

Committee Report

Committee Date: 22 March 2017

Item No:

Reference: 4410/16

Case Officer: Rebecca Biggs

Description of Development: Hybrid application comprising: Full Planning Permission for the erection of a new Scout Headquarters Building, with associated facilities and access road and Outline Planning Permission for the construction of up to 28 residential dwellings with all matters reserved (access, layout, landscape, appearance and scale) (revised scheme to planning application 2285/15).

Location: Land and Buildings at Red House Farm, Priory Road, Fressingfield

Parish: Fressingfield

Ward: Fressingfield

Ward Member: Cllr Hadingham

Site Area: 1.7ha

Conservation Area: No

Listed Building: No

Received: 27/10/2016

Expiry Date: 31/03/2017

Application Type: Hybrid Application

Development Type: Small Scale Major

Environmental Impact Assessment: No

Applicant: Mr & Mrs Barrett & The First Fressingfield Scout Group

Agent: Bidwells

DOCUMENTS SUBMITTED FOR CONSIDERATION

List of applications supporting documents and reports

Defined Red Line Plan:

The defined Red Line Plan for this application is Drawing A 39.200b received 27 October 2016 only. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Plans and Documents:

Application form received 27 October 2016

Site Location Plan (drawing No. A 49.200b received 27 October 2016

Scout Hut elevations and floor plans (Drawing No 772/SC/2 and 772/SC/1) received 27 October 2016

Visibility Splays (Drawing No's 1668 / 02 / 181) received 22 February 2017

Speed Tables (Drawing No 1668 / 02 / 182) received 22 February 2017

Fire Path Plan (Drawing No 1668 / 02 / 183) received 22 February 2017

Prior Road Passing Place (Drawing No 1668 / 02 / 184) received 22 February 2017

Proposed Scout HQ Parking (Drawing No 1668 / 02 / 185) received 22 February 2017

General Arrangement (Drawing No. 1668 / 02 / 180) received 08 March 2017

Design and Access Statement received 27 October 2016

Detailed Magnetometer Survey by Britannia Archaeology dated December 2014 received 27 October 2016

Phase I Survey: Habitat Survey and Protected Species Survey by Anglian Ecology dated 12 September 2014 and received 27 October 2016

Bat Survey by Greenlight dated 09 September 2015 received 27 October 2016

Phase 1 Desk Study and Preliminary Risk Assessment by Geosphere Environmental Ltd dated 04 August 2015 received 27 October 2014

Transport Statement by Orari dated September 2016 received 27 October 2016

Flood Risk Assessment by BLI dated December 2016 received 16 December 2016

Technical Note 01 by Orari dated 15 February 2017 received 22 February 2017

The application, plans and documents submitted by the Applicant can be viewed online www.babergmidsuffolk.gov.uk via the following link <http://planningpages.midsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal= MSUFF DCAPR 11 0312>.

Alternatively, a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

SUMMARY

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The officers recommend approval of this application.

The proposed development represents sustainable development that would not harm the surrounding landscape, highway network, neighbour amenity or biodiversity. The development does provide pedestrian connection to the services and facilities of Fressingfield despite not providing a new footway along New Street to connect with the existing footway by Priory Crescent.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

1. The application is referred to committee for the following reason:

It is a “Major” application for: -

- a residential development for 15 or over dwellings

PART TWO – APPLICATION BACKGROUND

This section details history, policies, advice provided, other legalisation and events that forms the background in terms of both material considerations and procedural background.

History

2. The planning history relevant to the application site is listed below. A detailed assessment of the planning history including any material Planning Appeals will be carried out as needed in Part Three:

2285/15	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).	Refused 31/03/2016
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Details of Previous Committee / Resolutions

3. None

Details of Member site visit

4. None

Details of any Pre Application Advice

5. None

PART THREE – ASSESSMENT OF APPLICATION

Consultations

6. Summary of Consultations

Please note that full copies of consultation responses are available in the background papers.

Fressingfield Parish Council- the Parish Council object as the previous concerns for the previous application have not been resolved-

- Any major increase in traffic would be detrimental to both safety and the amenity of the current residents of New Street.
- The increase in traffic is totally inappropriate for New Street.
- If the site were to be used for just the Scout Headquarters, the increased traffic from that would be manageable and this would be a better site, from a parking viewpoint than the current location (Goodwin Hall).
- New Street does not have footpaths (and there is no space for them) so the safety of pedestrians and cyclists would be further in jeopardy.
- Although the Housing Needs Survey demonstrated a requirement for more housing in the village this reduced number is too high for this particular part of the village.
- There are concerns from nearby residents about such a large development destroying the amenity of their properties in terms of overlooking
- The road layout does not indicate any reduction in traffic speeds.
- No mention in the plan of the impact on sewage/drainage and this has been a difficulty in the village
- Would not protect existing residential amenity
- It is the impact of the housing proposal that compromises road safety
- The Council fully supports the Scout Headquarters, feels this site is an ideal place for it.
- Concern has been raised regarding the position of the shower/toilet block away from the Headquarters building and this presents the serious issue of safeguarding of children.

It should be noted that the Parish Council made reference to relevant policies within their full response- H13, H14, H15, H16, T10, RT1 and RT4.

SCC Highways- SCC Highways object to the proposal and Highway recommend refusal of application 4410/16 due to the lack of agreement to provide a footway on New Street linking the site to the village.

The lack of a footway on New Street will encourage a probable increase in unsustainable methods of travel to and from the site by future residents. The NPPF identifies as a core principle that development should actively make the fullest use of public transport, walking, and cycling and that development should be focused in locations where car travel is minimised. This edge of village location with poor pedestrian connectivity is not able to maximise sustainable modes of transport and does not provide safe and suitable access for all people as required by the NPPF

It is accepted that the application can promote pedestrian access via Priory Road for some, although this will still require walking in the road. It will not, however, provide a commodious route or option for the complete site. Many pedestrians will therefore use the New Street route, which will be the more convenient, shorter walk and it is these pedestrians that will be more at risk.

Suffolk Wildlife Trust- SWT note the ecological survey (Anglian Ecology, September 2014) recommends that the findings of the survey only remain current for a period of two years. As this time limit has been exceeded, SWT recommend that if there have been any significant changes on the site, further assessment should be made prior to the determination of this application

In the absence of any significant changes, SWT request that the recommendations made within the Anglian Ecology report are implemented in full, via a condition of planning consent, should permission be granted

SWT recommend that any loss of trees or hedgerow should be compensated for within the design of the proposed development. To maintain connectivity for these hedgehogs which are recorded in this area it is recommend maintaining hedgehog permeable boundaries (with gaps of 13x13cm at ground level).

MSDC Environmental Health Noise/Other- The Environmental Team raise no objection to the development. The residential units will be close to Weybread Woodcraft. It is recommended that a noise assessment in accordance with BS4142 is sought as condition to the permission and agreed prior to commencement.

MSDC Environmental Health- Land Contamination- No objection to the proposed development.

Fire and Rescue- the Fire Officer provides comments regarding the building control regulations and recommends the installation of fire hydrants. A condition should be included to secure the fire hydrants.

SCC Rights-of Way the Rights of Way Team provide comments regarding the legal alignment of Footpath 66. The route must not be obstructed by fencing and a temporary closure of this section of FP66 will be required during construction. Consideration should be made for the provision of dropped kerbs where FP66 will cross the road by the Scout Hut.

Due to the anticipated increase in activity of the Rights of Way, County may seek a contribution towards improvements. This will be submitted with Highways Development Management response.

Ramblers Association- the Ramblers Association has no comment to make.

SCC Archaeology- SCC Archaeology advise that the site lies in area of archaeological interest. A post-medieval mill was located immediately adjacent to the development area. A Geophysical survey carried out for this site detected a number of anomalies which are likely to be archaeological in nature. There is high potential for the discovery of unknown important features and deposits of archaeological interest at this location. Any groundwork associated with the proposed development has the potential to cause significant damage or destruction to any underlying heritage assets. SCC Archaeology recommend conditions requiring a written scheme of investigation is completed and carried out prior to commencement of development and a post-investigation report be completed.

MSDC Heritage- the Heritage Team comment that there would be no harm to a designated heritage asset because the development would not result in material harm to the setting of the listed Priory Farmhouse.

MSDC Arboricultural Officer- the Arboricultural Officer advises that no significant trees are affected by this proposal.

SCC Floods and Water- Following receipt of a Flood Risk Assessment in December 2016 SCC Floods advised that the development does provide a viable drainage scheme. In relation to the Full element, the Scout Hut, they recommend additional information.

SCC Strategic Development- SCC detail the information which will form a bid to the Council for CIL funds should the development be granted planning permission and implemented. The forecast predicts sufficient capacity at the catchment High School and for pre-school provision and identifies that the development may have no surplus spaces at the catchment primary school.

MSDC Strategic Housing- Strategic Housing set out the recommended housing mix for achieving 35% affordable units on site and the tenure type.

75% Affordable rent- 7 units
2 x 1B 2P Flats @ a min of 48 sqm
3 x 2B 4P Houses @ 79 sqm
2 x 2B 3P Bungalows @ 61 sqm

25% Shared Ownership- 2 units
2 x 2B 4P Houses @ 79sqm

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

Representations

7. Summary of neighbour and other representations

Objections in summary:

- The application does not overcome the reasons 2285/15 was refused. The Highways Officer at the committee meeting was clear that moving the entrance would not overcome the visibility splay issue.
- Lack of footway connecting the site with New Street with no street lighting will cause danger to pedestrian and harming highway safety. Appropriate pedestrian access cannot be incorporated into this development.
- Will lead to high levels of pedestrian's activity on New Street in order to access the village centre contrary to Paragraphs 32 and 35 of the National Planning Policy Framework.
- Question whether the manual for Streets is appropriate for this site. Given the rural location of the site, the lack of footways and low pedestrian activity, it seems reasonable that Suffolk County Council would apply Design Manual for Roads and Bridges when assessing this application.
- Whilst it is understood that MSDC cannot demonstrate an adequate five year housing supply, officers/councillors are reminded that they have a primary responsibility to safeguard residents
- The new access road exits on a dangerous bend. Large Lorries delivering to the industrial site will have to use both lanes on New Street to be able to turn left into the path of oncoming traffic.
- Vehicle access particularly for those leaving the development would be extremely dangerous with vehicles travelling east towards the village centre often exceeding 30mph approaching the bend adjacent to Rivetts and Carpenters Yard.
- The visibility 'splay' mentioned on the previously rejected application outlined the hazardous positioning of the access road onto New Street. This current application does not provide a safe and secure option.
- The proposed new properties will attract young families (which would be good for the village), but it would not be safe, especially without the provision of a pathway & lighting along New Street.
- The Scout Hut use will generate noise activity during the day and night and will invade privacy of neighbours.

- The proposal for the new Scout HQ is for that of a Scout Activity Centre inappropriate at this location. A Scout Activity Centre such as the proposed would be more appropriately located in the countryside away from residential habitation where nuisance etc would not be an issue. An alternative location outside the village would be more appropriate considering that the majority of scout members live outside the village and will be transported by car.
- There are other good possible sites to relocate the scout hut, ideally on the 'unused' playing field.
- Adverse effect on drainage and water supply in the village
- Concerned about the impact on current village infrastructure especially on the school, medical centre and limited public service.
- Concerned about the local ecological impact. The proposed development would be unsustainable being permanently detrimental to the wild life habitat of the barn owls, bats and doubtless many other creatures.
- Loss of hedgerows along New Street will be extensive and permanent.
- Priory Road is a quiet narrow residential street partially lit with low level street lighting and no footway. Halfway down it becomes an even narrower lane with no lighting and hedges and overhanging trees and there is no point in Priory Road where two vehicles can pass each other without giving way thus creating a single alternate line traffic situation. Priory Road cannot take any more traffic than it handles at the present time.
- The Ecology Survey is now out-of-date
- Owls are observed every day which calls into question the validity of the ecology report which found no owls.
- The village is in danger of losing its tranquil way of life.
- Bats are abundant here and this is important foraging areas
- Need foraging areas; the same with the owls.
- The development including Weybread Woodcraft will be an eyesore for existing occupants bought properties to enjoy views of the country
- Residents would not benefit from and use the enhanced pedestrian access on Priory Road for the Doctors or Village amenities as it would entail doubling or trebling the distance to travel to these amenities.
- This is designated greenfield land
- The development would not be environmentally sustainable, the land is prime agricultural land as can be judged from the adjacent fields. Once lost to development the land can never revert to productive agriculture. Brown field sites in Fressingfield and further afield should be developed first.
- Over development of the village, outside the core of the village and would create a detrimental asymmetric westward sprawl.
- Progress does not mean more developments at the expense of its people, wildlife, trees and open areas.
- The installation of street lighting as proposed will be detrimental to the existing night time environment. Presently there is no street lighting west of Priory Crescent.
- Would harm neighbour amenity in terms of overshadowing and loss of privacy.
- Object to building apartment blocks.
- Out of character with the surrounding area of the village.
- Fressingfield is a small village still absorbing recent development.

Support in summary:

- Over the past 5 years, the scout group (beavers, cubs, scouts, explorers aged 6-18 and leaders) has grown significantly. The current meetings are held in Goodwin Hall in the centre of the village, a hall that has no running water, disabled access, or toilet facilities, and inadequate lighting for evening meetings. Dropping off children and parking is dangerous, it is only due to the vigilance of the leaders and the parents that there hasn't been accidents or incidents. It is clearly not fit for purpose.
- No other existing facility in Fressingfield can provide the Scout Group with the amenities and times needed to continue running as they do. The Scouts need their own facilities.
- Significant investment has been made by the Scout Group to support the production of numerous and varied independent reports and assessments all of which show no reason that this development should not go ahead.
- Development will infill a gap between existing housing in the village and it provides clear and safe access for pedestrians and cyclists and those using the Scout hut.
- The proposal also links to existing footpaths which then connect to the other end of the village, allowing pedestrian access without walking on New Street at all.
- There have been a number of developments in recent years in Fressingfield (The Laurels,
- Carpenters Yard, Feaveryears Yard and others) that have not required footpaths to the village.
- The scout hut will not happen without the housing development.
- New housing is needed in Fressingfield, the scout group needs new facilities to continue its 100+ year history in the village. Without this development children will either be at risk of harm, or the scout group risks closure.

The Site and Surroundings

8. The application site relates to a parcel of land extending to an area of 1.7 hectares of open grassland. The land is grade 3 agricultural land. 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 within the countryside.

The Proposal

Please note details of the proposed development including plans and application documents can be found online.

9. 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 and Outline planning permission for up to 28 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 the new footway connecting with Priory Road. A car park with cycle spaces and minibus spaces will be located to the north-west of the scout hut. 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 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. Gates will restrict access from Priory Road for pedestrians and cyclists only. A pull-in area will be provided on Priory Road and street lights will be installed.

Outline Element:

Outline planning permission is sought for the erection of up to 28 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 and the existing joinery business. The new access road will run adjacent and parallel to the footpath with two cul-de-sacs extending of the main spine road. 35% (9) of the dwellings will be affordable units.

NATIONAL PLANNING POLICY FRAMEWORK

10. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

- Paragraph 6- The purpose of the planning system is to contribute to the achievement of sustainable development. 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.
 - Paragraph 7- details the three roles of sustainable development as economic, social and environmental and that development should seek to provide enhancements to these roles.
 - Paragraph 8- states that the three roles of sustainable development should be sought jointly and not in isolation.
 - Paragraph 17- lists the 12 core planning principles. Most notable are, that all development should secure high quality design, high level of amenity, support the transition to a low carbon future and actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
 - Paragraph 30- details that in preparing Local Plans, local planning authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.
 - Paragraph 32- necessitates that all decisions should take account of whether safe and suitable access to the site can be achieved for all people.
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- Paragraph 49- states that housing applications should be considered in the context of the presumption in favour of sustainable development. 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.
 - Paragraph 55- sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and not be considered isolated.

CORE STRATEGY

11. Summary of relevant policies Core Strategy 2008 and Core Strategy Focused Review:
 - Policy CS1 "Settlement Hierarchy" sets out the distribution of housing across the district.
 - Policy CS2 "Development in the Countryside and Countryside Villages" defines the categories of development which may be supported in the countryside. This does not include new private market dwellings.
 - Policy CS4 "Adapting to Climate Change" details that development proposals will contribute to the delivery of sustainable development and to plan for climate change through addressing its causes and potential impacts in terms of flood risk, biodiversity and pollution.
 - Policy CS5 "Mid Suffolk's Environment" states that all development will maintain and enhance the environment and retain local distinctiveness of an area. It will protect and conserve landscape qualities.

- Policy FC1 "Presumption in favour of sustainable development" details that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- Policy FC1.1 "Mid Suffolk approach to delivering Sustainable Development" sets out that development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development. Proposals for development must conserve and enhance the local character of the different parts of the district.

NEIGHBOURHOOD PLAN / SUPPLEMENTARY PLANNING DOCUMENTS / AREA ACTION PLAN

12. None

SAVED POLICIES IN THE LOCAL PLAN

13. Summary of policies in the Mid Suffolk Local Plan 1998:

- Policy GP1 "Design and layout of Development" sets out the design principles for all development in Mid Suffolk. Proposals should maintain or enhance the character and appearance of their surroundings and the site. Development should respect the scale and density of surrounding development, incorporate and protect important natural landscape features and make proper provision for parking in manner which does not dominate the appearance of the development.
- Altered Policy H4 "A Proportion of Affordable Housing in new housing developments" development over 5 dwellings in the countryside shall provide upto 35% affordable units.
- Policy H13 "Design and Layout of Housing Development" details that new housing development will be expected to achieve a high standard of design and layout and be of a scale and density appropriate to the site and its surroundings. It should respect the character of the site and the relationship with the surrounding area, not unduly affect amenities of neighbouring residents, have adequate privacy and private amenity, retain landscape features unless impracticable or unnecessary and provide satisfactory access to the highway network.
- Policy H15 "Development to Reflect Local Characteristics" states that new housing should be consistent with the pattern and form of development in the neighbouring area, the character of its setting, site constraints and the sites configuration including its natural features.

- Policy H16 “Protecting Existing Residential Amenity” details that the permission will be refused if the development will materially reduce the amenity and privacy of adjacent dwellings or erodes the character of the surrounding area.
- Policy T9 “Parking Standards” states that development proposals shall accord with the adopted parking standards
- Policy T10 “Highway Considerations in Development” details that regard will be given to the safe access to and egress from the site, suitability of existing roads for safe access and amount and type of traffic generated, adequate space for parking and turning cars within the site.
- Policy RT1 “Sports and Recreational Facilities Communities” states that permission will be granted for recreational facilities that serve local community needs subject to the impact on neighbour amenity, wildlife, the environment, highway safety and the character and appearance of the area.

Background Information

14. The previous application 2285/15 ("2015 application") was refused by Development Control Committee on the 30 March 2016 for the following reasons:
- *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.*
 - *Part of the visibility splays required for the new road entrance and exit are not within 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.*
 - *The proposal makes inadequate contributions for open space and/or infrastructure for the occupants of the dwellings, contrary to policy CS6 of the Core Strategy (2008), policy FC1.1 of Core Strategy Focused Review (2012) and altered policy H4 of the Altered Mid Suffolk Local Plan (2006), without the requisite S106 obligation or CIL being in place.*

Main Considerations

15. From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.
16. The following are identified as the main considerations in assessing this application:

Overcoming reasons for refusal of 2015 application

17. This application seeks to overcome the reasons for refusal set out in paragraph 14 of this report. The scheme has been slightly amended in scale and layout to the refused application. The scout hut has been re-positioned further south east closer to Priory Road and south closer to the adjacent pond and copse to the north of Red House Farm. The parking spaces associated with the scout hut have been relocated to the north east of the proposed scout hut alongside the boundary with the outline element of this application. The proposed scout hut and outbuilding (toilets and shower) remains of the same layout, scale, appearance and materials as the 2015 application.
18. The amount of housing has been reduced from 30 dwellings, proposed under the 2015 application, to 28 dwellings. This will still provide 35% affordable housing as required by Altered Policy H4 and will be secured through a Planning Obligation.
19. The new access road has been repositioned south west closer to Carpenters Yard. The access road forms a spine road which bends south into the application site and then runs parallel with the existing public right of way. It provides two cul-de-sacs for extending north east into the application site. Each cul-de-sac will serve 12-14 dwellings with a shared surface.
20. The access road ends in a turning head by the parking area for the scout hut. As proposed under the 2015 application the access road will serve the existing joinery business, Weybread Woodcraft. A fire path for emergency vehicles and footway will extend off the turning head linking with Priory Road. Vehicular access along this path will be restricted by gates.
21. Following objections raised by SCC Highways a pull-in area is to be provided along Priory Road and street lights positioned alongside Priory Road. Speed Tables are also proposed on the new cul-de-sacs junctions as traffic calming measures and traffic direction sites to the scout hut and joinery business provided.

22. These alterations are not considered to significantly alter the development to the scheme refused in 2015. However the alterations must be considered as to how they overcome the reasons of refusal for the 2015 application.

Reason one: Suitable and safe pedestrian links to local services

23. The first reason for refusal of the 2015 application relates to the pedestrian links. *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.*
24. The first reason for refusal of the 2015 application relates to the pedestrian links. *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.*
25. The 2015 application sought to provide a new footway along New Street. Due to the limited verge along New Street the footway would 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 and would end at Priory Crescent. The provision of this coloured surface to a narrow, unlit, rural and busy road was not sufficient to mitigate the risk to pedestrian or cyclist safety. 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; a critical requirement of paragraph 32 of the NPPF. The 2015 application also sought to provide a new footway along Priory Road. However the footway was narrow (1.25m in places) and unlit and did 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 would be for people to walk directly from the site onto New Street to access the medical centre, church and the shop.

26. This application seeks to overcome this issue by removing the pedestrian link along New Street and promote use of Priory Road. A footway will still be provided along the site boundary with New Street as to maintain visibility splays.
27. The Technical Note by Orari details that Priory Road is provided with a footway on its eastern side, between its junction with New Street and Sancroft Way. The removal of Weybread Woodcraft related traffic and the provision of street lighting within the southern part of Priory Road (i.e. between Red House Farm and adjacent no 9, Priory Road) will provide a safe, lit, virtually vehicle free, pedestrian/cycle route between the proposed Scout HQ and Sancroft Way.
28. The new access road will provide a footway connection between New Street with Priory Road which is currently connected by a public right of way. The Priory Road route provides access to the Primary School via Sancroft Way, the Health Centre opposite the Priory Road/New Street junction, the secondary school bus stop adjacent to the health centre, the public footpath to Stradbroke Road and the shop located along New Street.
29. The road layout also provides cul-de-sacs where future residents of the residential units will egress. The Technical Note by Orari therefore summarises that these elements encourage the use of safer pedestrian route and it is envisaged that these Application Site residents will psychologically feel safer using a lit, almost vehicle-free route via Priory Road when accessing the village centre.

SCC Highways continue to object to the development as there is no footway provision along New Street. They recommend that a 110m footway is provided on the northern side of New Street utilising highway verges of at width of least a 1.2m to 1.5m. This new footway would connect with the existing footway on Priory Crescent which ends at Feaveryears Yard.

Without this new footway future residents opting to walk along New Street to the shop, a journey of 483m (five minutes) would have to walk 240m on the road.

30. The Technical Note by Orari argues that the provision of a footway 1.5m does would not provide sufficient width for wheelchair and/or buggy users to pass. Thus, such a footway design is unlikely to pass a Safety Audit, not least because it would require pedestrians to cross New Street twice, within less than 300m, to use the provided footways. It is questionable therefore whether such a footway would constitute a safe option. It should be noted that Suffolk Design Guide requires a minimum width for major routes of 1.8m.

The provision of the new footway would not provide one continuous link along New Street. Residents would still have to walk along the road after Feaveryears Yard to the shop. However New Street is narrow along this section with housing in close proximity to the road.

31. A provision of a footway in this section would result in the removal of existing trees and vegetation alongside the field edge and would create an 'urban' appearance to the village which is characterised by no footways. A footway along this section of New Street is likely to have a harmful impact on the character and appearance of the village. This would be exacerbated by the provision of street lighting which whilst not necessary is recommended by SCC Highways for the future provision of streetlights to be incorporated.
32. Paragraph 30 of the NPPF details that development should encourage solutions to reduce greenhouse gas emissions and reduce congestion. Local Planning Authorities should support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.
33. The proposed development does provide for a safe pedestrian and cycle access to the services and facilities of Fressingfield by utilising Priory Road. SCC Highways accept that the development promotes pedestrian access via Priory Road. This is a viable option given it will be lit, virtually traffic free and provide a more direct access to the Primary School and a safer route to the secondary school bus stop and the medical centre. Furthermore the future residents will egress from the cul-de-sacs partway down the new spine road and there is no direct access onto New Street other than by the new junction. The spine road is straight which alters the perception of a direct and legible route to the Scout Hut.
34. The development therefore does provide suitable and safe pedestrian links to local services and facilities. The development does promote viable infrastructure necessary for the development, prioritise pedestrian access and as such does contribute to the achievement of sustainable development. The proposal is deemed to accord with 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.

Reason 2: Visibility Splays within the control of the applicant and highways

35. The second reason for refusal relates to visibility splays; *Part of the visibility splays 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.*

36. The 2015 application provided visibility splays which would fall across land outside of the applicant's ownership and control. As a result the applicant was not able to provide or keep the splay clear in the future. SCC Highways required a visibility splay of 2.4m x 80m to the west and 2.4m x 95m to the east.
37. The new access has been positioned further west and can provide a visibility splay of 2.4m by 59m. It is noted that the Technical Report by Orari provides that a splay to the west can be achieved of 82m. However this will extend across the verge opposite the site not within highways ownership or the applicant's control.
38. The Highway Authority maintains the opinion that at the point of access onto New Street, Manual for Streets is not the appropriate design tool. However, SCC Highways are satisfied that suitable visibility splays of 2.4m by 59m with the frontage footways are acceptable. The development can deliver safe and secure access as required by local and National Policies.

Third reason: Signed Section 106 agreement.

39. At the time of considering the 2015 application a planning obligation was not signed as to secure infrastructure items such as contributions towards schools and libraries and to secure affordable housing.
40. The development is now subject to the Community Infrastructure Levy which will fund infrastructure items on the Regulation 123 Infrastructure List which includes libraries, education, healthcare facilities and public transport improvements.
41. A planning obligation is still required for securing the affordable housing and should be agreed prior to issuing any decision to approve the development.
42. In conclusion the proposed development is considered to overcome the reasons for refusal of the 2015 application.

Sustainability Assessment of Proposal

43. 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. Fressingfield benefits from a primary school, doctors surgery, village store, a range of community halls and churches, playingfield, sports and social club and pubs. Consequently future residents would likely support the local facilities and services required by the residential use. The residential use will also provide affordable units which will improve the vitality and diversity of the village.
Furthermore the inclusion of the Scout Hut will provide an additional community and recreational facility to the benefit of the local Scout group and the village.

44. 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.

Additional Highways Matters

45. Following Highways comments the turning head was increased in size and additional parking has been provided to meet the Local Planning Authorities adopted Parking Guidance;
- 10 designated car spaces with two spaces to provide electric vehicle charging facilities.
 - 12 over spill parking spaces on grass crete type surface
 - 3 disabled parking spaces
 - 2 spaces for powered two wheelers (e.g. moped)
 - 12 cycle parking spaces with covered weather-proof structure
 - 4 minibus and trailer
46. SCC Highways do not recommend the installation of speed tables. Highways are of the opinion that they indicate a fundamental design issues and are far from ideal; the road being too straight therefore resulting in higher speeds. Speed tables inconvenience some users, create noise for adjacent residents and are not recommended.
47. The Suffolk Design Guide provides that normally changes in horizontal alignment will be the only means necessary to control vehicle speeds. Speed tables and raised junctions may also be considered.
48. It is recognised that speed tables are required as the new access road is straight. However, the road layout does allow for the existing business and proposed scout hut to be distinguishable from New Street and also gives the perception of a more direct route for pedestrians onto Priory Road. As such the use of speed tables in this instance is acceptable. Consideration will be given to the position of the resulting dwellings and the proximity to the speed tables when considering the Reserved Matters.
49. Conditions shall be secured to ensure construction of the carriageway and footways prior to occupation and that the use shall not commence until parking and manoeuvring area provided and thereafter retained. Details of the estate roads and footways will also be secured prior to occupation.

Landscape Impact

50. The site relates well to the existing built environment given the surrounding residential properties. Provided acceptable 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.

Biodiversity and Protected Species

51. A Phase I Survey by Anglian Ecology dated 12 September 2014 was submitted with the application on the 27 October 2016. 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 addressed by further survey. The proposed development in its current form would not impact significantly on any protected species or habitat.
52. A Bat Survey was also included with the application dated 09 September 2015. This found no evidence of roosting bats but identified that the boundary trees would provide foraging and commuting routes. Mitigation and enhancement measures should there re-instate some boundary vegetation to overcome this loss of habitat.
53. The Phase I Survey is now over two years old. Suffolk Wildlife Trust advises that provided there has been no significant change on site then they would not raise an objection to the development. There are no new records for protected species in this location and the condition of the land is considered unlikely to have significantly changed. The boundary hedgerow is still considered likely to support breeding birds and provide foraging and commuting routes for bats. The pond to the south is outside the application site and this area is to be unaffected by the development. The access track to Weybread Woodcraft separates the development site from the pond. It is therefore considered that the development will unlikely lead to harm to protected species and their habitats subject to agreement of mitigation measures and controlling the works to consider protected species.
54. However a condition requiring up-to-date mitigation measures based on new surveys will be secured prior to commencement of any development.

Impact on Residential Amenity

55. 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 scouts) including residential elements. Residential elements include sleeping-over in the hall and camping.

56. 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. It also not considered necessary to restrict the number and frequency of camping events by scouts.

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.

57. 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.

Flood Risk and Drainage

58. SCC Floods team confirm in their email sent 18 January 2017 that the Flood Risk Assessment provides a viable drainage solution. However they have recommend additional information in regards to the Scout Hut:
- Evidence of 3rd party agreement to discharge to their system (in principle/consent to discharge)
 - Maintenance program and ongoing maintenance responsibilities
 - Detailed flood & drainage design drawings
 - Full structural, hydraulic & ground investigations
 - Geotechnical factual and interpretive reports, including infiltration test results (BRE365)
 - Detailed landscape details
 - Discharge agreements (temporary & permanent)
 - Development management & construction phasing plan
59. In an email from the applicant's Flood Risk and Drainage Consultant they confirm that the proposed connection point into the existing watercourse is located adjacent/through land under the control/ownership of the applicant and therefore 3rd party agreement to discharge to their system would be granted.

60. Given a viable drainage solution has been provided it is considered that the other matters can be secured through a condition to agree the drainage strategy. It is noted that the Full element relates to the provision of a scout hut with recreational ground. The site is not within a Flood Zone 2 or 3. As such appropriate conditions to secure the detailed drainage strategy is deemed appropriate in this instance.

Details of Financial Benefits / Implications (S155 Housing and Planning Act 2016)

61. The approval of this development will result in CIL contributions calculated on the floor area of the resulting residential space. The housing will also provide Council Tax contributions to the Local Authority that is not material to the planning decision.

PART FOUR – CONCLUSION

Planning Balance

62. When taken as a whole and as a matter of planning judgement, the proposal is considered to adhere to the development plan and NPPF and therefore can be considered sustainable development. There is a presumption in favour of sustainable development. The application is therefore recommended for approval.

Statement Required By Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015.

63. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
64. In this case the planning authority has worked with the agent to attempt to overcome SCC Highways objection.

Identification of any Legal Implications of the decision

65. It is not considered that there would be any legal implications as a result of the determination of this application.
66. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following have been considered in respect of the proposed development.

- Human Rights Act 1998
- The Equalities Act 2012
- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2010
- Localism Act
- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

RECOMMENDATION

1. That authority be delegated to Professional Lead - Growth & Sustainable Planning to Grant Full Planning Permission for the Scout Hut and Outline Planning Permission for the housing development of up to 28 dwellings; subject to the prior completion of a Section 106 or Undertaking on terms to their satisfaction to secure the following heads of terms and that such permission be subject to the conditions as set out below:

Section 106 to provide

61. Affordable Housing of 35%

Conditions for Full Planning Permission Only

- Time Limit for commencement
- Accord with approved plans
- Retain boundary hedgerows and trees
- Prior to commencement of development agree written scheme of investigation for archaeological works
- Prior to occupation complete and agree site investigation and post investigation assessment
- Prior to commencement agree details of estate road and footpaths
- Construct carriageway and footways prior to occupation
- Use shall not commence until parking and manoeuvring area provided and thereafter retained
- Agree details of external equipment such as air source heat pumps, kitchen extraction and ventilation systems prior to their installation
- Prior to commencement of development lighting strategy to be agreed in order to protect neighbour amenity and biodiversity
- Prior to commencement Drainage strategy to Scout Hut.
- No hard standing to be constructed prior to installation of the surface water drainage strategy has been implemented
- Prior to commencement (including site clearance) mitigation and enhancement measures based on up-to-date surveys to be submitted and agreed
- Prior to commencement details of hard and soft landscaping including boundary treatments

- Implementation of hard and soft landscaping and replacement of dead or dying landscaping
- Prior to occupation position of fire hydrants to be agreed and installed accordingly
- The footway link to Priory Road shall be made available prior to the occupation and retained to allow public access
- Prior to works above slab level, precise details of the external materials to be agreed.
- Construction working hours to be 07:30 to 18:00 Monday-Friday and 08:00 to 13:00 Saturdays. No working on Sundays or Bank Holidays
- Construction Management Plan to be agreed and implemented accordingly.
- Details of gate to Fire Path to be agreed prior to occupation
- Details of traffic signs to be agreed prior to occupation
- Details of cycle storage to be agreed prior to occupation

Outline Permission- New dwellings

- Time limit for submission of Reserved Matters and commencement
- In accordance with approved plans
- Prior to commencement of development agree written scheme of investigation for archaeological works
- Prior to occupation complete and agree site investigation and post investigation assessment
- Prior to commencement agree details of estate road and footpaths
- Construct carriageway and footways prior to occupation
- Prior to commencement of development lighting strategy to be agreed in order to protect neighbour amenity and biodiversity
- Prior to commencement drainage strategy to be agreed
- No hard standing to be constructed prior to installation of the surface water drainage strategy has been implemented
- Development shall be constructed, completed and overseen in accordance with the Construction Environmental Management Plan and Ecology Reports
- Prior to commencement details of hard and soft landscaping including boundary treatments
- Implementation of hard and soft landscaping and replacement of dead or dying landscaping
- Prior to occupation position of fire hydrants to be agreed and installed accordingly
- The footway link to Priory Road shall be made available prior to the occupation and made available for public use
- Prior to works above slab level, precise details of the external materials to be agreed.
- Construction working hours to be 07:30 to 18:00 Monday-Friday and 08:00 to 13:00 Saturdays. No working on Sundays or Bank Holidays
- Construction Management Plan to be agreed and implemented accordingly
- Details of gate to Fire Path to be agreed prior to occupation
- Details of traffic signs to be agreed prior to occupation
- Prior to commencement (including site clearance) mitigation and enhancement measures based on up-to-date surveys to be submitted and agreed

2. That in the event of the Planning Obligation referred to in Resolution (1) above not being secured that the Professional Lead - Growth and Sustainable Planning be authorised to refuse planning permission on appropriate grounds.