

Item 01

Application No. IP/20/00314/FUL

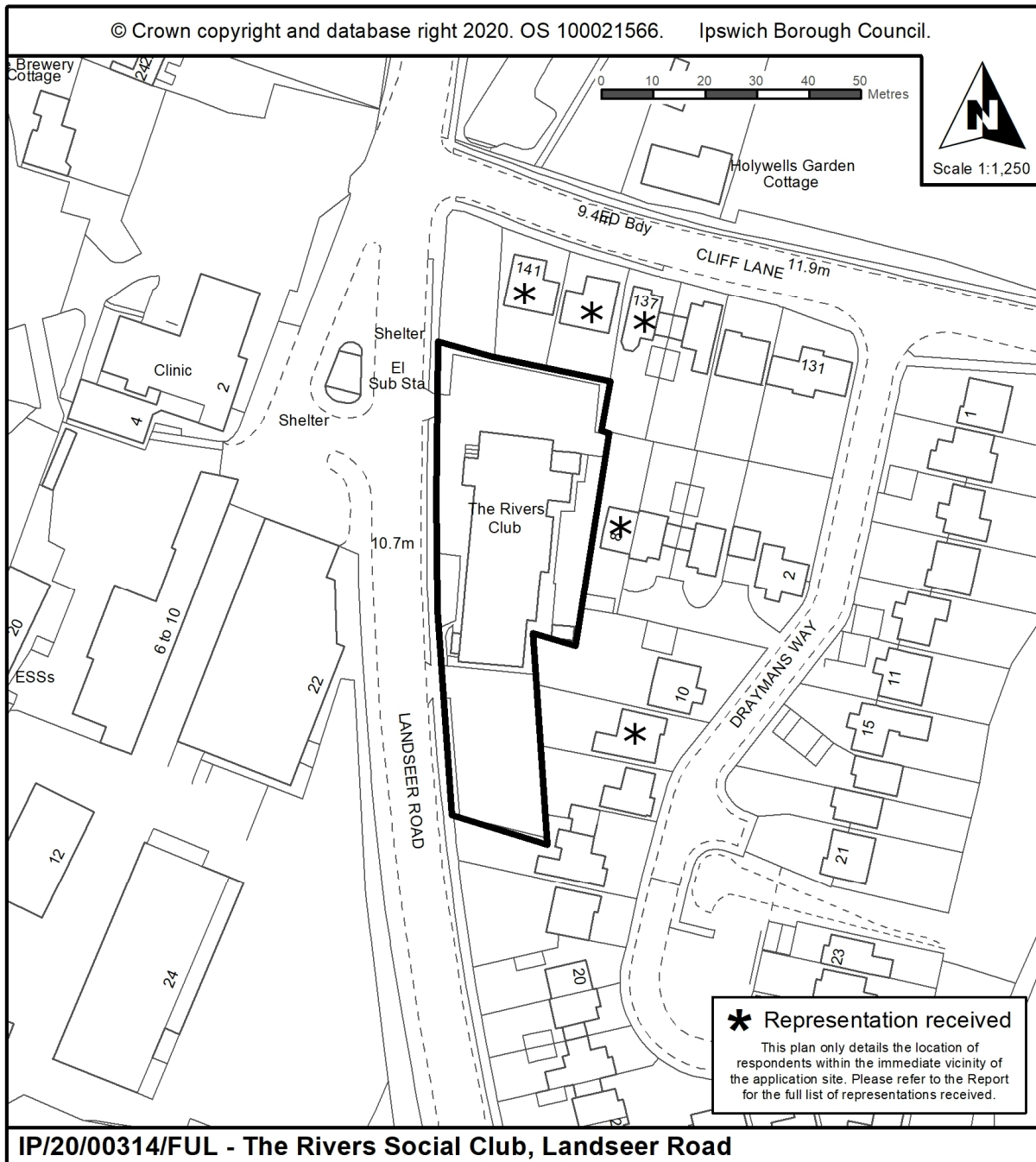
Ward: HOLYWELLS

Proposal: Demolition of existing community facility (Use Class D2) and erection of 7 no. residential dwellings with associated access and parking.

Address: The Rivers Social Club, Landseer Road,

Applicant: Keltik Solutions Ltd

Agent: Mr Ryan Jones



Recommendation

A. The completion of a unilateral undertaking/provision of S111 agreement securing £731.34 in relation to RAMS contributions (indexed linked where necessary).

B. Planning conditions in accordance with those set out below (briefly): -

1. Development to be in accordance with the approved plans and the requirements of any succeeding conditions.
2. Details of external facing materials to be submitted and approved before elevational works commence.
3. No dwelling shall be occupied until details of surfacing, electric vehicle charging, boundary treatments (including gaps to promote ecological movement and provision low wall and railings on frontage), refuse storage and presentation, cycle storage, biodiversity enhancements and mitigation against externally generated noise have been submitted and approved.
4. No development shall be commenced until details of the means to prevent discharge of surface water into the highway have been submitted to and approved by the Local Planning Authority.
5. No development shall be commenced until details of construction management have been submitted and approved.
6. Conditions relating to contaminated land assessment including intrusive investigation, remediation and reporting of unexpected contamination where necessary.
7. No dwelling shall be occupied until details relating to energy and water efficiency (unless not viable or feasible) have been submitted and approved.
8. Restriction upon permitted development (porches, extensions, roof extensions and outbuildings over 10 m³ in volume).
9. Upper floor windows in north facing elevation of Plot 1 and east facing elevation of Plot 6 to be glazed with obscure glass only and non-openable where less than 1.7 metre above the floor of that room.
10. No groundworks shall commence until details of levels in relation to the FFL of Plot 6 have been submitted and approved.
11. No other part of the development shall be commenced until the existing vehicular accesses have been improved each with a width of 4.5 metres. The accesses shall thereafter be maintained in the specified form.
12. Provision and maintenance of visibility splays in relation to accesses.
13. Vehicular areas to be provided before first occupation.
14. Details relating to landscaping to be submitted and approved before first occupation with provisions for planting and maintenance.

Informatives:

1. Ipswich Borough Council supports the use of automatic sprinkler systems.
2. No unauthorised work to be carried out over the public highway.

C. That in the event the requirements of (A) have not been met within a period of 6 months (or other time frame to be agreed) from the date of this resolution the Head of Development be authorised to refuse planning permission on the grounds that the development would fail to provide adequate mitigation in accordance with policies CS17 and DM31 of the Ipswich Core Strategy and Policies DPD Review (2017).

1. Proposal

- 1.1. The application site is set to the eastern side of Landseer Road and comprises a vacant social club building and the associated car parking area. Residential properties are located to the east of the site, within Draymans Way, and to the north of the site along Cliff Lane.
- 1.2. The proposal has been revised since original submission and now seeks planning permission to erect six new dwellings, following demolition of the existing building. The new dwellings would be formed of a pair of semi-detached dwellings and four detached dwellings and comprise of two x 4-bedroom houses and four x 3-bedroom houses
- 1.3. The dwellings are proposed to be two-storey in height, of traditional design and constructed of red brickwork with external cladding under cement fibre slate roofs.
- 1.4. 17no. car parking spaces are proposed to serve the development and access/egress would be achieved via the existing access/egress points onto Landseer Road.
- 1.5. In terms of planning constraints, the site is located within 800 metres of the Duke Street District Centre. The site is not within a conservation area, although the Holywells Park Conservation Area is situated nearby to the north. The Grade II listed Cliff Quay Brewery and Brewery Cottage building are located to the west.
- 1.6. The applications have been submitted with the following supporting documents:
 - Contaminated Land Report
 - Noise Report
 - Ecological Report
 - Design and Access Statement

2. Background

- 2.1. Planning permission for 9 dwellings was refused on the 18 February (IP/19/01139/FUL refers). The reasons for refusal related to concerns regarding a proposed terrace of dwellings being out of keeping and representing poor design, lack of landscaping and lack of spacing between dwellings. The decision notice is at Appendix 1 and the associated plans are at Appendix 2 to this report.

- 2.2. The development was also considered to fail to ensure a high standard of amenity and to lack sufficient car parking thereby resulting in highway safety implications.

3. Consultations

IBC Environmental Health – No objections. Recommend that a further site investigation (phase II) takes place and electric vehicle charging and dust mitigation recommended. Provisions of noise report shall be the subject of a condition and it is noted that the report recommends acoustic glazing and ventilation and acoustic screening along the west boundary of plot 6.

IBC Urban Design – Recommend approval. The latest set of changes have produced a more acceptable scheme, especially the redesign of the southernmost property and the creation of a boundary wall and railing along the Landseer Road edge.

IBC Waste Management – No objections. From the drawings this looks like a private road and therefore the bins will need to be brought to the edge of the road on Landseer Road for collection. Suggest a hard standing on the development entrance for up to 14 wheeled bins at any one time.

Health and Safety Executive – Does not advise against the granting of planning permission in this case on safety grounds.

SCC Highways – No objection. Comments upon proximity of northern access to that approved in relation to an allocated site on the opposite side of Landseer Road and it is therefore a preference that the northmost access proposed be stopped up to facilitate the ‘allocated’ access and associated cycle infrastructure. Conditions recommended with regard to vehicular access, provision of vehicular areas, construction management, boundary treatments, refuse and cycle storage.

Representations:

The following representations have been received in opposition to the proposal:

1. Ms H Harvey, 8 Draymans Way, IP3 0QU received 4.5.20 and 3.7.20
2. Mr G Renfro, 12 Draymans Way received 4.5.20
3. Mr B Cole, 141 Cliff Lane, IP3 0SS received 8.5.20
4. Mr J Good, 139 Cliff Lane, IP3 0SS received 10.5.20 and 11.5.20
5. Mr & Mrs Alderton, 137 Cliff Lane, IP3 0SS received 11.5.20

Summary of issues raised: -

- Loss of light, view and privacy.
- Detriment to highway safety.

- Cramped form of development.

4. Policy

National Planning Policy

National Planning Policy Framework (2019)
National Planning Practice Guidance

Local Planning Policy

Ipswich Core Strategy and Policies DPD Review (2017)

Policies CS7 (The Amount of New Housing Required); CS17 (Delivering Infrastructure); 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); DM8 (Heritage Assets and Conservation); DM10 (Protection of Trees and Hedgerows); DM13 (Small Scale Infill and Backland Residential Developments); DM17 (Transport and Access in New Developments); DM18 (Car and Cycle Parking); DM26 (Protection of Amenity); DM30 (The Density of Residential Development); DM31 (The Natural Environment); DM32 (Protection and Provision of Community Facilities).

Other Planning Guidance

Suffolk Coast RAMS SPD (2020)
Ipswich Urban Character SPD (2019)
Space and Design Guidelines SPD (2015)
Cycling Strategy SPD (2016)
Suffolk Guidance for Parking - Technical Guidance (2019)
Technical housing standards – nationally described space standard (2015)

5. Planning Assessment

Housing Supply

- 5.1. Policy CS7 relates to the supply of housing and requires housing land be allocated for continual housing delivery during the plan period. In this regard the Local Planning Authority is not currently able to demonstrate that it has an adequate five-year supply of land for housing.
- 5.2. Therefore, 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 is set out within paragraph 11 and means granting permission subject to two tests. Firstly, whether the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. Secondly whether any adverse impacts of doing so would significantly and demonstrably

outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Loss of social club facility

- 5.3. The NPPF requires policies and decisions to enable the retention of community facilities and meeting places (paragraph 83) and plan positively for the provision of community facilities (paragraph 92).
- 5.4. Ipswich Local Plan policy DM32 relates to the protection and provision of community facilities. The building was most recently in use as a social club, a use falling within Class D2 Assembly and Leisure. This policy only permits change of use of such facilities where the applicant can demonstrate that the facility is genuinely redundant and surplus to current and future requirements, or where appropriate alternative provision is proposed or available within a reasonable distance.
- 5.5. As part of the previous application it was stated (and accepted by officers) that the site was unsuccessfully marketed in 2018. The club had suffered from declining membership, increased costs and the building was close to the end of its economic life leading to it being unviable. It is also indicated that there was limited market interest in purchasing the site, the majority of which was on the basis of redevelopment to residential.
- 5.6. The site is also located away from the town centre and district centres with the nearest, Duke Street District Centre, over 400 metres away. Community facilities are generally permitted within 400 metres of such a centre where they are appropriate in scale and accessible.
- 5.7. For the reasons above, the previous decision did not cite the loss of the social club as a reason for refusal, and therefore officers have considered this facility to be genuinely redundant and surplus to requirements. Accordingly, this proposal would not conflict with the aims of policy DM32.

Design and layout

- 5.8. Policy DM5 requires all new development to be well designed and sustainable and sets a number of criteria for Ipswich. This includes promotion of a high standard of public realm, areas that function well and are well integrated where possible, safe and secure communities, greener streets and spaces, protection and enhancement for the special character of the town, developments that exhibit good architectural quality and are sustainable and accessible, with the necessary transport and waste provisions. Provision is also required for public art and design that is considered not to adequately meet all these criteria will be refused.
- 5.9. Policy DM13 relates to small scale infill developments. Such developments will not be permitted unless they protect the setting of existing buildings and the

character and appearance of the area.

- 5.10. The NPPF states that the development must function well and add to the overall quality of the area, be visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users (paragraph 127). Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (paragraph 130).
- 5.11. The Space and Design Guidelines SPD is also a material consideration. 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 (paragraph 4.5). Furthermore, having adequate space around new dwellings ensures that the physical mass of new buildings does not impose unnecessarily on neighbouring properties.
- 5.12. The site is within the South East Character Area of the Urban Character Study SPD (2019), specifically within the Upper Nacton Road Area. Reference is made to Draymans Way to the east of the site but not the application site itself. The summary for the area suggests that where new development is proposed, it should reflect the scale, layout and character of the existing area, which is dominated by two storey bays, generous gardens and use of brick and render. Additional planting and landscaping should be encouraged in new development proposals.
- 5.13. The proposal has been revised from original submission. The current proposal now includes 6 x two storey dwellings, including a pair of semi-detached dwellings. The dwellings have a separation of approximately 1.5 metres with landscaped vehicular access and parking to the front. A low wall and railings are indicated to the majority of the site's frontages.
- 5.14. In comparison to the previous scheme, and that initially submitted, the proposal is now considered to be in keeping with the general character of the surrounding area, which comprises two-storey detached and semi-detached dwellings fronting onto principle roadways. Furthermore, the proposal would provide additional planting and landscaping, as encouraged by the Urban Character SPD and would provide an appropriate degree of separation between the dwellings.
- 5.15. In terms of scale, the dwellings would appear appropriate having regard to their context. The dwellings would be traditional in terms of their design and appearance, constructed using red brickwork, composite cladding under cement fibre slate roofs. They would have an appropriate frontage onto Landseer Road and would represent good architectural quality.
- 5.16. Officers therefore consider that the proposal would represent a well-designed development, that would be appropriate having regard to the character and

appearance of the area. The proposal is therefore in accordance with policies DM5 and DM13 with regard to design and appearance.

Provision of external amenity space, general amenity provision and internal floorspace

- 5.17. The NPPF encourages development of previously developed land such as the application site. Effective use of land is required but the environment and living conditions must be safeguarded (paragraph 117). Furthermore, development must create places with a high standard of amenity for existing and future users (paragraph 127).
- 5.18. Policy DM3 requires provision of an appropriate amount of private amenity space. In all cases applicants will be expected to demonstrate that adequate provision of private outdoor amenity space will be provided for the likely occupancy of the proposed dwellings. The proposals would meet the requirements for external amenity space of 75 m² per dwelling.
- 5.19. Policy DM30 requires development in this location to be medium density at an average of 45 dph unless otherwise justified. In all cases it must be demonstrated that the Nationally Described Space Standards (2015) are met. In these regards the proposal would equate to a density of 26 dph, however this would be appropriate given the constraints of the site and the low density of surrounding dwellings.
- 5.20. In terms of floorspace, the Standards require the 3-bedroom, 5 person dwellings to have 93 sq.m, the 3-bedroom, 6 person dwelling to have 102 sq.m and 4-bedroom, 6 person dwellings to have 106 sq.m. The proposal would meet these requirements as follows: -
- Plot 1 = 4 bed 6-person house 155.6 sq.m
 - Plots 2 and 3 = 3 bed 5-person house 96 sq.m
 - Plot 4 = 4 bed 6-person house 143.8 sq.m
 - Plot 5 = 3 bed 5-person house 118.5 sq.m
 - Plot 6 = 3 bed 6-person house 142.8 sq.m
- 5.21. Policy DM13 requires infill development to protect the amenity of neighbouring residents, particularly in terms of loss of privacy or light, or overbearing impact. Furthermore, policy DM26 also states that development will not be permitted where it would likely cause material nuisance to existing residents.
- 5.22. 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.

- 5.23. 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.
- 5.24. The proposed dwellings generally accord with the spacing and layout standards outlined above although there are some aspects that do not fully comply. For instance, there would only be 8 metres between the main rear elevation of Plot 6 and the rear garden of 16 Draymans Way. However, this is offset by the neighbouring garden being set higher and only the far end of the garden would be closer than 9 metres given the angle of the boundary.
- 5.25. Similarly, there would only be 17.5 metres between the main rear elevation of Plot 6 and the main rear elevation of 16 Draymans Way. However, this is at the closest point and is due to the angle of the dwellings relative to each other and the neighbouring property is set much higher at this point. The applicant has stated that the ground floor level of 16 Draymans Way is at the first-floor level of Plot 16.
- 5.26. There would only be 4.9 metres between Plot 6 and the boundaries with 12 and 14 Draymans Way. Furthermore, there would only be 19.5 metres and 20.2 metres to the main rear elevations. However, as with 16 Draymans Way, these properties are set higher and the relevant elevation of Plot 6 would only have obscure glazed windows at first floor level, serving a bathroom and an en-suite bathroom.
- 5.27. Representations have been received stating that the proposal would cause loss of light. Given the separations provided and the location of the proposed dwellings relative to the affected properties, it is not considered that the proposal would result in a material nuisance. Similarly, there is no right to a view, and loss of outlook is not considered to justify refusal of planning permission.
- 5.28. Objectors have suggested that single-storey dwellings could be considered as an alternative, however, such an approach would appear out of keeping with the surrounding pattern and scale of development. In any event, this application must also be determined on the basis of the development applied for and the merits of the scheme proposed.
- 5.29. It is also notable that the site was previously in use as a members social club, with off street car parking close to boundaries with surrounding dwellings. That use would clearly have had an impact in terms of noise and disturbance to residents. The proposed residential development is likely to have less impact overall with far less traffic movements.
- 5.30. Policy DM26 also seeks to resist development that could be significantly adversely affected by surrounding uses. Policy DM13 also states that infill development will not be permitted unless the development is sited in a location

where it would not be disturbed by other land uses and establishes a safe and secure environment.

- 5.31. In this regard the proposal would be in proximity to commercial uses on the opposite side of Landseer Road and the road itself. The applicant has submitted a noise report which suggests acoustic glazing and ventilation, with a 2m high acoustic screen along the frontage of Plot 6. The latter would not be appropriate in terms of its appearance and the proposal has also been revised so that an acoustic fence can be set back in relation to the street. These matters can be addressed through conditions.
- 5.32. A contaminated land report has been submitted. This recommends a further intrusive investigation be carried out and this can be the subject of a condition, including the need for remediation and the reporting of unexpected contamination where necessary.
- 5.33. The site is in proximity to sites with hazardous substance consent associated with Cliff Quay and associated employment uses. However, following a consultation exercise with the Health and Safety Executive there are no grounds to refuse the proposal on this basis.
- 5.34. The proposal would provide an acceptable standard of amenity for residents having regard to the requirements of policies DM13 and DM26.
- 5.35. Any further extensions and/or large outbuildings that could be erected under normal permitted development would reduce external amenity space provision and spacing standards between dwellings. Roof extensions would also increase the potential for overlooking of neighbouring dwellings. Accordingly, restrictive conditions are recommended with regard to the levels of Plot 6, windows that could cause overlooking and further extensions, large outbuildings and roof extensions under permitted development.

Flood Risk

- 5.36. Policy DM4 states that development will only be approved where it can be demonstrated that the proposal does not increase the overall risk of all forms of flooding in the area or elsewhere, will be adequately protected from flooding in accordance with adopted standards wherever practicable, 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.
- 5.37. The proposal is not at risk of flooding and would be acceptable having regard to the above requirements.

Highway and Parking

- 5.38. Policy DM17 states that to promote sustainable growth in Ipswich and reduce the

impact of traffic congestion by complying with set criteria. Applicants will be required to demonstrate how any adverse transport impacts would be acceptably managed and mitigated. The criteria include 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 [or] highway safety.

- 5.39. In this regard SCC Highways do not raise any objections, although conditions are recommended with regard to vehicular access, provision of vehicular areas, construction management, boundary treatments, refuse and cycle storage.
- 5.40. SCC Highways have commented upon the proximity of the northernmost access being in proximity to a proposed access relating to an allocated site (Land between Cliff Quay and Landseer Road allocation IP042 refers). This site was subject to a planning permission (IP/12/00700/FUL refers), which has now lapsed. Notwithstanding, it is acknowledged that the site is now protected for residential led development. However, only limited weight can be applied to precise access/egress and there is no extant planning permission. Furthermore, the northernmost access in relation to the application proposal represents an existing access/egress onto the highway.
- 5.41. The proposal has been revised to reduce the amount of dwellings proposed and increase landscaping at the expense of a section of driveway. The driveway would no longer link through between the north and south access points. Any further comments will be reported at the meeting. However, Officers consider that the proposal would be acceptable in terms of highway safety and the requirements of policy DM17.
- 5.42. Policy DM18 requires minimum cycle and car parking standards to be complied with for development outside of the IP-One Area such as the application site. Furthermore, parking is expected to be fully integrated into the design of the scheme to provide secure and convenient facilities and create a safe and attractive environment. Policy DM13 requires infill development to have secure and lit bicycle storage and facilities for the storage of refuse, recycling and garden waste containers.
- 5.43. Based upon the Suffolk Guidance for Parking (2019), the proposal would require 15 car parking spaces for residents and 2 spaces for visitors. Each dwelling must also provide 2 secure and enclosed cycle storage spaces. The parking provision would primarily be met within the frontage of the development with a further parking area between Plots 5 and 6, including the visitor spaces.
- 5.44. Landscaping has also been provided together with an appropriate boundary treatment and the proposal would therefore be in accordance with the requirements of policies DM13 and DM18.

Sustainability

- 5.45. 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. These matters can be the subject of a condition with details to be submitted before first occupation.

Biodiversity and Tree Impact

- 5.46. Policy DM31 requires all development to protect and enhance biodiversity. The applicant has submitted an ecological assessment, and this concludes that the existing building would have negligible suitability to support roosting bats and that there was no evidence of nesting birds. It is recommended that habitat enhancements are included, such as nesting boxes, bat boxes and appropriate landscaping. These enhancements, together with gaps for ecological movement can be secured through conditions.
- 5.47. The Suffolk Coast RAMS SPD (2020) is also applicable. The SPD states that avoidance and mitigation measures will be funded via developer contributions as part of planning permissions given for new residential development and in Ipswich the contribution is set at £121.89 per new dwelling. This would equate to £731.34 (index linked where necessary).
- 5.48. There are trees in and around the margins of the site. However, these trees are of limited amenity value and their retention would not be justified having regard with the requirements of policy DM10. The proposal shows indicative landscaping and tree planting as part of the development and this can be secured by a condition.

6. Planning Balance

- 6.1. The proposal represents the redevelopment of previously developed land for housing that would contribute towards housing supply within the Borough. As the Borough cannot demonstrate adequate housing supply the development must be assessed in accordance with the presumption in favour of sustainable development with regard to housing supply policies, as set out within the NPPF.
- 6.2. There are no reasons to refuse the proposal due to impact upon specific areas or assets, such as conservation areas or listed buildings. Furthermore, there are no adverse impacts that significantly and demonstrably outweigh the benefits of the development when assessed against the NPPF as outlined in the above report.

7. Conclusion

- 7.1. Having regard to the planning balance set out above, Officers consider that the proposal is acceptable in principle, does not give rise to any overriding amenity concerns and to be of good design and appearance.

- 7.2. The proposals are also acceptable in terms of parking provision and highway impact. Furthermore, the proposal is acceptable in terms of biodiversity and energy and water efficiency measures.

- 7.3. Accordingly, and subject to the imposition of the recommended conditions and receipt of the RAMS contribution, the proposal would accord with policies CS7, CS17, DM1, DM3, DM4, DM5, DM8, DM10, DM13, DM17, DM18, DM26, DM30, DM31 and DM32.