

Item 02

Application No. IP/20/00006/FUL

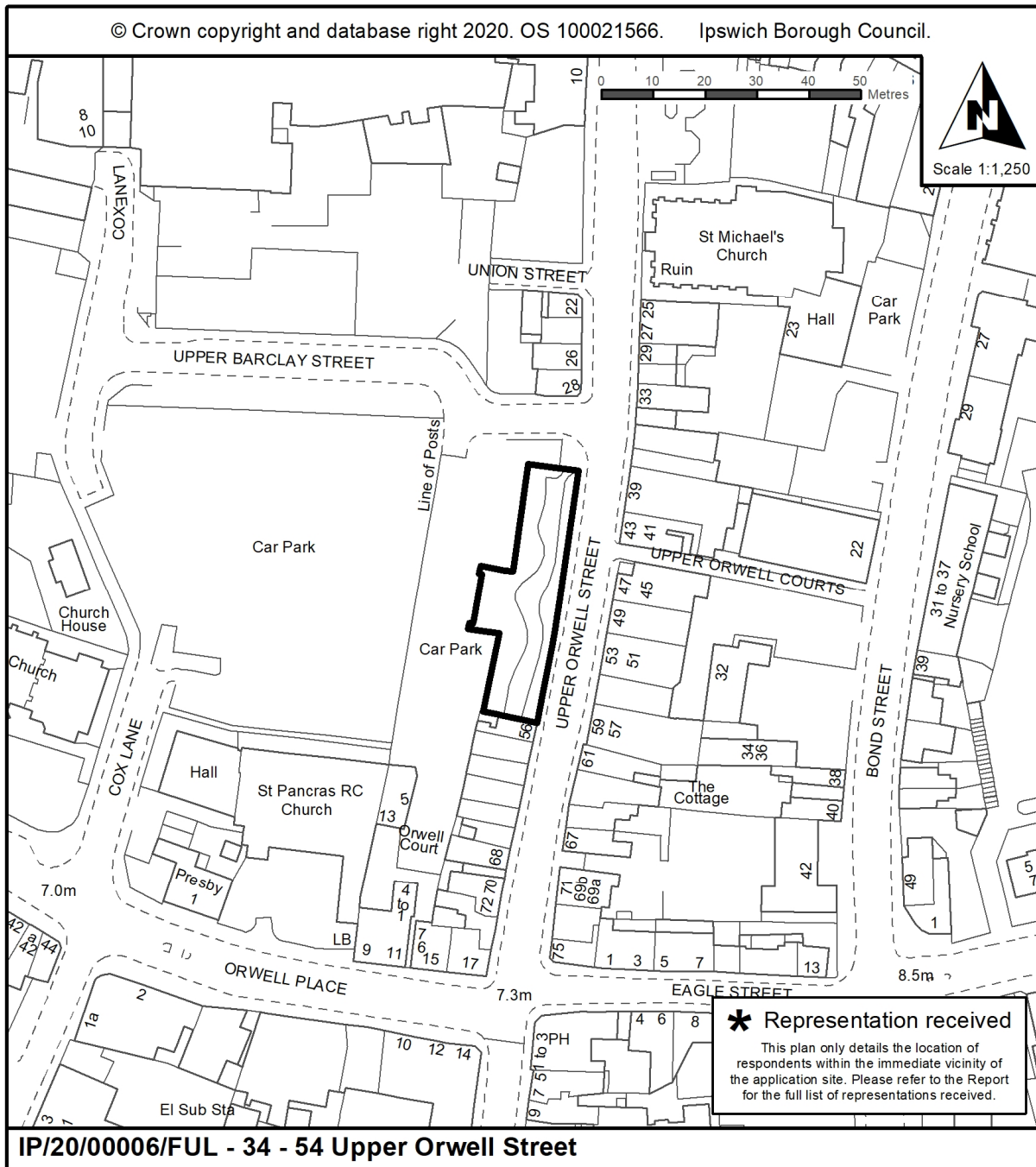
Ward: ALEXANDRA

Proposal: Redevelopment of site to provide 18 apartments.

Address: 34 - 54 Upper Orwell Street

Applicant: Derrivo Limited

Agent: Mr Stan Beanland



Recommendation

A. The completion of a legal agreement under the provisions of Section 106 of the Town and Country Planning Act (1990) dealing with the following matters (all payments index linked): -

1. Education - £19,611
2. Pre-school - £33,192
3. Libraries - £3,888
4. Waste - £1,980
5. Public Open Space - £57,378
6. Public Open Space Maintenance - £77,670
7. RAMS Mitigation – £2,194
8. 3 no. dwellings to be affordable dwellings

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 the succeeding conditions.
2. Details of external facing materials and elevational detailing to be submitted and approved before elevational works commence.
3. Prior to commencement of the development a noise impact assessment shall be submitted indicating mitigation against externally generated noise. The respective mitigation measures shall be implemented and maintained in accordance with the approved details.
4. Further details to be provided, approved, implemented and maintained: - secure cycle parking, refuse/recycle storage, privacy/security screening and landscaping, external amenity space, boundary treatments, access in relation to internal courtyard and measures to promote biodiversity have been submitted and approved.
5. No development shall be commenced until details of surface water drainage strategy, ongoing maintenance and means to prevent discharge of surface water into the highway have been submitted to and approved by the Local Planning Authority.
6. No development shall be commenced until details of construction management have been submitted and approved.
7. No development shall be commenced until a programme of archaeological works has been submitted and approved. No dwelling shall be occupied until the investigation and post investigation assessment has been carried out/completed.
8. Prior to commencement contaminated land assessment to be submitted including intrusive investigation detail, full remediation strategy and reporting of unexpected contamination where necessary.
9. No dwelling shall be occupied until details relating to energy and water efficiency and 15% of energy requirements from decentralised and renewable or low-carbon sources (unless not viable or feasible) have been submitted and approved.
10. 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.
 2. Suffolk Police, Suffolk Fire and Rescue and Anglian Water advice.
 3. SCC Highways advice – no unauthorised work or fenestration projecting over public highway.
- C. That in the event that a Section 106 Agreement has not been satisfactorily completed 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 proposal does not contribute towards infrastructure requirements and affordable housing needs arising from the development. Consequently, the proposal would fail to be in accordance with policies CS12, CS17 and DM31 of the Ipswich Core Strategy and Policies DPD Review (2017).**

1. Proposal

- 1.1. The site comprises an area of landscaping between a public car park and Upper Orwell Street. To the south is a vacant former commercial unit, with commercial uses beyond within the Central Shopping Area. Upper Barclay Street is located to the north and there are commercial, and community uses on the opposite side of Upper Orwell Street to the east.
- 1.2. The site is located in the IP-One Area and town centre of Ipswich. The Central Conservation Area is located to the south, including several listed buildings such as St Pancras Church. The site is also within an Area of Archaeological Importance and part of the site and the adjacent car park to the west and road to the north are identified as a Scheduled Ancient Monument.
- 1.3. The proposal site forms part of an allocation within the Site Allocations and Policies DPD Review (2017) for a mixed-use development comprising residential over 60% of the wider site, with amenity green space and short stay multi-storey car parking over the remainder (Site Reference IP048). Within the emerging Final Draft Site Allocations and Policies DPD, the site is part of a wider site for a primary school over 20% of the wider site, amenity green space and short stay multi-storey car parking over 40% and residential over 40% of the wider site (Site Refer IP048a). It is expected that a primary school will be situated on the site of the former Co-op Store.
- 1.4. This application seeks permission for a residential development comprising 18no. flats (13 x one bedroom, 4 x two bedroom and 1 x three bedroom). The buildings would be of traditional design and constructed of red brickwork and render under artificial slate roofs.

- 1.5. Two blocks are to be formed with a small courtyard in between. This would form an entrance for the upper floor flats and a single ground floor flat, together with an internal bin storage and cycle storage space. The development would present a frontage to Upper Orwell Street and includes facing windows and private amenity space to the rear, adjacent to the public car park.
- 1.6. The applications have been submitted with the following supporting documents:
 - Archaeological Assessment
 - Design and Access Statement
 - Flood Risk Assessment

2. Background

- 2.1. Planning permission was refused for the redevelopment of the site for 18 flats (IP/19/00687/FUL refers). The reasons for refusal were that the development would not exhibit good architectural quality and would fail to protect and enhance the special character and distinctiveness of this part of Ipswich and the street scene. It was also considered that the proposal would not function well nor add to the overall quality of the area and that it would not be sympathetic to local character. The decision notice is at Appendix 1 and the associated plans are at Appendix 2 to this report.
- 2.2. In addition, no drainage or flood risk management details were provided, and it was considered that the development was at risk of surface water flooding. Furthermore, the development did not make reasonable contributions towards infrastructure necessary for the development to be acceptable in planning terms, such as open space and education. Affordable housing was to be provided in accordance with policy.
- 2.3. Historically the site comprised a terrace of commercial properties and formed a peripheral part of the town's Central Shopping Area based upon earlier policy. The buildings associated with these uses were demolished in 2014 (IP/14/00066/DEM refers) and site is no longer included within the Central Shopping Area.

3. Consultations

IBC Urban Design – The revised drawings [*from that initially submitted as part of this application and the previous application*] show a much more acceptable design approach, especially with street facing frontage which is varied and uses a fair interpretation of the typical 2 / 3 storey house type. The loss of ground floor shops is partly compensated for by having entrances off the street. The overlooking of properties to the rear remains a problem inherent in this site; future redevelopment of the carpark will hopefully create a more acceptable environment. Conditions requested relating to materials, particularly the roof covering and facing brick, to ensure the historical style remains convincing in detail as well as overall approach.

IBC Environmental Health – No objection. Contaminated land reports required by condition. Concerns raised due to lack of noise assessment as the proposed development is located in the town centre between car parks and a road that is fairly busy at least during the day. It is also in close proximity to several restaurants and takeaways with commercial kitchen extract systems. The proposals should aim to meet set internal noise standards. However, a pre-commencement condition recommended requiring the provision of noise impact assessment.

With regard to air quality the provision of secure cycle parking and lack of car parking is beneficial. Suitable mitigation should be provided with regard to dust impact from development.

SCC Infrastructure – Following contributions required: -

Service Requirement	Contribution per dwelling	Capital Contribution
Education - Primary	£1089.50	£19,611.00
Education – Secondary	£0.00	£0.00
Education – Sixth Form	£0.00	£0.00
Pre-School	£1,844.00	£33,192.00
Transport	tbc	tbc
Libraries	£216.00	£3,888.00
Waste	£110.00	£1,980.00
Total	£3,259.50	£58,671.00

SCC Highways – Recommend that the building is reduced in width to allow the footway to the front of the site to be widened to 2m to improve access to and around the building for pedestrians. Conditions recommended with regard to footway improvement scheme, means to prevent discharge of surface water onto the highway and details of cycle parking and bin storage.

SCC Drainage – Any permission should be subject to pre-commencement conditions relating to surface water drainage strategy and ongoing maintenance. This is because the proposal includes a preliminary drainage layout and calculations indicating there is sufficient space for the required sustainable drainage with a connection shown to the combined sewer in Upper Orwell Street. However, connection location and discharge are still to be agreed with Anglian Water.

SCC Archaeology – The site is within the historic core of Ipswich and lies along the line of the late Anglo-Saxon and Medieval town defences of early Ipswich, and has been subject to archaeological evaluation, the results of which have been submitted with the planning application. The evaluation has shown that the proposed building site lies predominantly along the town ditch, and that the deposits are deep with no particular evidence arising through investigations thus far. There is potential for information relating to the town ditch to be contained as well as potential for archaeological information relating to the form of the town defences and activity around them.

The impact of development would depend on the final designs for the piling and landscaping of the development. However, based on the evaluation results there would be no grounds to consider refusal of permission to achieve preservation in situ of heritage assets.

An appropriate mitigation strategy comprising further investigation or preservation in situ through design could be developed as the foundation designs are finalised. Recommended that any permission should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Suffolk Constabulary – No objection to the principle of residential development at this site. However, due the high crime rates and the vulnerability of the site backing onto a public car park, Suffolk Police strongly request that conditions relating to the perimeter security for the rear ground floor flats, an audio/video access control system for all flats (except 3), CCTV provision and resolution of the issues around privacy/potential conflict are included as conditions of planning if granted. These conditions are enforceable, precise and reasonable to deter crime in an area shown to have a high crime rate.

Suffolk Fire and Rescue – General comments regarding access and carrying capacity for appliances. No fire hydrants required although sprinklers recommended. Dry risers needed for any buildings over 18 metres in height.

Anglian Water – There are assets nearby that may be affected by the development and there is sufficient capacity for foul water flows and with regard to the used water network. Advice is provided for the applicant in these regards. Recommend that condition is imposed regarding surface water drainage as no strategy has been submitted.

Representations:

No representations have been received.

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 CS2 (The Location and Nature of Development), CS3 (IP-One Area Action Plan), CS4 (Protecting our Assets), CS7 (The Amount of Housing Required); CS12 (Affordable Housing); CS17 (Delivering Infrastructure); DM1 (Sustainable Design and Construction); DM2 (Decentralised Renewable or Low Carbon Energy); 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); DM17 (Transport and Access in New Developments); DM18 (Car & Cycle Parking); DM29 (Provision of New Open Spaces, Sport and Recreation Facilities); DM30 (The Density of Residential Development); DM31 (The Natural Environment).

Site Allocations and Policies DPD (2017)

Policies SP1 (The protection of allocated sites); SP2 (Land allocated for housing); SP6 (Land allocated and protected as open space).

Final Draft Site Allocations and Policies DPD (2020)

Policies SP1 (The protection of allocated sites); SP2 (Land allocated for housing); SP6 (Land allocated and protected as open space); SP7 (Land allocated for leisure uses or community facilities); SP17 (Town Centre Car Parking)

Other Planning Guidance

Suffolk Coast RAMS SPD (2020)

Town Centre and Waterfront – Public Realm Strategy SPD (2019)

Development and Archaeology SPD (2018)

Public Open Space SPD (2017)

Development and Flood Risk SPD (2016)

Space and Design Guidelines SPD (2015)

Cycling Strategy SPD (2016)

Technical housing standards - nationally described space standard (2015)

Suffolk Guidance for Parking - Technical Guidance (2019)

5. Planning Assessment

Principle of development

- 5.1. The site is located in the IP-One Area and town centre of Ipswich. The site is also previously developed land located within the urban area allocated for mixed use development comprising high density residential (60%) and open space/car parking (40%) within the Site Allocations and Policies DPD (Site Refer IP048). The site is also located within the Mint Quarter IP-One Opportunity Area.
- 5.2. 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.
- 5.3. 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).
- 5.4. This is set out within paragraph 11 of the NPPF 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.

- 5.5. Decisions must be taken in accordance with the development plan unless there are material considerations that indicate otherwise. The NPPF represents such a material consideration.
- 5.6. With regard to the principles of the development, the need for housing and an effective use of previously developed land will weigh in favour of the application both in terms of local and national policy, together with the sites allocation for uses including residential. The principles of redeveloping this site for residential are therefore considered acceptable.

Design, appearance and heritage impact

- 5.7. 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.
- 5.8. In new residential development of 10 or more dwellings, 25% of new dwellings will be required to be built to Building Regulations standard M4(2) subject to tests with regard to feasibility and/or viability.
- 5.9. 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 representing 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).
- 5.10. The site is located close to the Central Conservation Area which includes a number of heritage assets. Policy DM8 seeks to protect and enhance the character and appearance of conservation areas through adopted Appraisal and Management Plans.
- 5.11. The NPPF requires that great weight should be given to conservation of heritage assets, such as conservation areas and listed buildings (and the more important the asset, the greater the weight should be) and any harm or loss of significance should require clear and convincing justification (paragraph 193-194).
- 5.12. The proposal represents a significant revision to both the previously submitted (and refused) scheme and the original plans received as part of this application.

- 5.13. The revised design seeks to interpret a traditional street, comprising a terrace of individual buildings ranging from two to four storeys. The development also includes entrances onto Upper Brook Street which will add to the sense of activity and compensate for the loss of the shop units that previously occupied the site.
- 5.14. IBC Urban Design support the proposal although they request that a condition is imposed with regard to materials. Such a condition is recommended, with details of materials to be approved prior to elevational works commencing.
- 5.15. Suffolk Constabulary raise no objections, although they advise that crime levels in the area are notably high. However, Officers consider that an appropriate and well-designed development would contribute towards a safe and secure environment by increasing natural surveillance and activity within the immediate area of the application site.
- 5.16. The Police recommend enhanced security measures including providing a separation to both the street and car park and the inclusion of defensible space with low railings to the front and security fencing to the rear.
- 5.17. In response, setting the building back when compared with adjacent buildings would be out of keeping in the context of a street that does not include such setbacks. It is also notable that there are other residential properties with windows directly adjacent to the street at 1-3 Upper Orwell Street (IP/16/00691/FUL refers). Such windows are considered to be common in an urban location.
- 5.18. To the rear, the site includes facing windows adjacent to a public car park within the Council's ownership. The separation between the car park and the development is limited and the adjacent car park is set at a higher level when compared with the development. However, the inclusion of a security fence so close to ground floor windows and amenity areas would appear inappropriate and detract from outlook and amenity.
- 5.19. With regard to the most vulnerable windows at ground floor level, the applicant has shown these to be set into the development or set back from the car park. The applicant will also incorporate sections of landscaping and a privacy screen in relation to the ground floor rear windows that would safeguard both security and privacy, whilst ensuring an appropriate sense of outlook and aspect.
- 5.20. The development also includes an internal courtyard area to provide access for the upper floor flats, as well as cycle parking and bin storage. This area would be secured by a gate to the front and would be covered by CCTV as indicated on the submitted plans.
- 5.21. Advice has been provided by Suffolk Police with regard to precise security measures and standards, and these have been conveyed directly to the applicant. However, it is not considered that further restrictive conditions are

required, other than with regard to boundary treatments/screening and the provision of the access on the site frontage.

5.22. Officers consider that the proposal represents good architectural quality that would add to the overall quality of the area, establish a sense of place and offer a satisfactory level of safety and security. The proposal would therefore accord with policy DM5. The proposal would not harm the setting of the Central Conservation Area or listed buildings and is in accordance with policy DM8.

5.23. Policy DM1 requires standards to be met with regard to energy and water efficiency. Policy DM2 requires 15% of their energy requirements from decentralised and renewable or low-carbon sources. Both of these requirements are subject to tests with regard to viability and feasibility and can be the subject of conditions.

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

5.24. Policy DM3 states that amenity space is expected to meet certain requirements unless otherwise justified, for instance where the site is within a location where a high density approach is required and 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 normal requirement expected is 25 sq.m per flat.

5.25. However, in this case the site is within the Town Centre where a high-density approach to development is normally required, amounting to at least 90 dwellings per hectare (dph), unless there is justification for a lower density approach such as the specific constraints of a site. In this regard the proposal amounts to 314 dph.

5.26. The NPPF encourages development of previously developed land such as the application site by stating that effective use of land is required but that environment and living conditions must also be safeguarded (paragraph 117). Furthermore, development must create places with a high standard of amenity for existing and future users (paragraph 127). Policy DM30 also states that, in all cases it must be demonstrated that floorspace standards within the Nationally Described Space Standards (2015) are met.

5.27. The floorspace standards the requirements and provisions are as follows: -

			stories	space required
Flat 1	1B 2P	51.5	1	50
Flat 2	1B 2P	51.5	1	50
Flat 3	1B 2P	55	1	50
Flat 4	1B 2P	50.5	1	50
Flat 5	1B 2P	51.2	1	50
Flat 6	1B 2P	50.2	1	50
Flat 7	1B 2P	50.0	1	50
Flat 8	2B 3P	68.7	2	70
Flat 9	2B 3P	68.7	2	70
Flat 10	1B 2P	50.3	1	50
Flat 11	2B 3P	68.7	1	61
Flat 12	2B 3P	72	2	70
Flat 13	1B 2P	50.5	1	50
Flat 14	1B 2P	51.2	1	50
Flat 15	1B 2P	58.1	1	50
Flat 16	3B 4P	88.7	2	84
Flat 17	1B 2P	50.5	1	50
Flat 18	1B 2P	51.2	1	50

5.28. There are two flats (8 and 9) that fall marginally below the space standards. However, this must be balanced against these dwellings being dual aspect over ground and first floor levels with additional storage space at second floor level within the roof void.

5.29. The proposal would provide some external amenity to the rear, although this does not amount to 25 sq. m per flat. The internal courtyard would not provide external amenity as this is a functional area for access, enclosed bin storage and cycle parking.

5.30. However, the lack of amenity space must be balanced against the location of the development within the town centre where high density development is required. The site is also close to the facilities within the town centre and is within walking distance of both the Waterfront and Christchurch Park. Furthermore, the proposal represents an effective use of previously developed land and lack of external amenity space is offset by good internal amenity provision. All flats are dual aspect, and this would add to the standard of accommodation provided.

5.31. Policy DM26 seeks to resist development that could be significantly adversely affected by surrounding uses and the NPPF requires a good standard of amenity as stated above.

5.32. IBC Environmental Health have recommended that a noise report is necessary prior to commencement. The site is in a location with a higher background noise level which is to be expected in the town centre in this location. Noise from the adjacent road, car park and nearby commercial uses, including those with kitchen extract systems, are likely to impact on residential amenity of the occupiers. There are no commercial uses likely to generate significant noise and disturbance directly adjacent to the application site, however the nearest commercial type extract is in close proximity of the site being approximately 17

metres to the south of the site, with a further extract approximately 20 metres to the north.

- 5.33. Most of the noise is likely to be from traffic along Upper Orwell Street, with some noise relating to the car park. Such noise impact will be greater during the day but would not be any greater than expected in a town centre location.
- 5.34. The site is located within the town centre and is allocated in the Local Plan (2017) for residential use (amongst other things) thereby acknowledging that the location, albeit in a higher noise environment, is appropriate for residential uses at a higher density. Such town centre sites are generally constrained by the activity usually associated with the surrounding uses, such as retail uses, office, car parking etc. and it is acknowledged that the design of the building will require consideration to ensure that the accommodation is designed in order to mitigate the associated background noise. In order to develop this particular site (and others in the town centre) for residential uses it is anticipated that the noise will be a matter for detailed consideration. It is therefore recommended that a condition be imposed requiring a noise report that provides guidance for the precise mitigation, likely to be in the form of mechanical air handling/ventilation and fenestration of a high acoustic standard.
- 5.35. Conditions are also recommended with regard to contaminated land and also within regard to construction management. The latter is considered to be required given the constraints of the site.
- 5.36. On balance and subject to the recommended conditions, Officers consider that the proposal would not be significantly adversely affected by surrounding uses and that a high standard of amenity would be provided for residents in accordance with policy DM26. The proposal would also provide a good standard of amenity and would be in accordance with policy DM30, as well as the requirements of the NPPF.

Allocation

- 5.37. Although the above concerns with regard to safety, security and noise impact must be taken into account so must the sites allocation for redevelopment and the need to ensure an effective use of land. In this regard, the site and neighbouring car park form part of a site that is allocated for a mixed-use development in both the adopted and emerging Local Plans and this includes provision for both residential and short stay multi storey car parking. Surface parking is not included within the allocation.
- 5.38. There are no extant permissions or masterplans showing how the adjacent site would be developed as part of this allocation. The use of the land as a car park is long established, together with the adjacent car park to the west. However, given the inclusion of both car parks in the adopted and emerging Local Plan the comprehensive redevelopment of the site represents a clear direction of travel which aligns with the strategic vision set out in the local plan.

5.39. Policy SP1 requires allocated sites to be protected for the uses for which they have been allocated. The proposal is for a use that would be in accordance with both the adopted and emerging allocations and would therefore be in accordance with policy SP1.

Flood Risk

5.40. 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.

5.41. As the proposal represents a major development with surface water drainage, SCC Drainage (the Lead Local Flood Authority) have been consulted. The Development and Flood Risk SPD also identifies the adjacent street at risk of surface water flooding.

5.42. The applicant has submitted a Flood Risk Assessment. The assessment recommends the provision of an attenuation tank within the internal courtyard and this would then discharge into the existing sewer at a restricted rate. Finished floor levels would also be 300mm above surrounding ground levels.

5.43. Subject to the conditions recommended by SCC Drainage, the proposal would be in accordance with policy DM4.

Highway Considerations

5.44. Policy DM17 states that to promote sustainable growth in Ipswich and reduce the impact of traffic congestion, development needs to comply with set criteria. Applicants will be required to demonstrate how any adverse transport impacts would be acceptably managed and mitigated. Criteria includes that development shall not result in a severe adverse impact on rights of way or the road network, not significantly impact air quality, incorporate electric charging and car clubs where viable, promote pedestrian and cycle routes and associated facilities for the latter and facilitate safe and convenient access to public transport.

5.45. SCC Highways do not object to the proposal. However, they recommend a condition that the building is set back by 300mm to allow the footpath to be widened to 2 metres. However, the benefits of this would appear limited as the path would immediately narrow down to 1.7 metres alongside adjacent buildings. It is also notable that the proposed building generally follows the footprint of the building previously demolished. It is not considered that such a condition would be necessary, relevant to the development to be permitted nor reasonable having regard to the requirements of policy DM17. Such a set-back would also have visual amenity issues as outlined above.

- 5.46. Waste bin storage is incorporated within the development and this would be accessible from the frontage of the building which would be serviced from Upper Orwell Street.
- 5.47. Policy DM18 requires minimum cycle parking standards and maximum car parking standards to be complied with for development within 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.
- 5.48. In this regard the proposal does not provide any off-street car parking. However, this would be acceptable given the site is in an accessible town centre location within the IP-One Area where public transport and other sustainable traffic modes are readily available.
- 5.49. The Suffolk Guidance for Parking (2019) suggests a minimum of 36 cycle spaces for residents, together with 5 spaces for visitors. The proposal provides a secure area for the parking of 40 cycles and this is considered to be an acceptable level of provision.
- 5.50. Good accessibility to facilities within the town centre and public transport also weighs in favour of the proposal in this location and it is also notable that there is existing cycle parking within the vicinity of the site, including 8 spaces directly to the north of the application site. The proposal would also increase natural surveillance for these spaces.
- 5.51. The proposal would be acceptable having regard to policy DM17 with regard to highway considerations and policy DM18 with regard to parking provision, subject to conditions relating to the detail of the cycle parking provision, bin storage and measures to prevent surface water run-off.

Biodiversity

- 5.52. Policy DM31 states that all development is expected to incorporate measures to enhance conditions for biodiversity within and around the development and seeks to protect against harm.
- 5.53. The proposal involves the development of a site that was occupied by buildings demolished in 2014. The site now comprises low landscaping that provides some benefit to biodiversity and the street scene. However, this must be balanced against the site's allocation for redevelopment and location within the otherwise built frontage of Upper Orwell Street.
- 5.54. Furthermore, the redevelopment of previously developed land is encouraged within the NPPF and substantial weight should be applied to this (paragraph 118). The site is also not identified as being part of a habitat or wildlife network and it can be concluded that significant harm to biodiversity would not occur as

a result of the loss of landscaping. Mitigation can also be secured by the provision of habitat enhancements, such as bird and bat boxes in relation to the building.

5.55. The Suffolk RAMS SPD (2020) is also relevant as possible likely significant effects on the Stour and Orwell Special Protection Area, either alone or in combination with other plans and projects, cannot be ruled out without mitigation being provided. An Appropriate Assessment has been undertaken and this allows Officers to conclude that mitigation in the form of £121.89 per dwelling is required towards projects associated with mitigating likely impact, equating to £2,194.02. It is recommended that this be secured by Section 106 Agreement.

Infrastructure Requirements

5.56. Policy CS17 requires all development to meet infrastructure requirements. In this regard SCC Infrastructure and IBC Parks and Cemeteries have provided the contributions required. Policy DM29 is also relevant as it relates to the provision of public open space and it is also notable that the proposal does not provide any on site green space (normally 15% of the site should be such provision).

5.57. Infrastructure requirements are subject to tests within policy CS17 and the NPPF with regard to whether they are necessary, related to the development and fair and reasonable. There are also tests with regard to viability, although the applicant has not submitted any details in this regard.

5.58. Based upon the consultee responses it is recommended that the following be secured by Section 106 Agreement, with all payments index linked: -

- Education - £19,611
- Pre-school - £33,192
- Libraries - £3,888
- Waste - £1,980
- Public Open Space - £57,378
- Public Open Space Maintenance - £77,670

Affordable Housing

5.59. Policy CS12 requires at least 15% on-site affordable housing by number of dwellings. At least 80% of affordable housing provision shall consist of affordable rented homes or homes for social rent. The applicant has indicated that three of the dwellings would be affordable and the proposal would therefore be in accordance with this requirement.

5.60. It is recommended that the precise provision be secured through a Section 106 Agreement with 3 of the units being for affordable or social rent.

Archaeology

5.61. The site is within an Area of Archaeological Importance and part of the site and the adjacent car park to the west and road to the north are identified as a

Scheduled Ancient Monument. Policy DM8 seeks protection of archaeology and there is a separate process with regard to Scheduled Ancient Monument Consent.

- 5.62. The applicant has submitted an evaluation of the site following advice from SCC Archaeology. Four test pits were excavated, and archaeological finds were limited. SCC Archaeology have considered the submitted details and recommend conditions requiring a programme of archaeological work, citing that the impact of the development would depend upon the final designs for piling.

6. Planning Balance

- 6.1. The proposal represents a high-density development of a previously developed site within a wider allocation for redevelopment including an element of residential as part of that allocation. Although concerns have been raised with regard to noise from external sources and security, including in relation to the adjacent car park, these concerns can be the subject of mitigation secured through conditions.
- 6.2. The need to ensure an effective use of this site and to contribute towards housing supply are factors that weigh heavily in favour of the application. There are no grounds to refuse permission based upon NPPF guidance relating to areas or assets of particular importance and there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the development in terms of housing supply.

7. Conclusion

- 7.1. Subject to the imposition of appropriate planning conditions, the proposal would be acceptable in terms of its design, appearance and heritage asset impact. Furthermore, the scheme would provide an acceptable level of amenity and would be appropriate in terms of parking provision, biodiversity and highway safety considerations.
- 7.2. Subject to the necessary completion of a Section 106 Agreement, the proposal would be in accordance with infrastructure and affordable housing requirements, with a RAMS contribution also being secured.
- 7.3. It is therefore concluded that the proposal would not materially conflict with the requirements of the NPPF and to be in broad accordance with policies CS2, CS3, CS4, CS7, CS12, CS17, DM1, DM2, DM3, DM4, DM5, DM8, DM17, DM18, DM29, DM30, DM31 of the Core Strategy and Policies DPD Review (2017) and in accordance with both the adopted and emerging site allocations.