the landscaping plan accordingly.

The red line site plan of 3701/15 included land within different ownerships and notice was served appropriately to the relevant owners. However, part of the actual development would be on land outside the applicants control and as such the plans need amending to allow for all development to take place on their land.

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

See Appendix below.

**CONSULTATIONS**6. **Thorndon Parish Council**

Support this application.

**SCC Highways**

I confirm that the Highway Authority has no objections to the proposed variations to Conditions 2 and 14 of approval 3701/15 as the variations relate to substitution of updated drawings. The minor revisions to the drawings are considered acceptable and have no overall detrimental highway impact.

**SCC Floods Planning**

Flood and Water Management have no comment to make.

**MSDC Tree Officer**

Tree survey and Arboricultural Assessment acceptable.

**LOCAL AND THIRD PARTY REPRESENTATIONS**

## 7. This is a summary of the representations received.

None received.

**ASSESSMENT**

## 8. There are a number of considerations which will be addressed as follows.

- Principle of Development
- Highway and Access
- Landscape
- Planning Obligations and Viability

**● PRINCIPLE OF DEVELOPMENT****National Planning Policy Framework**

The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March

2012. It provides that the NPPF "does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise".

#### Development Plan

The application site is situated within Thorndon as a secondary village. The principle of the provision of residential development within the settlement boundary of Thorndon as a secondary village is considered to be acceptable in principle, with Core Strategy policy CS2 allowing for the provision of housing and affordable housing in secondary villages. As such the proposal is considered to be acceptable in principle subject to detailed compliance with Policies GP1, H3, H10, H13, H14, H15, H16, HB13, CL2, CL8, T9 and T10 of the saved Mid Suffolk Local Plan (1998), Policy CS1, CS3 and CS5 of the Core Strategy (2008) and Policies FC1 and FC1.1 of the Core Strategy Focused Review (2012) and other material considerations.

However paragraph 49 of the NPPF states that:

*"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."*

Mid Suffolk District Council does not have this housing land supply at this time and as such the relevant policies set out above are not considered to be up to date. Paragraph 14 of the NPPF states in this respect:

*"For decision-taking this means:*

*approving development proposals that accord with the development plan without delay; and*

*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 application site by way of the extant consent 3701/15 has been considered to achieve sustainable development within the roles set out by the NPPF and the proposed amendments do not affect this principle.

- **DESIGN AND LAYOUT**

The proposal does not include any alterations to the design or appearance of the proposal compared to the extant scheme. The only amendment to the layout proposed is the alteration to one parking space, which is not considered to have an unacceptable impact.

- **HIGHWAY AND ACCESS**

The proposal includes the alteration of the location of one parking space, from adjacent to the parking spaces to Plot 6, to the lay-by area adjacent to the parking spaces for Plot 17.

This has no overall effect on the level of parking provision, turning or manoeuvring and SCC Highways have raised no objection to this minimal alteration.

- **LANDSCAPE**

The amendments to the proposal extend the lay-by area located towards the eastern boundary and results in a reduction in the area for landscaping to the north of plots 6 and 7, facing Kerrisons Cottages. However, the overall impact is minimal, sufficient areas for landscaping are still included and the proposed amendment is not considered to risk harm or warrant refusal in this regard.

- **PLANNING OBLIGATIONS AND VIABILITY**

The extant consent secured obligations under S106, including 8% affordable housing contribution.

The obligations would now be the subject of CIL. Due to this change in regulations the viability of the proposal has been changed and taking account of the change between S106 and CIL has allowed an increase in the commuted sum for affordable housing to be sought.

The affordable housing contribution will be 35%, equating to a sum of £456,512.00

- **CONCLUSION**

The proposed amendments do not affect the in principle or detailed considerations of this proposal, which is considered to be sustainable development in keeping with the existing site and surroundings, not risking harm to the landscape, residential amenity, highway safety or biodiversity. The development is considered to be in accordance with the relevant Local Plan, Core Strategy and Core Strategy Focused Review policies and the objectives of the NPPF.

## **RECOMMENDATION**

**Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Corporate Manager - Development Management to secure:**

- Affordable housing contribution
- Estate management

**That the Professional Lead - Growth and Sustainable Planning be authorised to grant the variation of conditions 2 and 14, subject to conditions including:**

- Standard time limit
- Approved plans
- Tree protection plan and method statement
- Assessment and mitigation of activities around retained trees
- Engineering and construction methods for any works required within Root Protection Areas
- Auditable system of arboricultural site monitoring
- Hard and soft landscaping
- Demolition carried out in full prior to first occupation
- Land contamination
- Biodiversity enhancement measures
- Carrying capacity of pumping/high reach appliances
- Vehicular access surfaced prior to first occupation
- Means to prevent the discharge of surface water from the development onto the highway
- Construction of carriageways and footways
- Provision of parking and manoeuvring areas
- Cycle parking and storage
- Removal of permitted development rights Schedule 2 Part 1 Class A, B, C, D, E and G
- Construction management to include demolition management and construction working hours
- Provision of walls and fences prior to first occupation and subsequently retained
- Materials to include road surfaces
- Details lighting column and bollards
- Foul and surface water drainage

**That, in the event of the Planning Obligation referred to above not being secured the Corporate Manager - Development Management be authorised to refuse planning permission, for reason(s) including:-**

- Inadequate provision/contribution towards infrastructure and management contrary to policy CS6 of the Core Strategy 2008 without the requisite S106 obligation being in place.

Philip Isbell  
Professional Lead - Growth & Sustainable Planning

Gemma Walker  
Senior Planning Officer

## **APPENDIX A - PLANNING POLICIES**

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

**Cor1** - CS1 Settlement Hierarchy

**Cor5** - CS5 Mid Suffolks Environment

**CSFR-FC1** - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

**CSFR-FC1.1** - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

## 2. Mid Suffolk Local Plan

- GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
- HB13 - PROTECTING ANCIENT MONUMENTS
- H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION
- CL2 - DEVELOPMENT WITHIN SPECIAL LANDSCAPE AREAS
- CL8 - PROTECTING WILDLIFE HABITATS
- H3 - HOUSING DEVELOPMENT IN VILLAGES
- H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS
- H14 - A RANGE OF HOUSE TYPES TO MEET DIFFERENT ACCOMMODATION NEEDS
- H10 - DWELLINGS FOR KEY AGRICULTURAL WORKERS
- H16 - PROTECTING EXISTING RESIDENTIAL AMENITY
- T9 - PARKING STANDARDS
- T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT

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

- NPPF - National Planning Policy Framework

## APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letter(s) of representation(s) have been received from a total of **0** interested party(ies).

The following people **objected** to the application

The following people **supported** the application:

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