

Parish: SUDBURY**Location: Former William Armes Trading Estate, Cornard Road, Sudbury****Proposal: Submission of details under Outline planning permission Ref. B/04/01176/OUT – siting design and the external appearance, the means of access therto and the landscaping of the site for 121 no. residential units (dwellings and apartments0 and associated parking/garaging****Applicant: Bovis Homes****Case Officer: Stuart McAdam****Date for Determination: 12/11/09**

BACKGROUND

The application seeks approval of reserved matters following the grant of outline planning permission for residential development which was approved by the Development Committee in August 2006 (Ref B/04/01176/OUT). The principle of residential use is therefore accepted and the Council is now requested to consider the details of siting, design and external appearance of the buildings, means of access and landscaping of the site.

A section 106 has been secured to deliver planning gain including:-

- 30% affordable housing;
- contributions for Yellow Dot;
- Education;
- the provision of a Local Area of Play (LAP) and a commuted sum for its maintenance;
- a framework to secure the retention of a wildlife area in the northern part of the site together with a scheme of management (to be agreed) and approval of the Council to the transfer of the land to a suitable organisation (Sudbury Town Council is willing to take on this responsibility of managing this area).

THE SITE

1. The application site lies on the north side of Cornard Road on the site formerly occupied by William Armes Ltd and opposite the industrial premises occupied by Stephen Walters. The site is bounded to the east by the residential development at Chilton Lodge Road/Elm Road and west by residences in Lucas Road. The application site area extends to 3.209 ha in total including the wildlife area to the rear of the site which has significant bio-diversity value and also contains trees which are subject of a Tree Preservation Order (BT192). Public footpath No 11 runs alongside the site on the north west boundary.
2. The site is enclosed by embankments on its north, east and western boundaries.
3. The following documents have been submitted with the planning application:-
 - Design and Access Statement
 - Transport Assessment and Travel Plan
 - Environmental Statement and Reptile Survey
 - Reptile Translocation Report
 - Bat Survey

- Tree Survey
 - Phase 1/Protected Species Report
 - Woodland Management and Maintenance Statement
 - Foul Sewerage and Utilities Assessment
 - Site Waste Management Plan
 - Landscaping Details
4. The planning application has been screened under Regulation 7 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended). It is concluded that the proposal is not 'EIA development' and that an Environmental Statement is not required.

THE PROPOSAL

5. The submission follows extensive negotiations between officers and the developer (Bovis Homes) to achieve a satisfactory design solution. The number of units on the site has been reduced from 158 originally proposed to 121. A series of alternative solutions have been explored and are carried forward in the Design and Access Statement.
6. The units of accommodation are broken down thus:-
- 77 x 2 bed houses
 - 40 x 3 bed houses
 - 4 x 4 bed houses
7. 36 units of affordable housing are provided (see affordable housing breakdown below).
8. The architectural detailing incorporated in the design takes references from the local architecture. A key element of the proposal is the recreation of the street scene along Cornard Road. The properties fronting Cornard Road are two-storey in height, mimic the existing substantial Victorian villas adjacent to the site and continue the existing ridge line of the villas. These units flank either side of a 2½ storey "gateway" entrance to the site which leads to a tree lined boulevard with a 3 storey building terminating the vista. The road splits at this point and wraps around a central area comprising a crescent shaped arrangement of apartments and a LAP.
9. Visual interest is retained by the 3 storey townhouses at the heart of the development which provide enclosure to the street. This road leads to a 2-storey courtyard to the west of the site and a 4-storey apartment block to the north west. All vistas within the layout are terminated by built forms and the buildings provide clear definition to the street.
10. Two courtyard parking areas are provided behind the Cornard Road frontage and are provided with FOG's (flats above garages) to increase surveillance and increase security. The FOG's have roof lights only on the east elevation, to avoid overlooking of properties in Chilton Lodge Road.
11. The site lies in a "bowl" and the hidden nature of the site and the increase in levels towards the rear are such that an increase in height and therefore density can be considered as the increased massing would not be evident from dwellings beyond the boundary of the site and will not adversely affect the surrounding development. The rearmost part of the site hosts a 4-storey unit of accommodation comprising 14 flats and the embankment to the rear provides a change in level which reduces the mass of the apartment block.

12. The layout and landscaping of the site has been designed to retain the steep woodland embankments to the boundaries and the semi-natural woodland area to the north which will be retained as a nature reserve to be managed by Sudbury Town Council. The woodland area provides a 'green' backdrop to the residential development. A planting strategy has been devised to create a transition between the formal Cornard Road frontage and the nature reserve to the rear.
13. The LAP is located in the centre of the site and has strong linkages to secure accessibility for all and to retain visual links with the residential area and the nature reserve. Surveillance of the LAP will be provided by adjacent residential units. The area will be 340 m2 and will be fenced and seating provided for parents or supervising adults. Once completed, the LAP will be adopted and then maintained by the Council.

Affordable Housing

14. An affordable housing requirement of 30% of the units is required on this site. This equates to 36 dwellings. The Babergh District Housing Needs Survey, completed in 2008, confirms an annual shortfall in 2008 of 369 affordable homes across the District. The Survey also confirmed that an appropriate affordable housing tenure split for the District is 75% rented and 25% shared ownership accommodation.
15. The required units are as follows:-
 - 18 x 2bed flats
 - 6 x 2 bed houses
 - 8 x 3 bed houses
 - 4 x 4 bed houses
16. This requirement is met in full and detailed discussions have also taken place to ensure that the positioning of the affordable housing within the site in three main areas is satisfactory.

Car Parking

17. A total of 199 parking spaces are provided across the site, comprising:

122 allocated spaces; 40 visitor spaces; and 37 garage spaces giving an average of 1.64 spaces per unit.
18. The parking strategy broadly equates to:

1 Bed Units - 1 Parking Space
2 Bed Units - 1 Parking Space (some units have 1 space + 1 Garage)
3 Bed Units - 1 Parking Space + 1 Garage
19. Visitor parking is concentrated according to demand - greater for flatted areas where there is only one allocated space per flat and less for houses with 2 available parking spaces per unit.

1 cycle space will be per flat provided (in either internal/external communal area) and a shed (cycle store) will be provided for each house.

RELEVANT HISTORY

20. B/04/01176/OUT – Outline Residential Development. Approved

NATIONAL GUIDANCE

21. **PPS1** (Delivering Sustainable Development)
22. **PPS3** (Housing)
23. **PPG13** (Transport)
24. **PPG15** (Planning for the Historic Environment)
25. **PPS23** (Planning and pollution control)
26. **PPS25** (Development and Flood Risk)

PLANNING POLICIES

27. The Development Plan comprises the East of England Plan, adopted 2008, saved policies in the Suffolk Structure Plan, adopted 2001, and the Babergh Local Plan (Alteration No. 2) adopted 2006. The following policies are relevant to this proposal:

East of England Plan - 2008

- SS1 – (Achieving Sustainable Development)
- ENV7 – (Quality in the Built Environment)

Babergh Local Plan (Alteration No.2) 2006

- EN04 – (Retention of Semi-Natural Features)
- HS01 – (Housing Development in Towns)
- HS10 – (Housing Allocations)
- HS12 – (William Armes Factory, Cornard Road)
- HS27 – (Density and House Type)
- HS30 – (Design)
- HS34 – (Smaller Dwellings)
- CN01 – (Maintaining Local Distinctiveness)
- TP01 – (Pedestrians)
- TP15 – (Vehicles Parking Standards)
- TP16 – (Green Travel Plan)

The relevant documents can be viewed via the internet. Please see Page 3 for details.

CONSULTATIONS

28. PC - The Town Council recommends approval but notes that no reference was made regarding previous recommendations for cycle track and footpath improvements.
29. A further email was received from the Secretary of Sudbury Town Council making the following points:-
 - No mention has been made of the erection of a boundary fence - this needs to be done to safeguard the boundaries of the nature reserve which will be maintained by Sudbury Town Council
 - Sudbury Town Council would like to see improved cycle track and footpaths to the proposed development from the town centre including a pedestrian crossing across Cornard Road (see officer response above). See response above.

- Members were concerned that the affordable housing nearest the nature reserve (Plots 53-60) is to be 4-storeys high. They felt it might overshadow the nature reserve and cause problems to the habitat
30. LHA – No objection to the revised layout drawing No. SUD/002/AA and drawing no. JLK0428/T/03 which details the works to Cornard Road and this is acceptable in principle subject to the detailed design and safety audit etc.
 31. SCC Travel Plan co-ordinator – comments that the travel plan is still incomplete, and that any missing information will be required before the travel plan can be approved by the County Council.
 32. SCC Rights of Way Officer - no objection as Public Footpath 11 does not appear to be directly affected by the development. Advisory notes to be attached.
 33. BDC Affordable Housing - acceptable housing mix and positioning within the site is satisfactory
 34. NE – no objection but would make the following comments:
 - Fully supportive of the recommendations made by ADAS in their reports, in particular those relating to badger disturbance, reptile translocation and avoidance of bird nesting season when removing trees and shrubs
 - Welcome the proposal to donate the woodland area to STC
 - Welcome the consideration given in the D&A Statement to the landscaping of the area
 35. SWT - SWT is happy with the range of surveys that accompany the application and agree with the proposals in the Woodland Management and Maintenance Statement. The importance of the adjoining embankment to the rear of the previously developed land which has a floristic value in its own right, particularly as the nationally scarce sulphur cover is present (typical of chalky soils). Additionally, the bank supports two species of reptiles - slow worm and common lizard - which are both UK BAP species and have partial protection under the Wildlife & Countryside Act 1981. It is considered that the siting of a four storey building adjacent to the bank is not ideal, as this will lead to heavy shading, but it is accepted that there may not be much flexibility to alter the design. The bank does provide a valuable buffer to the woodland habitat and will help limit shading of properties to the south. It is important that this embankment is retained and not amended as part of the development proposals, such as re-grading or planting with landscaping. SWT is pleased to see that the woodland to the rear of the site is being safeguarded as a nature reserve and that it will be donated to Sudbury Town Council. SWT is able to provide an input by giving management advice to the Town Council free of charge, it is critical that a commuted sum is provided by the developer to ensure that the Town Council is able to undertake the physical management of this site in perpetuity. We would request that this should be integral to any planning consent.
 36. AWS – No objection subject to the attachment of an informative relating to assets affected, water resource capacity, water supply network, foul sewerage system, surface water system and waste water treatment.
 37. SCC (Archaeology) – No objection as there would be no significant impact on known archaeological sites with archaeological potential. No mitigation is required.
 38. SCC (Fire and Rescue Service) – Requests a condition requiring details of fire hydrant provision prior to commencement of development.

Note: Such issues are covered by the Building Regulations and therefore the planning process should not seek to duplicate such controls.

39. Contaminated Land Officer – Recommends conditions to address potential contamination. Note - condition 17 of the outline consent addresses this point.
40. BDC Tree Officer – No objection.
41. EA - No objection subject to a relevant informative relating to foul drainage, pollution control and the encouragement of sustainable methods of construction and design. The Environment Agency would wish to be consulted on the discharge of Condition 10 of the outline planning permission (scheme for surface water drainage) and Condition 17 (site contamination investigation).
42. SCC Education – although not consulted as this is a reserved matters submission, SCC asked if it was possible to request additional contributions towards education. It is not possible to consider additional payments as the planning gain has already been established through an s106 agreement.

REPRESENTATIONS

43. Following the submission of amended drawings and a re-consultation exercise, one letter has been received from a resident of Chilton Lodge Road, enclosing further letters from the residents of Chilton Lodge Road (six in total) (The case officer met with the residents' representative to discuss the proposals and their concerns).
44. The main issue relates to the steep embankment within the application site which backs onto the properties in Chilton Lodge Road. There is concern that
 - there is no retaining wall and that the bank is eroding
 - whether the bank will be cleared
 - whether there will be a path along the eastern boundary
45. A letter has also been received from the Sudbury Society as follows:-

The elevations particularly the all important frontage to Cornard Road, are still bland and lacking in the architectural character that a careful look at the town's fine heritage we hoped would have inspired. Materials are important and it is essential that samples are approved and adhered to but this on its own will not improve the situation. We still do not feel the rustication is justified by the local context. Vehicle and people movement has still not been addressed. It is vital that further pressure on the limited parking in the town centre is kept to a minimum and safe traffic by foot and cycle positively encouraged. A light controlled crossing which connects the pedestrian routes on either side of Cornard Road near the development should be a required condition of approval.

PLANNING CONSIDERATIONS

46. Policy HS12 of the Adopted Local Plan relates to this site and allocates it for 80 houses. As stated earlier, the site benefits from outline planning permission and a legal agreement was secured at that stage to deliver planning gain to mitigate the impact of the development. Whilst there are comments requesting it renegotiation the grant of outline planning permission in 2004 was linked to a detailed planning application at Churchfield road for the relocation of the company/business known as William Armes. In order to make the relocation viable the terms of the Section 106 were subject to extensive negotiations and some elements were discussed thoroughly resulting in a package of measures being secured which would allow the company to relocate locally and consolidate existing jobs.

Design

47. The provisions of Government planning policies set out in PPS1 and PPS 3 are of particular relevance. PPS3 seeks to (inter alia) achieve high quality design and layouts from new housing developments which is appropriate to its context, while PPS1 also promotes good design and applies this principle to all development, while raising the Government's commitment to protecting and enhancing the natural and built environment in both rural and urban areas.
48. Para 14 of PPS3 encourages local authorities to:-
 - *Create places streets and spaces which meet the needs of people, are visually attractive, safe, accessible, functional, inclusive, have their own distinctive identity and maintain and improve local character*
 - *Promote designs and layouts which make efficient and effective use of land, including encouraging innovative approaches to help deliver high quality outcomes*
49. Furthermore, PPS3 highlights the *"key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and with a mix of different households such as families with children, single person households and older people"* (Para 20) and that local authorities should have regard to amongst other things *"ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups...."* (Para 69).
50. In addition to PPS1 and PPS3, Policies CN01, HS30 and HS34 of the adopted Local Plan are directly relevant to the proposals.
51. The surrounding area comprises a mix of differing house types in varying materials. There is also a variety of uses in Cornard Road. The development provides an interesting series of spaces including a variety of house types and tenure. Properties range from 2 bedroom apartments to 4 bed houses. The mix of units ensures compliance with HS34 (and Condition 16 of the outline permission) which requires at least 20% of the units to be 1 or 2 bedrooms with a floor area not exceeding 75m².
52. The layout also includes a LAP area which will provide a focal point for mothers and toddlers to meet. The area is fenced off from the car park and roads. The layout provides for a variety of routes through the site thus ensuring a high degree of permeability. Enclosure of the streets as a result of the buildings being built close to the roads, termination of vistas, the gateway entrance, landmark buildings and hard and soft landscaping proposals (including tree planting to the boulevard) all add to the legibility and richness of the development. Buildings are constructed in traditional materials incorporating pitches roofs and there is a rich and varied palate of external finishes.
53. The site is largely hidden from view due to the embankments surrounding the site and this allows for an increase in storey height without an adverse effect on the surrounding environment.
54. The highest element is the 4 storey apartment block to the north west corner of the site (Units 53-60). This element lies adjacent to the highest part of the embankment and overlooks the wildlife area to the rear which rises steeply to the north. The restricted outlook from the ground floor element has been tempered at ground floor by utilising the rearmost part for storage including cycle and refuse. This block incorporates dual aspect frontages.

55. Sudbury Town Council has commented that this block at 4-storeys in height might overshadow the nature reserve and cause problems to the habitat. While these comments are noted (SWT has also commented that it may result in shading which is not ideal), neither Suffolk Wildlife Trust nor Natural England has objected to the proposal.

Density

56. A key objective of PPS3 is that Local Planning Authorities should continue to make efficient use of previously developed land. This can be achieved through high quality designed layout and by seeking greater intensity of development at places with good public transport accessibility and in close proximity to local centres. It should be noted that Para 3.71 the local plan states that *"The net developable area is 2.0 hectares which could provide for at least 80 dwellings"*. There is therefore an acceptance that the number of units can be increased.
57. In this particular instance, it is not considered necessary to limit the number of dwellings to 80 as the location of the site makes it appropriate for a higher density and sustainable development to meet local needs. A higher density development is therefore considered to be acceptable in this location as
- i) the site due to its topographical nature, lends itself to a flatted development and is capable of accommodating additional units which would ensure an appropriate density level in accordance with policy and PPG3 density ranges
 - ii) the site is located within easy walking distance of Sudbury Town Centre and its facilities including Bellevue Park, the bus station, train station. It is also on a bus route

Highways

58. Comments have been received on various highway issues (see representations above). Members are advised that the developer is bound by the terms of the existing s106 legal agreement and no further contributions can be sought from the developer. However, the improvements that are proposed comprise the creation of 2 new traffic islands/pedestrian crossing points (to the east and west of the site entrance) and associated works - these will provide significant benefits over the existing situation - allowing 2 new safer crossing points. Footways by the site access to the back of the visibility splays have also been widened
59. The internal road layout incorporates raised tables and shared surfaces to encourage low speed thereby delivering a safe and pedestrian friendly environment. Parking exceeds the approved standards which will help to address potential clutter in the street caused by parked cars.

Wildlife area and trees

60. The area to the north will be handed over to Sudbury Town Council who will retain the land in perpetuity for the people of Sudbury this area as a managed wildlife area. Bovis has agreed to bring the wildlife area to an agreed standard with the Town Council (including tree works and fencing) prior to signing over the land.
61. A 1.8m close boarded boundary fence will be provided along the length of the boundary with the nature reserve.
62. A tree survey has been submitted out as part of the submission. A number of trees along the frontage have been earmarked for removal to allow the development to go ahead. These are trees of generally low quality and none are protected.

Embankment/Eastern Boundary

63. Members will note the representations that have been received from a resident representing residents of Chilton Lodge Road. These relate to the easternmost boundary of the site.
64. Bovis has confirmed that retaining works to the existing bank will be required however this will be in relation to limiting the impact of new buildings and works on the existing stability rather than rectifying any issues on the adjoining owners of the bank.
65. The developer has advised that retaining works to the existing bank will be undertaken to mitigate the impact of the proposals. This can be addressed under Condition 12 of the outline permission which states that “no development shall take place until such time as a satisfactory scheme for the management of all slopes, banks, and existing retaining walls on the site and along its boundaries shall have been submitted to and approved by the Local Planning Authority”.
66. There will be no path along the eastern boundary. The gate to the south is to provide access for maintenance to the grassed bank. The gate adjacent to parking space at Unit 119 is for the FOG occupants to gain access to the rear of their properties. The wall at the end of the grassed bank area adjoining the wildlife area should hopefully discourage the route being used as a cut through. A small brick wall will be built along the rear of the units on the eastern boundary and the bank will be cleared and turfed as indicated on the landscape plan.

REASONS FOR APPROVAL

67. The Local Planning Authority has had regard to the provisions of the Development Plan comprising the East of England Plan (2008) the saved policies of the Structure Plan (2001) and the saved policies of the Babergh Adopted Local Plan, Alteration No. 2 (2006), so far as to material to the application and all other material considerations. The local Planning Authority is satisfied that the reserved matters are in accordance with the development plan.
68. The Local Planning Authority is content that the proposals are acceptable with regard to the siting design and external appearance of the buildings and the landscaping and appearance of the development on this part of the Sudbury (Policy ENV7 of the East of England Plan and saved policy CN01 of the local plan) and means of access to the site and buildings (TP01 and TP15 of the local plan).

RECOMMENDATION

- (1) The Chief Planning Control Officer be authorised to approve the reserved matters subject to the conditions covering the following:-
 - Submission of details/samples for buildings and hard surfaced areas
 - Removal of PD rights
 - Travel Plan to be completed and agreed prior to first occupation and implemented in accordance with details as agreed