

Item 2

Application No. IP/19/00910/FUL

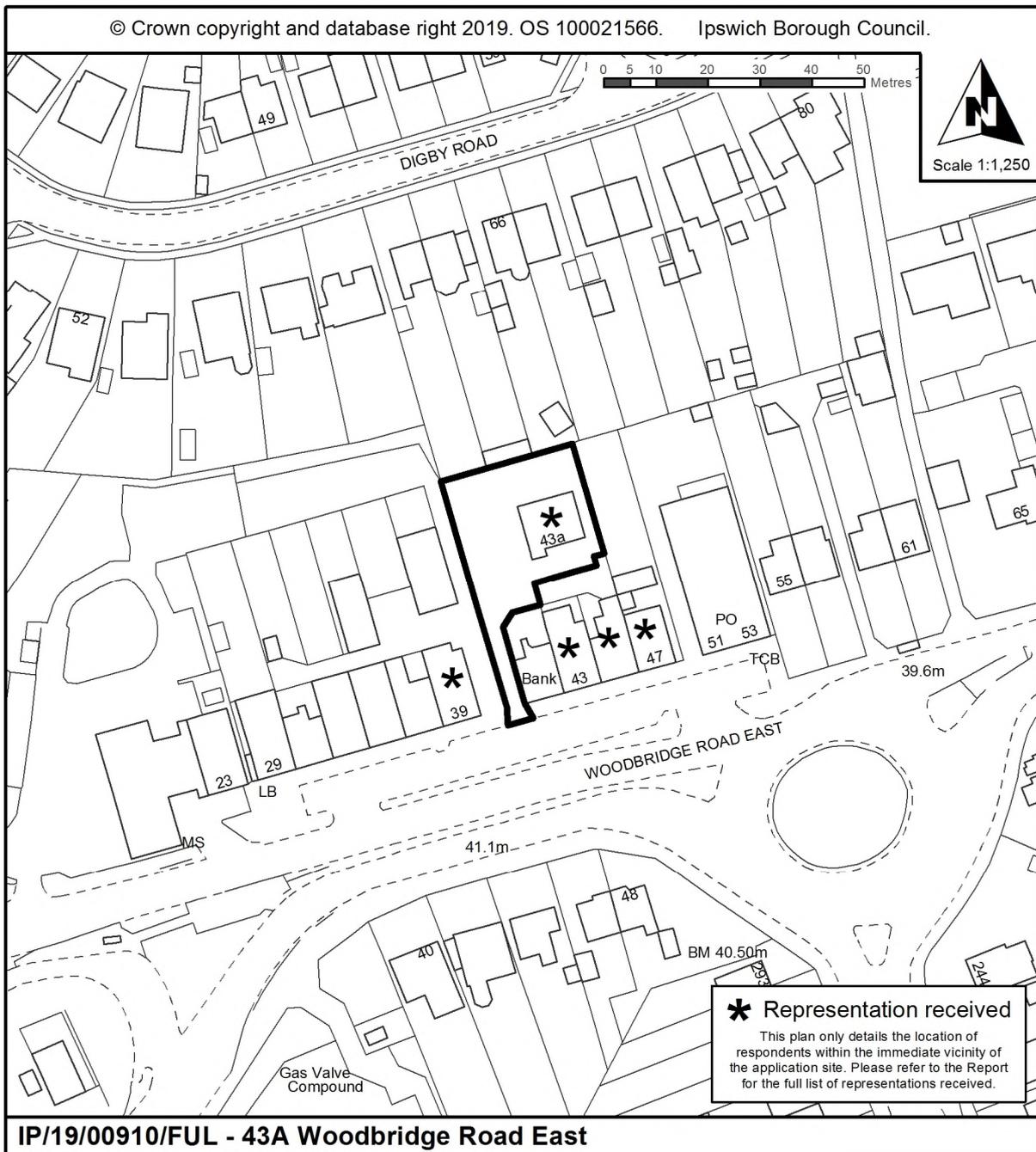
Ward: BIXLEY

Proposal: Erection of two storey detached building to accommodate 4x single bedroom self-contained flats. Provision of car parking, courtyards/amenity areas and other external works.

Address: 43A Woodbridge Road East

Applicant: SDA Property Solutions

Agent: Mr Adrian Tricker



Recommendation

Grant of planning permission subject to conditions (briefly):-

1. The development to be in accordance with the approved plans submitted with the application.
2. Details of biodiversity measures and boundary treatments shall be submitted to the Council and approved in writing and implemented before first occupation of the building. Thereafter the relevant details shall be maintained as approved.
3. Areas for manoeuvring and parking of vehicles, bin storage and cycle storage shall be provided in accordance with the approved plans before first occupation.
4. Prior to occupation details of how the dwellings shall meet the necessary energy and water efficiency levels shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.
5. A Construction Management Plan shall be submitted and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with this agreed plan.
6. Details of external materials of the dwellings, external bin store, and cycle store shall be submitted to and approved by the Local Planning Authority before external works commence.
7. Details of hard and soft landscaping to be approved by the Local Planning Authority before first occupation together with provisions for planting and maintenance.
8. Condition requiring the reporting of unexpected contamination.
9. Prior to occupation, details of the long-term management of communal areas and refuse/recycling facilities to be submitted.

Informatives:

1. Ipswich Borough Council supports the use of automatic sprinkler systems.

1. Proposal

- 1.1. The application site comprises a vehicular area located to the rear of the Woodbridge Road East District Centre. The District Centre, to the south of the application site,

comprises commercial uses at ground floor level with residential above. There are further commercial uses to the west and residential properties within Digby Road to the north. Within the application site area to the east is a former employment use known as Dickson House. This building is not part of the application although this is within the ownership of the applicant.

- 1.2. The site is not at risk of flooding and is not allocated for development. It is not located within a conservation area or designated green corridor. The site is accessed via a driveway between 39 and 39A Woodbridge Road East.
- 1.3. Permission is sought for the erection of a two storey building comprising 4 x one bedroom flats. The building would be constructed using red facing bricks, render and brown coloured concrete pantiles.
- 1.4. Within the application site it is proposed to form 8 car parking spaces, cycle parking for 8 cycles, a bin storage area and an external amenity area. Provision would be split between the application proposal and Dickson House, the latter would have 4 car parking spaces and 4 cycle parking spaces.
- 1.5. The application has been submitted with the following supporting documents:-
 - Desktop Contaminated Land Report
 - Planning Statement

2. Background

- 2.1. Prior approval was granted (IP/19/00066/P3JPA refers) for the change of use of Dickson House from offices (Class B1a) to 4 x one bedroom flats (Class C3) on the 13 March 2019. The approved plans show 7 car parking spaces and an area for cycle and bin storage. A noise assessment was submitted due to noise from nearby commercial premises and IBC Environmental Health accepted the conclusions of the report.
- 2.2. The prior approval has since been implemented and a number flats are now occupied.
- 2.3. A previous application to redevelop the site for 4 x one bedroom dwellings (IP/19/00591/FUL refers) was to be considered at the 18 September 2019 Planning and Development Committee meeting with a recommendation for refusal for the following draft reasons:-
 1. *Policy DM5 of the Ipswich Core Strategy and Policies DPD (2017) requires all development to be well designed and sustainable, with a specific requirement for development such as the proposal to function well and where possible integrate with adjoining areas, exhibit good architectural quality whilst protecting and enhancing the special character and distinctiveness of the town and the street scene. With regard to design and layout, policy DM13 requires infill developments to establish a safe and secure environment, protect the setting of existing buildings and the character and appearance of the area.*
 2. *The proposal due to its poor layout and design would result in a development that would fail to provide a high standard of amenity for future residents. Furthermore the proposal would not function well and would fail to add to the overall quality of the area nor would it be visually attractive or establish a sense of place. The proposal would fail to be well designed and sustainable and would fail to provide safe and secure*

environment. The development would not be in accordance with policies DM5 and DM13 in these regards.

3. *Policy DM3 states that, to ensure that new residential developments deliver a suitably high quality and environmentally sustainable living environment, all such developments will be required to incorporate well designed and located private outdoor amenity space of an appropriate type and amount. For apartments an average of 25 sq. m is required and only 50 sq. m would be provided by the proposal. The proposal would fail to provide adequate external amenity space contrary to policy DM3 and no justification for this has been put forward by the applicant nor that such requirements conflict with the need to achieve a higher density of development.*
4. *The Local Planning Authority is not currently able to demonstrate that it has an adequate five year supply of land for housing and that housing applications must be assessed in terms of the presumption in favour of sustainable development as set out in the National Planning Policy Framework (2019). In this case it is considered that the harmful effects of the development, which would fail to provide a high standard of design and provide a good standard of amenity for residents, demonstrably outweigh the benefit of the delivery of 4 dwellings. The proposal would be contrary to the aforementioned policies of the Core Strategy and Policies DPD (2017) and the aims and objectives of the National Planning Policy Framework (2019).*

2.4. The applicant withdrew the application before the proposal could be determined.

3. Consultations

- 3.1. IBC Environmental Health – The Phase I survey does not make reference to the petrol station <250m away, which if damaged may cause contamination 200-400m from site. This petrol station is also not included in the ‘*Environmental Permits, Incidents and Registers*’ section which should also have the waste burner from the hospital in it as well. The envirosearch makes reference to ‘*unspecified tanks (x2)*’ and ‘*unspecified pits (x4)*’ and IBC Environmental Health are also concerned about these. Therefore Phase II contaminated land survey requested.
- 3.2. A noise survey is requested detailing sources of noise, proposed extract ventilation and mitigation.
- 3.3. IBC Urban Design – The site is located to the rear of a distinctive parade of shops facing Woodbridge east. The proposal for a small detached block of flats will be visible through the gap in this frontage, and the design has a ‘timbered’ bay window at first floor level which picks up on the gable detailing on the parade. The service yard location detaches the site somewhat from its suburban residential setting to the north, and the main road to the south. In this context, the design is acceptable.
- 3.4. IBC Waste Management Services – No comments received.
- 3.5. SCC Highways – Conditions recommended with regard to provision of bin storage, vehicular areas and cycle storage. Construction management condition required.
- 3.6. Suffolk Fire and Rescue – General comments regarding access and fire fighting facilities. No additional water supply required and sprinklers are recommended.
- 3.7. Representations

3.8. The following representations have been received against the proposal:-

1. Ms M Allen, c/o 47 Woodbridge Road East, IP4 5QN received 16.10.19 and 5.11.19
2. Mr J Todd, 12 Mayfield Road, IP4 3NE received 30.10.19
3. Ms H Gunby, 45 Woodbridge Road East, IP4 5QN received 31.10.19
4. Mr S Wan, 43 Woodbridge Road East, IP4 5QN received 01.11.19
5. Mr Q Liu, 43A Woodbridge Road East, IP4 5QN received 01.11.19
6. Michael Morgan Interiors, 39 Woodbridge Road East, IP4 5QN received 01.11.19
7. Mr D Murton, 47 Woodbridge Road East, IP4 5QN received 5.11.19
8. O.B.Denison & Son, received 2.11.19

3.9. Issues Raised:-

- Concern regarding right of way and ownership.
- Not all flats within Dickson House have been rented out therefore lack of demand.
- Inadequate parking provision and inadequate space to accommodate space shown. Inadequate visitor and disabled parking.
- Detriment to highway safety, aswell as health and safety on adjacent land.
- Would detract from District Centre in terms of parking congestion and servicing.
- Concern regarding refuse collection and on going maintenance/management.
- Concern with regard to construction management.
- Overlooking and loss of light to 39 Woodbridge Road East.
- Would create precedent in the area.

4. **Policy**

National Planning Policy

National Planning Policy Framework (2019)
National Planning Practice Guidance

Local Planning Policy

Ipswich Core Strategy and Policies DPD (2017)

Policies CS7 (The Amount of Housing Required); DM1 (Sustainable Design and Construction); DM3 (Provision of Private Outdoor Amenity Space in New and Existing Developments); DM4 (Development and Flood Risk); DM5 (Design and Character); DM13 (Small Scale Infill and Backland Residential Developments); DM17 (Transport and Access in New Developments); DM18 (Car & Cycle Parking); DM26 (Protection of Amenity); DM30 (The Density of Residential Development); DM31 (The Natural Environment).

Other Guidance

Space and Design Guidelines SPD (2015)
DCLG - Technical housing standards – nationally described space standard (2015)
Suffolk Guidance for Parking (2019)
Cycling Strategy SPD (2016)

5. Comment

Principle of development

- 5.1. The site is not allocated for any particular use and is to the rear of the Woodbridge Road East District Centre. Policy CS7 sets targets for continual house building within the plan period to help meet the need within Ipswich. The site is developed land located within the urban area and ordinarily, residential development would comply with Core Strategy policy CS7 which aims to deliver new housing in the Borough. The local planning authority is not currently able to demonstrate that it has an adequate five-year supply of land for housing.
- 5.2. As the housing supply cannot be met, all local planning policies relating to the supply of housing must be considered out of date and housing applications assessed in terms of the presumption in favour of sustainable development set out in the National Planning Policy Framework (NPPF). This means that development proposals should be granted planning permission unless any adverse effects of the development significantly and demonstrably outweigh the benefits when assessed against policies in the NPPF as a whole, and other relevant policies in the development plan.
- 5.3. The NPPF encourages development of previously developed land but excludes land in built up areas such as residential gardens. Effective use of land is required but the environment and living conditions must be safeguarded (para 117).
- 5.4. Development must function well and add to the overall quality of the area, be visually attractive, establish a sense of place and create places with a high standard of amenity for existing and future users (para 127).
- 5.5. Policy DM13 is the starting point for this proposal and states that small scale residential development involving infill, backland or severance plots will not be permitted unless the development:
 - a. is sited in a location where it would not be disturbed by other land uses;
 - b. establishes a safe and secure environment;
 - c. protects the setting of existing buildings and the character and appearance of the area;
 - d. protects the amenity of neighbouring residents, particularly in terms of loss of privacy or light, or overbearing impact;
 - e. has safe and convenient access; and
 - f. has secure and lit bicycle storage and facilities for the storage of refuse, recycling and garden waste containers.
- 5.6. Consideration of this policy, together with other relevant development plan policies, is set out in the report below.

Design and layout

- 5.7. The site is located to the rear of a commercial parade of shops and businesses with some residential at first floor level, and in close proximity to Ipswich Hospital, the Two Rivers Surgery and main access routes into the Town Centre. As noted above, Dickson House is located within the application site but does not form part of the proposal. Policy DM5 requires all development to be well designed and sustainable, with a specific requirement for development such as the proposal to function well and where possible

integrate with adjoining areas, exhibit good architectural quality whilst protecting and enhancing the special character and distinctiveness of the town and the street scene.

- 5.8. With regard to design and layout, policy DM13 requires infill developments to establish a safe and secure environment, protect the setting of existing buildings and the character and appearance of the area (as detailed at para 5.5)
- 5.9. The Space and Design Guidelines SPD also forms a material consideration, to which weight should be attached. The SPD states that in the case of small developments or infilling, the [spacing] standards adopted should be consistent with the character of the area in which they are to be sited (para 4.5). Furthermore, having adequate space around new dwellings ensures that the physical mass of new buildings does not impose unnecessarily on neighbouring properties. Adequate distances between facing windows at the rear of houses also ensures that privacy in adjacent properties is retained (para 4.16).
- 5.10. As with the previous application, the proposed building would have limited impact upon the street scene although it would be visible through the gap in the parade of shops. The proposal includes a 'timbered' projecting bay window at first floor level which would complement existing buildings and the proposal would appear acceptable in the context of its surroundings.
- 5.11. The proposed flats would retain an aspect to the south and east, facing towards the rear of the commercial units and Dickson House. The latter building has windows facing towards the proposed flats and a separation of only 5.3 metres. The proposed building would also have limited separation to the storage building to the west of the site.
- 5.12. The proposed dwellings would be set within a commercial context dominated by vehicular areas and rear curtilages associated with the district centre. However, when compared with the previous application a 128 sq.m. amenity area would be provided to the rear of Dickson House and this would provide external amenity for residents in addition to a paved courtyard area between the two buildings which would have a usable area of 60 sq.m.
- 5.13. Car parking was previously proposed to the rear of Dickson House together with a smaller area of amenity space. The revised proposal now seeks to locate parking to the front of both the existing and proposed buildings.
- 5.14. Policy DM1 requires that the development should achieve reductions in CO2 emissions of 19% below the Target Emission Rate of the 2013 Edition of the 2010 Building Regulations (Part L) and water efficiency standards of 110 litres/person/day unless, in exceptional circumstances, it can be clearly demonstrated that this is either not feasible or not viable. It is recommended that this requirement be the subject of a condition should permission be granted.
- 5.15. Officers consider that with regards to the design of the building, its siting, and arrangement amenity space that the revised proposal would function well and would add to the overall quality of the area. The proposal would be well designed and sustainable and would provide a safe and secure environment. Subject to the discharge of the relevant planning conditions the proposals would be in accordance with policies DM1, DM5 and DM13.

Amenity

- 5.16. The proposals under consideration would be for 4 one-bedroom self-contained flats in a single block, with shared main entrance, hallway and stairs for the upper floor. Policy DM3 states that, to ensure that new residential developments deliver a suitably high quality and environmentally sustainable living environment, all such developments will be required to incorporate well designed and located private outdoor amenity space of an appropriate type and amount. For apartments an average of 25 sq. m is required, in this case 100 sq. m overall. The proposal would provide 188 sq. m and this would be shared with the existing 4 flats within Dickson House. The amount of amenity land when averaged out for each of the 8 dwellings to which it would serve is 23.5 sqm of amenity space per dwelling. This is only marginally below the 25 sq.m per dwelling (flat or maisonette) required by Policy DM3, and given the context of the location of the site, where there are some residential premises above the parade of adjacent shops and businesses, it is not considered that the amenity provision would be so out of character to warrant refusal. It is still considered that the amenity space proposed would provide adequate private space for enjoyment of residents, space for cycle and bin storage and for the drying of clothes.
- 5.17. Policy DM30 requires development in this location, adjacent to the Woodbridge Road East District Centre, to be medium density of at least 40 dwellings per hectare (dph) with average taken at 45 dph. Exceptions to this approach will only be considered where the site location, characteristics, constraints or sustainable design justify a different approach or a different approach is demonstrated to better meet all housing needs in the area.
- 5.18. The proposed development would result in a density of 75 dph. Whilst this is much higher than the suggested minimum of 40 dph it would be well within the range of a medium density development appropriate in the context of the District Centre.
- 5.19. Policy DM30 also requires developers to meet floorspace standards within the Technical housing standards – nationally described space standard unless it can be demonstrated that it would not be viable. Based upon the proposed dwellings being 1 person dwellings the proposal would meet the 39 sq.m required by the standards. In this regard the bedrooms proposed are all 8.4 sq. m which is suitable for a single person but not large enough to be counted as a double bedroom (11.5 sq. m normally required).
- 5.20. Policy DM26 states that planning permission for any development (including change of use) will not be permitted where it would be likely to cause material nuisance to the proposed, existing and / or adjacent users, residents, occupiers or where it is liable to be detrimental to human health. Policy DM13 also requires infill development to protect the amenity of neighbouring residents.
- 5.21. The Council's Space and Design Guide SPD suggests that there should be a distance of not less than 21 metres between main elevations of dwellings at the private side of houses, which is usually across back garden areas (i.e. rear elevation to rear elevation). Within this dimension there should usually be a distance of 9 metres (measured at right angles) between the rear elevations of dwellings and the rear garden boundary relative to it.
- 5.22. Where houses are perpendicular to each other a distance of 12 metres separating the rear of one building from the side of another should be provided. Greater distances than those specified may also be required where buildings are more than two-stories high, or where there is a significant change in land levels between adjacent sites.

- 5.23. As with the previous application it is not considered that the proposal would cause loss of light or privacy to neighbouring property to the north or south given the layout of the proposal.
- 5.24. In relation to the previous application, concern was raised with regard to overlooking between Dickson House and the proposed dwellings given that the separation is limited to 5.3 metres.
- 5.25. Whilst the separation remains the same the impact would be limited to a ground floor kitchen within Dickson House and a ground floor living/dining room within the proposal. Concerns were also raised by Officers with regard to the limited outlook and cramped nature of the development. However, this must be balanced against the provision of a paved courtyard area in between the two buildings whereas the previous scheme would have had vehicular access provision at this point. The proposed ground floor dwellings would have their principal aspect onto this courtyard.
- 5.26. Overlooking from the first floor of the proposal towards Dickson House would also be mitigated by the use of rooflights where there could be loss of privacy. Overall the revised proposal now provides a good standard of amenity for residents.
- 5.27. The representation with regard to the developments relationship with 39 Woodbridge Road East has also been considered. However, given the spacing between the proposed development and this property, which is approximately 18.5 metres at an oblique angle, Officers can conclude that a good standard of amenity would be maintained and no material nuisance would occur.
- 5.28. IBC Environmental Health have requested a noise report. A noise report was submitted in support of the previous application and IBC Environmental Health raised concerns with regard to the level of detail proposed with regard to the background noise level, particularly in relation to a nearby hot food takeaway.
- 5.29. However, the surrounding area comprises a mixture of commercial and residential uses typical of a district centre within a residential area. Furthermore, the prior approval of the Dickson House would also be affected by the same level of noise, which was supported by a noise assessment which was considered to provide acceptable evidence that the residential amenity of the conversion would be to acceptable levels having regards to surrounding background noise. As described above this has been granted consent without any mitigation against externally generated noise.
- 5.30. Therefore it is not considered that the proposal would be subject to a level of noise or disturbance that would result in a poor standard of amenity. Furthermore the revised proposal would provide a good standard of amenity for residents in accordance with the NPPF.
- 5.31. As with the previous application, a desktop contaminated land assessment has been provided and this states that the risk of contamination is low. Furthermore these findings were considered acceptable by IBC Environmental Health with regard to the previous prior approval application for Dickson House.
- 5.32. IBC Environmental Health have raised concerns with regard to the level of information provided with regard to contaminated land. Given the advice received in relation to the current and previous applications, together with the conclusion of the applicant's report

that the risk is low, it is recommended that should permission be granted it be subject to a planning condition be imposed requiring the reporting of any unexpected contamination.

Flood Risk

- 5.33. Policy DM4 states that development will only be approved where it can be demonstrated that it does not increase the overall risk of all forms of flooding in the area or elsewhere, will be adequately protected from flooding, will remain safe for people for the lifetime of the development and includes water efficiency measures such as rainwater harvesting, or use of local land drainage water where practicable. The proposal would be acceptable in these regards.

Biodiversity

- 5.34. Policy DM31 relates to the natural environment. All development is expected to incorporate measures to enhance conditions for biodiversity within and around the development. Furthermore proposals are required to protect biodiversity.
- 5.35. The site comprises a former car parking area of limited biodiversity value. It is considered that measures to promote biodiversity can be the subject of conditions upon any permission and the proposal would be in accordance with policy DM31. No trees would be affected by the proposal which would increase the amount of landscaping.

Transport and Highway Impact

- 5.36. Policy DM17 seeks to promote sustainable growth in Ipswich and reduce the impact of traffic congestion by setting a number of criteria, including that new development shall not result in a severe adverse impact on rights of way or the local road network in respect of traffic capacity and highway safety.
- 5.37. Policy DM18 states that the Council will require adopted standards of car and cycle parking to be complied with in all new development (except in the IP-One area) and will expect parking to be fully integrated into the design of the scheme to provide secure and convenient facilities and create a safe and attractive environment. The standards are as set out within the Suffolk Guidance for Parking (2019) and require 1 car parking space and 2 cycle parking spaces per dwelling, with a further visitor car parking space.
- 5.38. The proposal would provide 8 car parking spaces for the 8 x one bedroom dwellings proposed as part of the prior approval and current proposal. Although no visitor car parking space is proposed there is available parking to the front of the commercial units, albeit primarily for visitors to the District Centre and during the daytime (Monday to Saturday) limited to 1 hour duration.
- 5.39. Only 8 cycle parking spaces are proposed for use in connection with the proposed and approved development. However as all units are single person one bedroom units this provision would be acceptable. Visitor cycle parking is also available within the district centre.
- 5.40. As with the previous proposal concerns have been raised with regard to the impact of the development upon the servicing of the adjacent commercial units.
- 5.41. In this regard the applicant has submitted plans that show that the existing service road is beyond the application site. This service road would not be affected by the proposed

development and the car parking spaces are acceptable having regard to the spacing standards within the Guidance.

- 5.42. Ownership and rights of access are matters outside of the planning system and in any case there is no assumed right to use the application site as a further manoeuvring space for service or other vehicles beyond the existing access and service road.
- 5.43. The main concerns within the representations is that the car parking would be inadequate for the amount of residential properties that would be formed within this proposal and the already granted conversion of Dickson House.
- 5.44. It is clear that the District Centre is a busy environment with customer parking in short stay bays to the front of the shops. This parking is restricted to stays of 1 hour only at certain times and is considered adequate for the patronage of the District Centre.
- 5.45. To the rear of the parade there are parking and ancillary areas associated with the retail uses and residential properties above. The access road is demarked into two separate halves and the concern is that additional parking associated with the proposed 4 dwellings (either second cars or visitors) would park in this area, and thus block access for existing shop or residential uses.
- 5.46. As described above the location is considered to be highly sustainable and provides parking at a ratio of one space per dwelling. It is considered that the proposed parking would be acceptable having regards to the amount of development proposed, the likely single person occupancy of the dwellings and in terms of the impact upon the existing retail and residential uses within the area. In terms of floorspace standards these units are clearly intended as single person dwellings based upon the size of the bedrooms proposed.
- 5.47. Subject to conditions SCC Highways do not object to the proposal and Officers consider that the proposal would be acceptable having regard to both policies DM17 and DM18. The proposal would have sufficient car parking, would not detract from highway safety or the free flow of traffic.
- 5.48. Representations have been received raising concern with regard to the servicing of the proposed dwellings, particularly with regard to refuse collection. In this regard it is notable that no objection has been received from SCC Highways and the proposed dwellings will be serviced in the same way as the existing uses and dwellings associated with the District Centre which has vehicular areas to both the front and rear.
- 5.49. Construction management will be the subject of an appropriate condition requiring the submission of a Construction Management Plan. Concerns have also been raised that the proposal would set a precedent, however it is a well established principle that every application must be considered on its own merits.
- 5.50. The proposed parking provision is in accordance with standards other than with regard to a single visitor parking space. Given the above considerations Officers can conclude that significant harm would not arise due to the lack of visitor car parking that would warrant refusal of the development in this case.

6. Planning Balance

- 6.1. The proposal would provide additional dwellings that will contribute towards housing

supply. The development must be assessed having regard to both local and national policy, particularly with regard to whether the development is sustainable having regard to the NPPF.

- 6.2. In this regard the proposal represents an effective use of previously developed land. Furthermore, as discussed above, the development would be acceptable having regard to amenity provision and its design. These factors is in favour of the proposal.
- 6.3. Whilst concerns have been raised with regard to parking and servicing, the proposal does make provision with regard to parking space and can be adequately serviced. The proposal would not result in harm to highway safety or the District Centre in these regards having regard to all material considerations.

7. Conclusion

- 7.1. The proposal would be well designed and sustainable and would provide additional dwellings within Ipswich on a windfall site.
- 7.2. The proposal would be acceptable in terms of its design and layout. Furthermore the proposal would provide a good standard of amenity for residents.
- 7.3. The proposal would be acceptable having regard to neighbouring amenity and would be compatible with surrounding commercial uses. The proposal would have sufficient parking and would not detract from highway safety or the free flow of traffic.
- 7.4. The proposal would be acceptable having regard to flood risk. subject to conditions the proposal would be acceptable having regard to energy and water efficiency requirements, and biodiversity requirements.
- 7.5. It is recommended that the proposal would be acceptable having regard to Policies CS7, DM1, DM3, DM4, DM5, DM13, DM17, DM18, DM26, DM30 and DM31, the objectives of the Space and Design Guidelines SPD, and the policies of the NPPF.