



## Committee Report

**Planning Committee South** - 30 March 2021

**Application no** DC/20/4519/FUL

**Location**

Land To The South Of 47  
Oxford Drive  
Woodbridge  
Suffolk  
IP12 4EH

**Expiry date** 02 April 2021

**Application type** Full Application

**Applicant** Danbury Developments Ltd

**Parish** Woodbridge

**Proposal** Construction of two dwellings on land forming part of the curtilage of 47 Oxford drive and associated works.

**Case Officer** Grant Heal  
07833 403193  
[grant.heal@east Suffolk.gov.uk](mailto:grant.heal@east Suffolk.gov.uk)

### 1. Summary

- 1.1. Full planning permission is sought for the erection of a pair of semi-detached two-storey market dwellings and associated works on land forming part of the curtilage of 47 Oxford Drive, Woodbridge.
- 1.2. The site benefits from extant permission (DC/19/1646/OUT: Outline Application with All Matters Reserved) for the construction of two market dwellings.

#### Reason for Committee

- 1.3. The referral process was triggered in accordance with the Council's scheme of delegation because the 'minded to' decision of the Planning Officer is contrary to the Town Council's recommendation to refuse due to concerns relating to parking and highway safety.

- 1.4. The application was therefore presented to the referral panel on Tuesday 23 February 2021 where members felt that the potential impacts resulting from the loss of green space on the character of the area warrants debate at planning committee.

### Recommendation

- 1.5. Considered against all relevant material planning matters, the application is deemed sustainable and therefore recommended for approval in accordance with the NPPF and relevant policies of the adopted development plan.

## **2. Site description**

- 2.1. This application relates to an area of garden associated with no.47 Oxford Drive, a two-storey end-terrace dwelling, situated on the corner of Oxford Drive (west) and Christchurch Drive (south).
- 2.2. The site is positioned to the rear and side of the host dwelling and is bound by hedgerow. The interior appears grassed with grow beds, a shed, greenhouse and juvenile trees.
- 2.3. No.47 benefits from a single-bay garage located to the rear of the property within a shared parking court accessible off Christchurch Drive. Shared on-street vehicular parking provision is also available within designated layby areas along Oxford Drive and the surrounding area.
- 2.4. The wider area is characterised by residential properties between one and two-storeys.

## **3. Proposal**

- 3.1. The application seeks full planning permission for the erection of a pair of semi-detached two-storey market dwellings and associated works on land forming part of the curtilage of 47 Oxford Drive, Woodbridge.
- 3.2. Both of the three-bedroom dwellings would have a similar appearance and would benefit from private front and rear amenity spaces.
- 3.3. Five new vehicular parking spaces would be provided to the rear of the dwellings, adjacent the existing parking court accessible via Christchurch Drive.
- 3.4. A portion of the existing boundary hedge would also be retained.

## **4. Consultations/comments**

- 4.1. One third-party representation of objection has been received which raises concerns relating to the loss of green space and the potential impacts on highway safety from increased traffic and parking requirements.
- 4.2. One neutral third-party representation has also been received requesting additional information.

## Parish/Town Council

Consultee	Date consulted	Date reply received
Woodbridge Town Council	11 January 2021	20 January 2021
<p>“We recommend REFUSAL. The creation of additional car parking spaces adds to the already cramped site layout which is contrary to planning policy SCLP5.7. In addition, in creating access to these spaces the application has reduced the number of on-street parking spaces in an area where parking is at a premium.”</p>		

Consultee	Date consulted	Date reply received
Woodbridge Town Council	26 November 2020	16 December 2020
<p>“We recommend REFUSAL. The new parking place adjacent to plot 2 has an access to the public highway in a position deemed to be unsafe to other road users.”</p>		

## Statutory consultees

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	26 November 2020	9 December 2020
<p>Summary of comments: Recommend holding objection due to position of proposed soakaway.</p>		

Consultee	Date consulted	Date reply received
Suffolk County Council - Highways Department	11 January 2021	21 January 2021
<p>Summary of comments: Recommend planning conditions.</p>		

## Non statutory consultees

Consultee	Date consulted	Date reply received
Suffolk Fire And Rescue Service	11 January 2021	7 December 2020
<p>Summary of comments: Standard response received concerning building regulation compliance requirements and the recommended loading capacity of concrete hard-standing.</p>		

Consultee	Date consulted	Date reply received
Head of Environmental Services	26 November 2020	1 December 2020
Summary of comments: No Objections, recommend condition relating to unexpected land contamination.		

Consultee	Date consulted	Date reply received
Suffolk Wildlife Trust	26 November 2020	No response
Summary of comments: No comment received.		

Consultee	Date consulted	Date reply received
Ecology (Internal)	26 November 2020	No response
Summary of comments: No comment received.		

## Site notices

General Site Notice	Reason for site notice: General Site Notice Date posted: 9 December 2020 Expiry date: 1 January 2021
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## 5. Planning policies

5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that “where *in making any determination under the planning Acts, if regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise*”.

5.2. National Planning Policy Framework (NPPF) (2019)

5.3. National Planning Policy Guidance (NPPG)

5.4. The East Suffolk Council – Suffolk Coastal Local Plan was adopted on 23 September 2020 and the following policies are considered relevant:

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.7 - Infill and Garden Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

## **6. Planning considerations**

### Planning history:

- 6.1. The site already benefits from Outline Planning Permission for two dwellings, which was granted 31 July 2019, under reference DC/19/1646/OUT, with the description:

*"Outline Application (All Matters Reserved) - Construction of two dwellings on land forming part of the curtilage of No.47 Oxford Drive and associated works on Land South Of 47, Oxford Drive, Woodbridge".*

- 6.2. Other infill plots have also been granted and constructed on similar areas of land nearby, including 1A Christchurch Drive (directly to the east) under Planning Permission DC/13/2541/FUL, and on land to the south numbers 2A and 2B Christchurch Drive were granted under Planning Permission C/04/1933.

### Planning principle:

- 6.3. The site falls within the defined 'Settlement Boundary' (SCLP3.3) of Woodbridge; which is categorised as a 'Market Town' within the adopted Settlement Hierarchy (SCLP3.2) of the adopted development plan.
- 6.4. SCLP5.7 (Infill and garden development) supports proposals for infill residential development within existing gardens subject to appropriate design choices which ensure that, amongst other things, no visual harm would result to the street scene or the area's character.
- 6.5. In-line with the above assessment, of planning policy, and the fact that outline planning permission has already been granted for two dwellings on this site, it is concluded that the planning principle of this application could be found acceptable, subject to a satisfactory

appraisal of other material planning matters, including design impacts, as considered below.

Visual amenity:

- 6.6. The proposed dwellings have been devised to reflect the scale, height and massing of the host dwelling, and would be sited to reflect the staggered pattern of development (i.e. with the principal elevation set back from the preceding property) evident within the existing street scene.
- 6.7. The site holds sufficient capacity to absorb the dwellings without resulting in its overdevelopment and the maximum ridge height of the existing property would not be exceeded. A complementary palette of materials and built-forms would also ensure a sympathetic and well-integrated development in-line with modern living aspirations.
- 6.8. While SCLP10.4 (Landscape character) recognises the contribution made by strategic gaps and garden spaces towards a location's identity, in this instance it is judged that the proposed scale, siting and orientation of the new dwellings would not disrupt the area's character, particularly given the retention of private amenity space to the front, side and rear, including the boundary hedgerow.
- 6.9. With the above in-mind, the proposal is deemed broadly sympathetic to the existing street scene and local pattern of development. It would also result in the creation of two smaller market dwellings, with any harm outweighed by the efficient use of land that the proposal represents.
- 6.10. The application thus accords with the NPPF, as well as the provisions set out within SCLP5.7, SCLP10.4 (Landscape character) and SCLP11.1 (Design quality) of the adopted development plan.

Residential amenity:

- 6.11. The staggered siting of the proposed dwellings (by approximately one metre) works to restrict views towards neighbouring properties main sitting out areas, thereby ensuring privacy will be maintained.
- 6.12. A suitable degree of separation would also be retained between proposed and neighbouring properties and the resulting proximity is unlikely to reduce residents access to daylight to an unacceptable level.
- 6.13. With the above in-mind, it is therefore judged that the proposal does not hold the potential to undermine existing or future neighbouring amenity unduly, when considered against the provisions of the NPPF, and SCLP5.7 (Infill and Garden Development) and SCLP11.2 (Residential amenity) of the adopted development plan.

Parking provision and highway safety:

- 6.14. Each new dwelling would be served by two new vehicle off-road parking spaces accessible via Christchurch Drive. An additional parking space would also be introduced to serve the host dwelling which, in combination with the existing single-bay garage space, would result

in both proposed and existing dwellings having compliant levels of parking provision in-line with the 'Suffolk Guidance for Parking' technical guidance (2019).

- 6.15. Considered against the NPPF (para.109), the introduction of two additional three-bedroom dwellings onto Oxford Drive is unlikely to severely undermine existing levels of highway safety. Further, the Highway Authority have raised no objections.
- 6.16. Accordingly, the proposed level of parking/manoeuvring provision is adequate when considered against the NPPF and SCLP7.2 (Parking proposals and standards) of the adopted development plan.

#### Contributions:

- 6.17. In addition to the proposed creation of a new dwelling being liable for contributions attributed to the Council's Community Infrastructure Levy (CIL), it is noted that the site is situated within the 13km protection zone of European Designated Sites, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).
- 6.18. The strategy, which aligns with Policy SCLP10.1 (Biodiversity and geodiversity), seeks to support Article 6(3) of the Habitats Directive and requires certain developments, including new dwelling's, that could have a direct or indirect adverse effect on the integrity of internationally and nationally designated areas to mitigate and, where appropriate, compensate in order to reduce net impacts of the development to a level below that which would outweigh the benefits of development.
- 6.19. As such, East Suffolk Council are obliged to seek a proportionate financial contribution in relation to the proposed new dwellings, which would be sited within Zone B of the adopted charging schedule.
- 6.20. With the above in mind, the payee of a RAMS contribution submitted in relation to DC/19/1646/OUT, has confirmed that the payment of £321.22 can be transferred to this current proposal. The appropriate payment forms have also been provided and the Planning Officer has undertaken the necessary appropriate assessment.

## **7. Conclusion**

- 7.1. Considered against all relevant material planning matters, the application is deemed sustainable and therefore recommended for approval in accordance with the NPPF and relevant policies of the adopted development plan.

## **8. Recommendation**

- 8.1. It is recommended that the application be approved with appropriate planning conditions, as set out below.

#### **Conditions:**

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out other than in complete accordance with the following approved drawing(s):
  - 01 Rev PL1 (Location plan);
  - 02 Rev PL1 (Floor plans as proposed);
  - 03 Rev PL1 (Elevations as proposed);
  - 05 Rev PL3 (Site plan as proposed);
  - 04 Rev PL1 (Site plan as existing).

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

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed by the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity.

4. 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. Unless agreed in writing by the LPA 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.

5. The areas to be provided for storage of Refuse/Recycling bins as shown on approved drawing no. '05 Rev PL3' shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

6. The use shall not commence until the area(s) within the site on approved drawing no. '05 Rev PL3' for the purposes of Loading, Unloading, manoeuvring and parking of vehicles and cycle storage has been provided and thereafter that area(s) shall be retained and used for no other purpose.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

7. The use shall not commence until details of the infrastructure to be provided for electric vehicle charging points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable transport choices.

#### **Informatives:**

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. East Suffolk Council is a Community Infrastructure Levy (CIL) Charging Authority.

The proposed development referred to in this planning permission may be chargeable development liable to pay Community Infrastructure Levy (CIL) under Part 11 of the Planning Act 2008 and the CIL Regulations 2010 (as amended).

If your development is for the erection of a new building, annex or extension or the change of use of a building over 100sqm in internal area or the creation of a new dwelling, holiday let of any size or convenience retail, your development may be liable to pay CIL and you must submit a CIL Form 2 (Assumption of Liability) and CIL Form 1 (CIL Questions) form as soon as possible to [CIL@eastsoffolk.gov.uk](mailto:CIL@eastsoffolk.gov.uk)

A CIL commencement Notice (CIL Form 6) must be submitted at least 24 hours prior to the commencement date. The consequences of not submitting CIL Forms can result in the loss of payment by instalments, surcharges and other CIL enforcement action.

CIL forms can be downloaded direct from the planning portal:

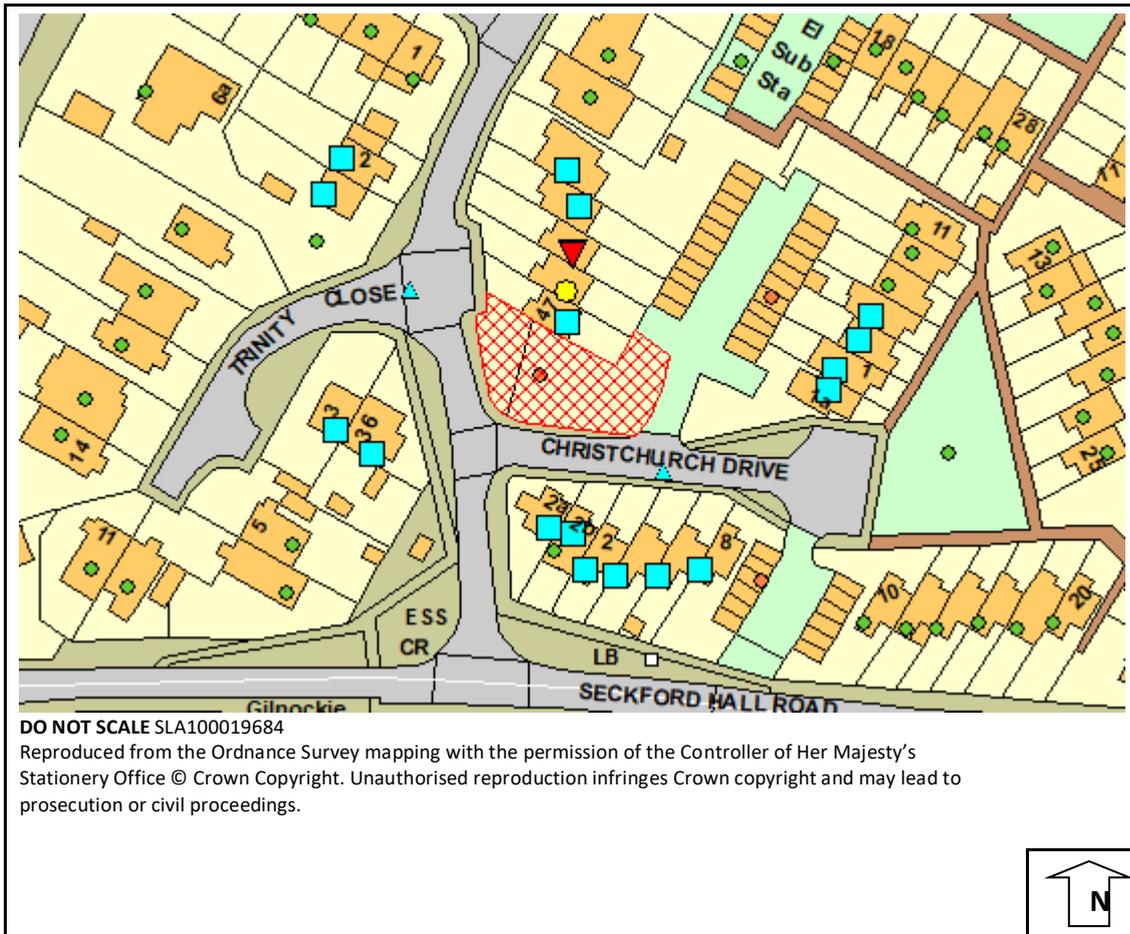
[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastucture\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastucture_levy/5)

Guidance is viewable at: <https://www.gov.uk/guidance/community-infrastructure-levy>

## **Background information**

See application reference DC/20/4519/FUL on [Public Access](#)

# Map



## Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support