

**PLANNING COMMITTEE NORTH – Tuesday 8 October 2019**

**APPLICATION NO** DC/19/0051/FUL

**LOCATION**

Ingate Ironworks Gosford Road  
Beccles Suffolk  
NR34 9QP

**EXPIRY DATE** 9 April 2019

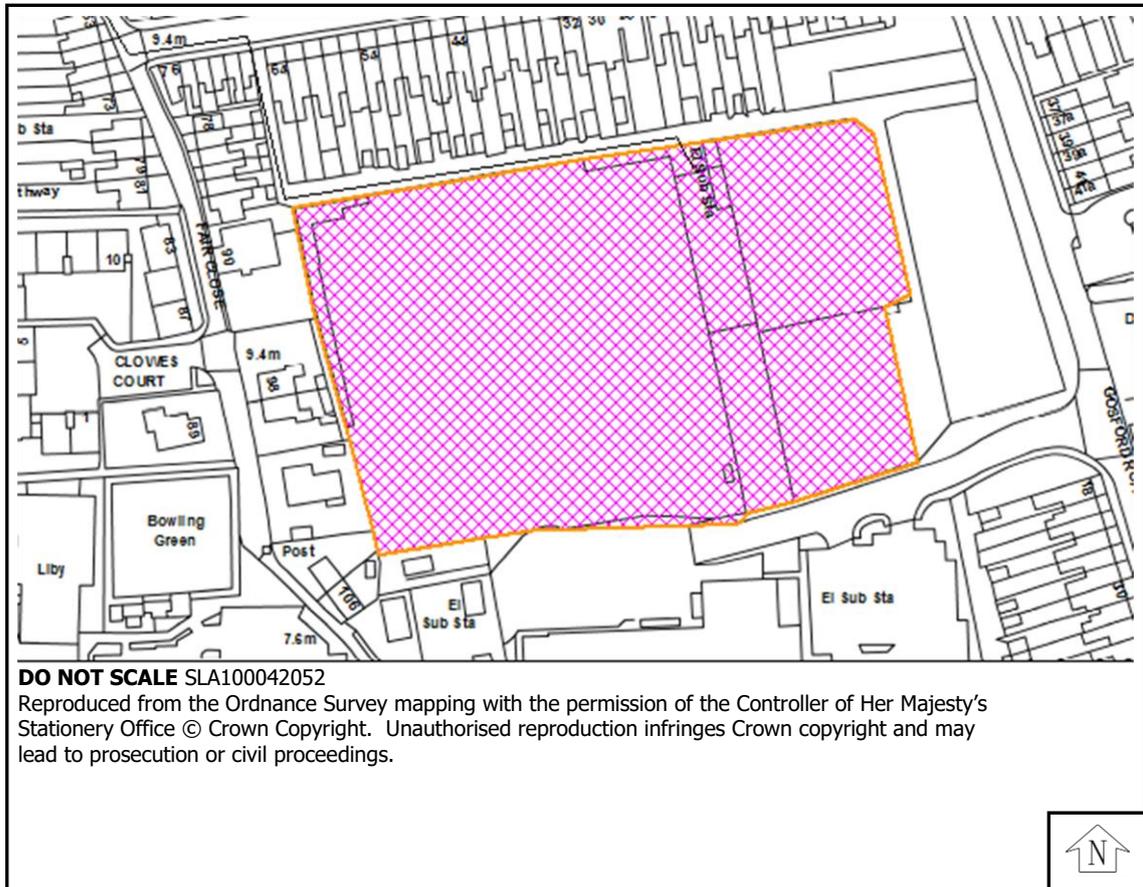
**APPLICATION TYPE** Full Application

**APPLICANT** Your Life Management Services Ltd

**PARISH** Beccles

**PROPOSAL** Demolition of existing buildings and development of an extra care village (use class C2 and C3), access, car parking, landscaping and ancillary development.

**Case Officer** Chris Green: Riverside, Lowestoft NR33 0EQ, 01502 523022



## **1. SUMMARY**

- 1.1 This application delivers 80 residential units to be maintained as for the elderly persons over the age of 55 years of age by legal agreement and the provision of “extra care” to at least one member of all resident couples. These are configured in a larger three and four storey block to the east of the site and individual bungalow and chalet bungalows to the west.
- 1.2 The description of the submitted application was for residential institutional use within class C2, it was considered by officers that the separate bungalows were within Class C3 dwellinghouses and advice was sought from counsel which confirmed this. As a result the applicant submitted an affordable housing viability assessment and following the independent scrutiny of it, it has been determined that in this instance contributions towards affordable homes will not be viable.
- 1.3 This proposal was taken to referral panel on 13 August 2019 at which the Panel determined to refer to planning committee, given the wider public interest. The recommendation is for conditional approval

## **2. SITE DESCRIPTION**

- 2.1 The site comprises the former Ingate Ironworks to the east side and vacant land to the west formerly a nursery and then in the 1960s by a plastic container factory. The total site area is 1.27 hectares. The proposal site is screened by commercial warehouses 11m high to ridge, fronting Gosford Road to be retained.
- 2.2 Almost rectangular in plan, this site is bounded on all four sides with existing development. Fair Close, is a residential street which runs around the north and west of the site with the rear of properties facing the site. On the north side there are long terraces of two storey buildings with a rear access alleyway on the proposal site boundary, with garaging and parking.
- 2.3 To the west there is a mix of detached and grouped property of varied form with no rear access but where there is a bank placing the floor level of these properties in an elevated position in relation to the application site. This level change can be seen in the long section drawing submitted.
- 2.4 Part way along the northern boundary there is a substation accessed from the rear access track.
- 2.5 The eastern boundary is formed by the rear of those Home Furnishing warehouses to Gosford Road. This elevation is rather over-bearing and presents little by way of a desirable outlook in this direction.
- 2.6 Roy’s Variety Store is to the south and provides the un-adopted (but wide and well surfaced) road access off Gosford Road for the proposal site. There is a service yard for the store and main electricity substation between the store building and the proposed bungalows. In the south east corner of the site stand the remnants of the Ironworks.

- 2.7 The land originally and the north side rear access, gently slopes uphill from east to west. The site was regraded when the plastic factory was built so there is a level change between the east part where the ironworks stands and the vacant western higher part, but both parts within the site are in themselves level.
- 2.8 The extreme north east corner of the site is within the extended Beccles Conservation Area, there is no building now standing on this part of the site, but no record of complaint or enforcement action on this part of the site.
- 2.9 The rest of the red line development site is outside the conservation area and was occupied by the former Fibrinyl plastics factory and has been subject to untidy land complaints over the years.
- 2.10 Outside the application site and to the further north east across the alleyway that serves the rear of property on Fair Close, there is a Fletton brick and earlier red brick and asbestos cement roofed single storey industrial building that incorporates to its eastern portion a number of double row header segmental arches over multi-pane industrial steel windows with centre hung ventilation elements. This building has been locally listed. There is however no reference to it specifically in the Conservation Area appraisal (July 2014)

### **3. PROPOSAL**

- 3.1 The application seeks permission for 80 dwellings for the provision of an Extra Care closed community, comprising 55 flats within a "Residential Living Plus" building, and 23 Bungalows and two flats over garages. This represents a density of 63 dwellings to the hectare overall
- 3.2 The "Residential Living Plus" building is a four part storey part three storey building providing four different self contained flat types, offering 34 single bedroom self contained flat dwellings and 21 twin bedroom self contained flats.  
The detached bungalows and chalet bungalows are segregated by an access road along the existing level change between the eastern and western parts of the site.
- 3.3 The four storey part of the flat building is 11.25m above ground level at its highest point where it is closest to the warehouse buildings to the east of the development site that are of 11m ridge height. These industrial buildings continue through to Gosford Road.
- 3.4 The building is in part three and part four storey in height with the highest parts closest to the higher surrounding buildings to the east and the lower three storey parts closest to the property to the north on Fair Close and with the rising ground level to the west 1500mm higher than the ridge height of the closest bungalow within the scheme.
- 3.5 The flat block provides communal and service spaces for the whole red lined development to the central part of the ground floor with 14 flats to the wings each side. At first floor level there are some staff spaces and overnight staff sleeping accommodation on the north side of the floorplate.
- 3.6 The proposed bungalows, chalet bungalows and over garage flats are organised around a shared-surface loop road cited as creating a community-based arrangement with strong links to the Residential Living Plus building. The site is proposed to feature a gated entry

point, both for vehicles and pedestrians, although the intention is that the gate will open at the approach of all person and vehicles, providing a sense of security and control, without imposing restriction on visitors.

- 3.7 The proposal along western and northern boundaries is generally proposed as single storey with some chalet bungalow two-storey properties with upper storey rooms facing into the development. The bungalows and chalet bungalows offer four types with types A and B of two bedrooms totalling 15 units and type D being three bedrooms and providing four units and type F being one bedroom with four units.
- 3.8 The flats over the garages turn their backs to the substation to act as a noise attenuation buffer. Acoustic boundary treatments also feature in this area to further reduce noise into the site.
- 3.9 There is a pedestrian access gate into the unsurfaced lane that serves the rear of property of Fair Close to the north.

#### **4. CONSULTATIONS/COMMENTS**

- 4.1 Beccles Town Council: *“Refused*
- *No affordable housing*
  - *Proposed block of flats is too high and imposing. Would prefer it reduced to 3 storeys rather than 4.*
  - *Should not be a gated community*
  - *Inadequate pedestrian access to the town centre*
  - *Communal meeting room should be accessible to all residents of the new development in order to encourage social inclusion.*
  - *No provision for landscaping with trees to the south of the proposed block of flats”*

##### Statutory Consultees

- 4.2 Suffolk County - Highways Department: No objection subject to conditions. This development is not accessed directly from the highway maintainable at public expense and so cannot be adopted as public highway (both the Roys Store service road and the un-named service road behind the back gardens of Fair Close, are private roads).

The Highway Authority recommends that any permission should include the conditions that the use does not precede provision of the vehicular manoeuvring and parking space shown on drawings and before commencement details of the cycle storage are submitted and approved.

- 4.3 Environment Agency: No objection subject to conditions. While there could be mobilisation of contamination into the source protection zone this can be managed by appropriate conditions including those that prevent piling without appropriate further information.

##### Non Statutory Consultees

- 4.4 East Suffolk Council Head of Environmental Health: No objection subject to conditions. The reported lack of any visual or olfactory evidence of any contamination and the

consistent ground conditions across the site means that further assessment of the existing warehouse area can and needs to be carried out post demolition as is also the case with the on-site substation. Further site investigation and an expanded remediation method statement will then be required. This should be secured by using the five appropriately worded model conditions, to be read with any conditions suggested by the Environment Agency.

Some conditions are required to ensure that future site occupants do not suffer from significant adverse impacts from noise, in particular the acoustic barrier specified in the applicants submission and glazing and ventilation measures specified for the flats. Further work should be secured by condition to assess and mitigate any plant and the new substation proposed.

- 4.5 Police - Crime Reduction : No objection subject to further details being provided by condition regarding access control, closed circuit television provision, private space enclosure, and defensive planting.

The perimeter railings and walls will provide good natural surveillance. Prickly planting on the boundary is recommended. The exit gates should be closer to the access road to prevent "tailgating" Bollard lighting does not provide sufficient even illumination so some additional lighting is needed.

A visitor door entry system with camera is recommended along with more general CCTV coverage of access and storage areas. The bungalows gardens should be identified as private property by their boundary design. All detail should accord to "Secured By Design: Homes 16".

- 4.6 Essex And Suffolk Water PLC : No objection.

- 4.7 The Beccles Society opposes this development because the massing of the proposed block of flats is too great in terms of its height and closeness to other properties, and would have an adverse impact on the street scene particularly in relation to existing properties on Fair Close and Gosford Road. The pedestrian route into the centre of Beccles was agreed with representatives of McCarthy and Stone, we cannot see this on the submitted plans.

- 4.8 Third Party Representations – Four letters of objection have been received raising the following material planning considerations:

- The two storey chalet bungalows at the west side of the site might be too tall and cause light and privacy loss.
- Concerns about subsidence arising from construction work.
- Concerns about asbestos and demolition.
- Trees within the Roy's car park should receive Tree Preservation Orders, to prevent loss or pruning.
- There is scope for new planting near the north entrance to Roy's car park.
- Objection to the height, scale and overpowering bulk of the flats in relation to the houses on Gosford Road and Fair Close. The design should be changed to step back at each level as it rises.
- There will be overlooking of private gardens to the rear of Gosford Road and Fair Close

- Piling might cause vibration.
- GP surgeries need expansion.
- There should be a different mix with more bungalows

4.9 20 supporting notes on comment cards have been received from residents of the District, most within the Beccles area. Most express that there is need for the facility and that the location is suitable and needs development. Several come from persons interested in taking up residence. There were a couple of responses that welcomed the proposal but observed the scale was large, felt local people should have placement priority or wanted to see a different mix of provision, with more bungalows and noting that GP surgeries need expansion.

## 5. PUBLICITY

The application has been the subject of the following press advertisement:

| Category                              | Published  | Expiry     | Publication                |
|---------------------------------------|------------|------------|----------------------------|
| Conservation Area, Major Application, | 18.01.2019 | 08.02.2019 | Beccles and Bungay Journal |
| Conservation Area, Major Application, | 18.01.2019 | 08.02.2019 | Lowestoft Journal          |

## 6. SITE NOTICES

The following site notices have been displayed:

|                     |   |                        |
|---------------------|---|------------------------|
| General Site Notice | Reason for site notice: Conservation Area, Major Application,<br>Date posted 10.01.2019 | Expiry date 31.01.2019 |
|---------------------|---|------------------------|

## 7. PLANNING POLICY

7.1 Section S38(6) of the Planning and Compulsory Purchase Act 2004 states that the planning application is to be determined in accordance with the development plan unless material consideration indicates otherwise.

7.2 The National Planning Policy Framework (2019) and National Planning Policy Guidance (NPPG) forms a material consideration in the determination of this application.

7.3 Planning (Listed Buildings and Conservation Areas) Act 1990, Part II

7.4 East Suffolk (Waveney) Local Plan 2019

WLP8.2 - Affordable Housing - Waveney Local Plan 2019

WLP8.32 - Housing Density Design - Waveney Local Plan 2019

WLP8.29 - Design - Waveney Local Plan 2019

WLP8.28 - Sustainable Construction - Waveney Local Plan 2019

WLP8.37 - Historic Environment - Waveney Local Plan 2019

7.5 Beccles Conservation Area appraisal 2014

## 8. PLANNING CONSIDERATIONS

- 8.1 Although not designated as a site for residential development within a specific policy of the Local Plan, the site is 350m by foot from the junction of Station Road and Smallgate which can be considered the beginning of the town central area, 440m from the Tesco superstore and 260m from the railway station. While these distances would be suitable for the more able elderly those with more advanced mobility restriction would find them a challenge. In general terms the site would normally if unrestricted residential development be considered as sustainably located close to the town centre. In part the C3 element can be considered as “windfall”.
- 8.2 There is support for elderly persons accommodation in the text of the Adopted (2019) Waveney Local Plan paragraph 3.11 (relating to Beccles and Worlingham Area) “Waveney (plan area of East Suffolk Council) has an ageing population and the Strategic Housing Market Assessment (2017) identified a significant need for new sheltered and extra care housing and new care homes”. While this commentary relates to the new “garden village” in Worlingham (policy WLP3.1), the findings of the SHMA apply to all sites. The guidance also states development should be designed utilising dementia friendly design principles (see Policy WLP8.31 on Lifetime Design).
- 8.2 This site is identified in the now current East Suffolk Waveney area Local Plan (WLP)(2019) as “white” land, that is to say land with flexible use. The former Local Development Framework had identified the eastern end of the site within the footprint of the proposed flats as employment land and the western part where the plastics factory had formerly been as an opportunity for mixed retail and residential. The lack of a street frontage however, made it unattractive to retailers as evidenced by the Lidl application.
- 8.3 Notwithstanding the lack of allocation for employment use, the last use of the site has been for employment purposes so the aspect of loss of potential employment land requires consideration. The 2019 WLP supporting text to policy WLP8.12 Existing Employment Sites admits the difficulty in predicting employment land requirements. The text goes on to require protection of existing employment premises from conversion. Cleared sites are therefore accorded less protection and the policy requirement for a marketing test set out in WLP8.12 applies to premises. The majority of the site falls into this category therefore. There is however the area in the south east corner where industrial buildings measuring 1100 sq m still stand, and these have been recently vacated, so the policy would require a marketing test for the use of these as other than employment use, however this is a small part of the overall site and the employment to be created in the care sector of 14 FTE jobs would offset the loss of this space.
- 8.4 There is a further consideration that the use of both the land of the former plastics factory and the land occupied by the remaining industrial buildings proposed as demolished is covered by a restrictive covenant on the access route owned by Roys supermarket that prevents HGV access. This was evidenced in the Lidl application when rejecting the site for their store reference DC/17/4960/FUL. Given the more constrained character of Gosford Road in relation to allocated employment land in Ellough now benefitting from newly built and better existing access, the desirability of industrial reuse is considered low.

- 8.5 The central part of the site was put forward specifically as a housing allocation in the Local Plan review (site 16). The allocation was not made, because of the unneighbourly commercial garage and dominant buildings were considered to generate amenity issues making the site unsuitable as a general housing allocation. The scale and design of the flat accommodation block serves to provide noise attenuation commensurate with the impacts from the remaining industrial uses. The layout of the flats and the access corridor facing the remaining industrial buildings outside the site red lined area to the east, it is considered, addresses both noise outlook and scale issues. The applicant has submitted a noise report with the application and the Head of Environmental Services advises conditional approval with regard to noise impact is appropriate.

### Visual Amenity

- 8.6 The four storey flatted building at its higher part is slightly higher at 11.25m than the highest parts of the existing industrial buildings at 11m, but will still be hidden by these buildings in longer views from the east. The proposal is considered justified in terms of scale and massing by its context, given the adjacent industrial and large scale retail sites and the way the more visible parts are articulated to break up the massing.
- 8.7 There is a former grain silo to the east of this site which was converted to become a six storey residential block. This silo is the highest residential structure in the town with no parallel elsewhere.
- 8.8 The design breaks up the bulk by the plan-form and by the reduction to three storey height on the north wing. This and the distance of 31m from the rear of property on Fair Close to the flats and the topography as illustrated by long sections provided through the site which show a 600mm drop from the rear lane to the development site at the point where the flat block is, serve to prevent material outlook impact to property on Fair Close.
- 8.9 When considered as a three dimensional form the facade modelling that will occur is considered to sufficiently break up the form visually. The east elevation to the industrial site has few windows and modelling, but is largely concealed by the adjacent industrial building so this is considered not to be aesthetically harmful and serves to attenuate noise impacts for future residents.
- 8.10 The materials chosen for the “Residential Living Plus” (four storey) building utilises the same brick as the other proposed buildings in the site, but with a more contemporary design. Horizontal brickwork banding features in the floor zones to add order and scale to the façade. The tall “portrait” proportioned windows reflect windows within older property in the area context. The balconies further articulate the courtyard and south facades. Standard special bricks are also shown; used to create interest in the façade.
- 8.11 The design utilises a stepped back footprint to the upper floor in a panel system. While there are no other surrounding examples of visible flat roof design other than the grain silo adaption to the east of the site across Gosford Road, this is considered preferable to attempting to use a mansard or overall pitched roof as the flat roof minimises overall scale.
- 8.12 The proposed design of the chalet bungalows is considered modest attractive and traditional with traditional materials tiled roofs and brick and boarded walls, with stone lintels. Some aggregation of the detached units to create groupings might better serve the

urban character of the setting, but given the self contained nature of the site, this is not considered something that would be apparent from outside the site.

- 8.13 The scheme layout is intended to provide a familiarity of form for residents; this is considered a reasonable justification for the modern detached dwelling estate idiom as it respects the principles of “Lifetime Homes” in Policy WLP8.31 with regard to dementia sufferers.

#### Residential Amenity

- 8.14 The proposal features chalet bungalow type D and bungalow type B on the west boundary and these feature no roof windows that face west and outside of the site so no privacy harm occurs, to properties outside the site, as the ground level is lower and any boundary fences will be completely effective in screening. Outlook is also considered unaffected as separation is 18m from number 98 Fair Close facing.
- 8.15 To the north boundary with the main part of Fair Close, there are again no overlooking first floor windows proposed within the scheme. The nearest parts of the Fair Close properties’ off shots to the nearest proposal bungalow is 26m which is considered sufficient to avoid privacy, outlook or light harms in respect of the existing dwellings. The proposed bungalows will be overlooked by the upper floors of the existing buildings, however the 26m distance involved is considered sufficient to avoid material harm arising.
- 8.16 The housing on Gosford Road is set diagonally across the Roy’s supermarket access Road to the south east of the part four (part three) storey block (which measures 11.25m from ground level). The nearest terraced house features a blind flank to both its gable and its off shot so that the oblique nature of the overlooking of the rooms prevents material privacy impact and the offshoot serves to block views of the rear of this property, as do the other rear off-shots along the terrace.
- 8.17 The southern boundary will have an acoustic fence to attenuate noise from the substation together with soft landscaping to improve outlook from the rear of the bungalow and chalet properties whilst also offering them gardening opportunities. A planted strip to the northern boundary is also proposed.

#### Impact on the Conservation Area

- 8.18 The Planning (Listed Buildings and Conservation Areas) Act 1990, Part II set out the general duty of a local planning authority as respects Conservation Areas in exercise of planning functions: That with respect to any buildings or other land in a conservation area, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.19 The Beccles Conservation Area appraisal (July 2014) shows the further extension of the Conservation Area into Gosford Road, but the appraisal mentions Gosford Road only in the sense of noting the new housing on the site of the now demolished maltings that stood next to the railway station and the opportunities of improving the station square.
- 8.20 Although the south east corner of this site is deemed to be in the Conservation Area, there is no structure within the designated corner part and the rest of the site is not within the

Conservation Area but is adjacent to it. Impact however is limited in terms of the immediate context. The industrial buildings to the east side feature attractive facades onto Gosford Road, but their rear facades backing onto the application site, are large framed and sheeted industrial sheds.

- 8.21 There are fleeting views from other parts of Beccles towards the site, for example the entrance to the Blyburgate car park next to the public toilets, the proposal will be visible as a large scale addition to the skyline replacing the view of the industrial sheds, similarly between the locally listed bungalow pair 102 and 104 Fair Close and the adjacent two storey locally listed 102/102A, though views here are limited by the angle between these two properties and again the larger flat block replaces a view of the saw-toothed gables of the industrial sheds.
- 8.22 From Gosford Road itself the large flat block will be most visible from the entry point into the Roys car park, where it will appear as a large scale building in terms of height behind the existing large scale buildings which will mask its lateral extent on the north south axis, it is considered that this will be acceptable given the context. There will be a very fleeting view of the flat block along the alleyway that provides access to the south side of Fair Close and over the top of the industrial building. The proposal will be seen to a limited extent over the terraced housing fronting Gosford Road from a vantage point near the railway crossing, but no view from Gosford Road itself.
- 8.23 Modern design can be permitted either in or adjacent to Conservation Areas. It is considered that the use of a flat roof pattern and stepped back upper floor can be justified by the industrial context and larger footprint buildings that provide further context.

#### Pedestrian and Vehicular Access

- 8.24 The site is accessed off a private (un-adopted) road serving the supermarket adjacent. This road appears to be constructed to adoptable standard and benefits from the existing lighting within Roys supermarket car park. The road features standard highway markings. It is understood that the legal right to access the land by private and light goods vehicles exists. The access is considered physically suitable for proposed traffic. The roads within the site cannot be adopted however as they do not connect to adopted highway, in a managed site such as this extra care village this is not considered a maintenance issue as there will be overall site management in perpetuity with this form of development.
- 8.25 The site is proposed to be gated, as it is a self contained community of elderly persons, where the gate functions to increase the sense of defensible space. While the conventional planning restriction for elderly person accommodation specifies a lower limit of 55 years, the applicant confirms that the average age of occupants is 80 years, so gating represents security for the residents rather than acting to create social exclusion. The gate will however open to all who approach it (not controlled by a restrictive entry system), so functions as a psychological definer of space. Similarly pedestrian permeability is allowed for by a gate in the north side of the site onto the back lane to Fair Close also triggered by approaching pedestrians and not restricting public access. The vehicular gating will serve to deter unauthorised parking.
- 8.26 The submitted design and access statement describes how level or suitably ramped access is available throughout the site commensurate with the needs of the occupying group with

all entrances giving level access in accordance with Part M of the Building Regulations. The dwellings all comply to M4(2): Accessible and adaptable dwellings. The chalet-style bungalows and flats over garages are designed to facilitate provision of a stair-lift. The proposals therefore exceed the requirements of Policy WLP8.31 – Lifetime Design where proposals for development should demonstrate that the design supports the needs of older people and those with dementia through the creation of environments which are; Familiar, Legible, Distinctive, Accessible, Comfortable, and Safe and on sites of 10 or more dwellings must make provision for 40% of all dwellings to meet Requirement M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings.

#### Affordable housing and Use Class definition

- 8.27 The bungalows and chalet bungalows have been established by “fact and degree” as more reasonably considered as use class C3 residential rather than residential institutional use covered by use class C2, so either a contribution towards affordable housing should be made or a case made that this is not viable. A viability assessment has submitted by the applicant. This has been independently scrutinised and it has been concluded that the site is not viable for affordable housing contributions. At the time of concluding this report there are questions relating to whether estate agency and marketing costs have been overstated given that the applicant conducts their own agency and marketing. While it is possible that there are some process savings there will also be fixed overheads in association with an inhouse function. The applicant will be asked to comment further, and any answers will be presented at committee to members. It is accepted that charges such as the annual maintenance fee should not be factored into the overall site profitability as not relating to the construction process.
- 8.28 The overall identified demand for elderly person specialist housing indicated by the Strategic Market Housing Assessment at paragraphs 6.3 to 6.10 where a further 164 Extracare housing is identified as required over the period assessed by the SMHA is assisted by this proposal.
- 8.29 The National Planning Policy Guidance was updated in June 2019 to identify four sorts of specialist housing for the elderly. The categories are housing with an over 55 year restriction to occupancy, providing no care service. Sheltered housing, with on site assistance from a warden, Extra Care housing (such as this proposal) where on site assistance from a Care Quality Commission registered agency is available and nursing homes. The guidance suggests planning authorities can allocate sites through local plans if they choose. The Waveney Local Plan has identified the Worlingham Garden Neighborhood as providing an unspecified number of extra care and nursing home spaces.

#### Noise

- 8.30 Given that noise from existing surroundings was given as a reason why this land was not allocated for housing in the recent plan review over fears that noise from light industry and from the adjacent supermarket delivery yard a report was submitted which recommended a barrier to the delivery yard, to be 2,4m high, continuous, impermeable to noise and of a specified mass (section 5.1). Plant and the substation would result in low noise impact, and acceptable internal noise levels could be achieved within the proposed dwellings, from this source subject to further detail.

- 8.31 The proposed layout of the flat block means the vehicle garage is considered to have a low noise impact, based on the site layout and orientation of habitable rooms. The recommendations for acoustically rated glazing and ventilation to habitable rooms will result in appropriate noise levels for the residents of the proposal scheme.
- 8.32 The Head of Environmental Health has suggested that providing reference was made to the mitigation then noise concerns would be satisfied with the exception of the proposed substation, which needs further consideration, but that too can be satisfied by a condition requiring further work before commencement of that part of the development.

#### Landscape Impact

- 8.33 The landscape strategy features street trees and low-level vegetation that will soften elevations and provide opportunity for biodiversity. The communal courtyard gardens either side of the Residential Living Plus building entrance are to provide a desirable outlook from rooms and communal areas along with a sedum 'green roof' over the projecting entrance.
- 8.34 A Tree Survey has been submitted and officers agree with its findings. There are three trees outside the site unaffected by the works and a group of slightly more substantial False Acacia and Goat Willow trees (3m spread) near the proposed vehicular entrance that will be removed and compensated for in the replanting proposals. The remainder of the site is smaller scrub and false acacia and goat willow and areas of buddleia
- 8.35 The detailed landscape scheme has been appraised by officers. The landscape proposal drawings should be listed in the compliance condition with no more information required. Landscape design information has been provided during the consideration period and is considered satisfactory in terms of species, density, design and maintenance plan.
- 8.36 The Town Council has requested enhancement to trees within the Roys car park outside the development site, this is however considered to be something that cannot be delivered in the context of this scheme, as not directly related to the scheme being outside the application site.
- 8.37 The site is located outside 13 km zone of influence covered by the Habitat regulations where financial contributions are sought to mitigate recreational activity impact on Recreational Activity.

#### Economic Benefits

- 8.38 There will be £242,359.88 of CIL generated by the detached bungalow element of the proposal identified as falling within use class C3. The development will provide employment for 14 Full time equivalent staff. There will be generation of spend in the local economy from occupiers, visitors and staff.

#### The Planning balance

- 8.39 The scale of the proposal is considered acceptable justified by the scale of existing and retained industrial buildings on and off the development site, the design is considered acceptable albeit not traditional in regard to the flats and the former land use for

employment has been considered and carries little weight in the balance. The proposal does not deliver affordable housing, but a policy compliant viability assessment has discounted this requirement. The provision of elderly persons accommodation helps deliver the needs of the district and its demographics in a well placed location, and employment in the care sector is provided.

## **9 CONCLUSION**

- 9.1 The proposal will deliver accommodation designed as appropriate for elderly persons and protected by a legal agreement securing occupancy as for persons over the age of 55 years (although most occupants are older than this), the site will provide employment for 14 Full time equivalent staff and contribute CIL payments for the detached new housing.
- 9.2 The scale of the flatted element is considered acceptable within the overall planning balance, justified by the scale of the retail and original industrial buildings both retained and those to be demolished, but the scale is large in relation to other residential properties nearby

## **RECOMMENDATION**

**APPROVE** with conditions and subject to the completion of a section 106 agreement to ensure the age of one of the occupiers of each residential unit to be over 55 years of age at the start of their tenure and a further clause to ensure ongoing landscape maintenance. (Note pre-commencement conditions agreed 15 August 2019) If the S106 is not signed within six months then permission be refused.

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans:  
001 revision A01 (definitive red lined site plan showing access to adopted highway) received 16th January 2019  
015 Rev 0 (building sections main block) received 7th January 2019  
002 rev A0 (site topographic plan) received 7th January  
003 rev A0 (site master layout plan) received 7th January  
016 and 017 rev A0 (Proposed elevations main block) received 7th January  
010 to 014 rev 0 (Proposed floor plans main block) received 7th January  
020 to 026 rev 1 (Proposed houses, bungalows and garages) received 7th January  
027 rev A0 (site section showing levels) received 5th February 2019  
019 rev A0 (site section showing levels) received 31st January 2019  
and landscape drawings B190919.201, 401,402,403 received 30th April 2019, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation has been submitted to, and approved in writing by, the local planning authority. All site investigations must be undertaken by a competent person, conform with current guidance and best practice (including BS10175:2011+A2:2017 and CLR11) and include:
- o the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
  - o explanation and justification for the analytical strategy;
  - o a revised conceptual site model; and
  - o a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:
- o details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
  - o an explanation, including justification, for the selection of the proposed remediation methodology(ies);
  - o proposed remediation objectives and remediation criteria; and
  - o proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.
- The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. Prior to any occupation or use of the approved development the RMS approved under condition 4 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:
- o results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
  - o evidence that the RMS approved under condition 4 has been carried out competently, effectively and in its entirety; and
  - o evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

7. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

8. No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: Infiltration through contaminated land has the potential to impact on groundwater quality.

9. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. The National Planning Policy Framework paragraph 170 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

10. The use shall not commence until the area(s) within the site shown on drawing number EM-2535-03-AC-ZZ-003 (8645-003-REV 0) for the purposes of [LOADING, UNLOADING,] manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

11. The pedestrian and vehicular access gates shall at all times be retained as stated to be approach triggered rather than operated by card or code

Reason: To ensure that access to all is available ensuring that pedestrian permeability of the site remains possible and ensuring that residents enjoy integration into the wider community.

12. The approved development must be completed in accordance with the 24Acoustics 'Noise Impact Assessment' (R7224-1 Rev 1, 17th December 2018) and, in particular:
- \* the acoustic barrier specified in section 5.1, 5.2 and figure 2; and
  - \* the glazing and ventilation measures specified in sections 5.35 - 5.41. shall be provided before first occupation of the dwellings and retained thereafter.
- Before installation further written and drawn details shall be submitted to and approved in writing by the Local Planning Authority for:
- \* any plant (e.g. ventilation, heating, lifts etc); and
  - \* the new substation.

The work shall be completed in accordance with the approved scheme and retained thereafter in the agreed condition.

Reason for conditions 12: To avoid amenity disturbance to residential neighbours by noise.

- 13 Before the commencement of any work including demolition, the applicant shall submit to the Local Planning Authority written details of a demolition and construction management plan which shall be agreed in writing by the Local Planning Authority. The plan shall be prepared in accordance with BS42020 and detail how the applicant will mitigate all emissions and shall include (but not be limited to) details of dust, noise, vibration, water run off, light from demolition and construction activities. Details of hours of operation and deliveries shall be provided, along with details of the works compound and temporary accommodation. All work shall proceed in accordance with the plan. Reason: To ensure that the construction can be undertaken in an appropriate manner having due regard to surrounding land uses.

**BACKGROUND INFORMATION:** See application ref: DC/19/0051/FUL at [www.eastsuffolk.gov.uk/public-access](http://www.eastsuffolk.gov.uk/public-access)

**CONTACT** Chris Green, Senior planning officer, Riverside Canning Road  
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#### APPENDICES

##### Appendix One

Basic Minimum Care Package:

A monitored 24 hour /7 day per week emergency response service

Re-assurance service / support to individual residents

Overseeing the general well-being of residents and ensuring that they have access to all appropriate healthcare providers and facilitating this where necessary and/or appropriate

Periodic Assessment and Review

Health promotional activities

Bed linen service

Weekly cleaning

And the Owner provides access to the following services:

Getting into/out of bed

Dressing

Hair care and skin care

Preparation/provision/planning of meals

Managing food hygiene

Managing/monitoring nutrition

Escorting to meals / delivery of meals

Encouragement of or assistance with eating

Encouragement of or assistance with going to bathroom/toilet

Encouragement of or assistance with bathing/washing

Assistance with paying bills/collecting benefits/form filling

Management of incontinence

Post operative care

Hospital discharge support

Collection of or shopping for essential provisions

Prescription collection and delivery service