

SUDBURY – REAR OF 5-8 NORTH STREET, GAOL LANE

Erection of three-storey building comprising of 3 No. retail shop units on ground floor & 6 No. flats on upper floors.

Applicant: Carolgate Friendly Society

Case Officer: Mrs D Board

SITE

1. The application site is a 0.03ha parcel of land adjacent to number 34 Gaol Lane and having a frontage of 25 metres along Gaol Lane terminating adjacent to an existing garage block that fronts the street. At present the site forms part of the extended service area for the shops fronting North Street and also there is some informal parking occurring.
2. The site is located within Sudbury Conservation Area and rear of 5-7 North Street, which are Grade II Listed Buildings. The buildings to the west of the site are a mix of two and three storey development with shops at ground floor, to the east is the tourist information centre which is two storey and to the south (opposite) are two storey buildings with ground floor shop units.

PROPOSAL

3. The application seeks full planning permission for the erection of a part two and part three storey building containing three retail units on the ground floor and six flats on the upper floors.
4. The retail units would be 516 sq ft, 544 sq ft and 650 sq ft and the flats would all be two bedroom. Traditional timber painted shopfronts are proposed to the Gaol Lane frontage for the retail units with access for the flats, including bin and cycle storage, to the rear.
5. Access is retained at the west edge of the site to the service area at the rear to allow rear servicing to the shops in North Street. The scale of the buildings increases from west to east from two to three storey.

HISTORY

6. There is no planning history directly relevant to the site. However members attention is drawn to a scheme on the adjacent site (rear of the town hall), which has not been implemented but remains extant:
7. B/02/00324/FUL - Erection of three-storey building to provide 2 shop units with associated storage on ground floor and 6 flats over. Alteration to existing vehicular access (existing buildings on site to be demolished) as amended by plans received from agent 21.3.02, Granted, 05.04.2002

8. This proposal is similar in nature to the current application proposal. The two proposals together, if built out, would infill the frontage between the Tourist Information Centre and 34 Gaol Lane.

POLICY

9. **Suffolk Structure Plan 2001**

- ENV3 (Design Standards)
- CS1 (Sustainable Development)
- CS3 (Location of new Housing Development)
- ECON8 (Town and Local Centres)

10. **Babergh Local Plan, Alteration No.2 (2006)** the policy references below relate to the adopted version of the Local Plan - the policy numbers in some cases differ from those in the second deposit draft. Where this is the case, the previous reference number is given in brackets

- CN08 (CN02a) (Conservation Areas)
- SD01 (SD01a) (Principal Shopping Area)
- SD02-SD04 (Mixed Use Areas)
- SD07 (SD06)(Land to Rear of Market Hill)
- HS30 (HS14) (Design and Layouts)
- CN01 (General Design & Context policy)
- CN05 (CN09) (Listed Buildings)
- CN06 (CN10) (Listed Buildings)
- SP01 (Retail Strategy)
- SP03 (Retail Development outside of Town Centres)
- HS08 (Affordable Housing)
- HS32 (HS16) (Public Open Space)

Relevant Government Guidance

11. **PPG3 – Housing**

12. Good design and layout of new development can help to achieve the Government's objectives of making the best use of previously-developed land and improving the quality and attractiveness of residential areas. In seeking to achieve these objectives, local planning authorities and developers should think imaginatively about designs and layouts which make more efficient use of land without compromising the quality of the environment.

Local planning authorities should:

- avoid developments which make inefficient use of land (those of less than 30 dwellings per hectare net);
- encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net); and

- seek greater intensity of development at places with good public transport accessibility such as city, town, district and local centres or around major nodes along good quality public transport corridors.

13. **PPS6 (Planning for Town Centres)** – This PPS sets out the Government’s key objective for town centers, that is to promote their vitality and viability by:

- Planning for the growth and development of existing centres; and
- Promoting and enhancing existing centres, by focusing development in such centres and
- Encouraging a wide range of services in a good environment, accessible to all.

PPG13 – Transport

14. PPG13 sets out Government planning policy and guidance in relation to transport and identifies that the planning system has a key role in delivering the Government’s integrated transport strategy and that the consistent application of planning policies will help reduce some of the need for car journeys.

15. Two of the objectives of the guidance within PPG13 are to i) promote access to jobs, shopping, leisure facilities and services by public transport, walking and cycling and, ii) reduce the need to travel, especially by car.

16. **PPG15 (Planning and the Historic Environment)** - (PPG15) was issued in September 1994 and remains the main document for Government advice and guidance to Local Planning Authorities on the operation of the planning system in relation to the historic environment.

please note that details or extracts of policies are no longer included in reports - see page 4 of these papers.

OBSERVATIONS

17. TC – to be reported
18. SCC Archaeology – to be reported
19. AW - to be reported
20. EA - to be reported
21. Police - to be reported

ASSESSMENT

22. The main issues to be considered are:

- The Principle of Development
- Conservation Issues
- Design and Layout
- Planning obligations

The Principle of Development

23. The application site is located on Gaol Lane where policy SD07 is relevant when considering the principle of development. SD07 sets out that in the area rear of shops on North Street and Market Hill that small scale proposals for new shop units or extensions to existing units will be considered acceptable provided that adequate provision is made for rear servicing of existing shops.
24. Considered against the aims of this policy it is considered that the application proposal, for 3 retail units and 6 flats, is acceptable in principle and accords with the requirements of SD07. The provision of retail on ground floor contributes to the vitality and viability of the town centre in a wider sense by creating an active frontage in this location and residential above contributes to vitality when the shops would be closed. This would accord with the principles of SP01, SP03 and PPS6. The proposal retains an access to the rear of the proposal and existing North Street shops to allow servicing in a rationalised manner in accordance with SD07.

Conservation Issues

25. Policy ENV 1 of the Suffolk Structure Plan states that the character and setting of Conservation Areas and buildings listed as being of special architectural and/or historic interest will be protected and enhanced. New developments in Conservation Areas or affecting the setting of listed buildings must be in harmony with their surroundings.
26. This approach is reinforced through the provisions of the adopted Babergh Local Plan. Within the emerging Local Plan Policy CN08 sets out that proposals for development in a conservation area or which have an impact upon views into or out of a conservation area should (inter alia):
 - Preserve or enhance the character of the conservation area or its setting.
 - Retain all components, including open spaces, which contribute to the special character of the area.
 - Be of an appropriate scale form and detailed design.
 - Use natural or handmade materials, which complement or harmonise with the character of the area.
 - Ensure that natural features are retained and integrated into any proposal.
27. To establish the impact of the proposal on the character of the Conservation Area it is important to understand the role that the site currently plays in contributing to the character and appearance and then a judgment can be made on whether the proposal would preserve or enhance. It is important to be clear that the site's location within a Conservation Area does not prohibit development but requires development to either preserve or enhance and be of a high quality when permitted. In this location it is also important to consider the relationship of the proposals to the Listed Building on North Street as required in policies CN05 and CN06 of the Local Plan.
28. In this case the role that the site currently plays in contributing to the character of the Conservation Area is limited. The space does not provide setting to particular buildings or groups of buildings or provide views to or from Listed Buildings or through the Conservation Area that it is necessary to protect. Further the site contains no features, such as protected trees.

29. In particular the rear area of the buildings on North Street is at present untidy and not rationalised in terms of servicing arrangement, a point that the pre-amble to SD07 in fact picks up on. As such it is considered that a development proposal of the appropriate form, scale, materials and detailing would serve to enhance the Conservation Area in this location.
30. Considering the issue of the relationship of the site to the Listed Buildings that front North Street it is concluded that the development proposed would not harm the setting of these buildings. Namely, the principal view of these buildings, which require protection are the facades within the street scene along North Street and the rear elevations of these buildings have been altered substantially with modern changes and additions.

Design and Layout

31. The key policies pertinent to the consideration of the design elements of the proposals are ENV3 of the Structure Plan and HS30 and CN01 of the Babergh Local Plan Alteration No. 2 (2006). These policies seek well-designed layouts that provide an appropriate scale, density, form, parking and garden provision.
32. The scale and massing of the proposal responds to the street scene in that the west boundary is next to two storey development and the proposal continues this before building up to a three storey height over the second two retail units.
33. The proposal makes no provision for parking for the residents of the flats. The site is located in the town centre of Sudbury and could not be more appropriately located for access to facilities on foot and thus for a car free residential development. Equally being located in Sudbury town centre allows staff for the shops could reasonably travel to the site by public transport or walk. The servicing requirements/arrangements for the shops have not been detailed and this has been queried with the applicant's agent.
34. Further no amenity provision is made for the flats proposed. The location of the site in the town centre means that a quality and private amenity space would not be achievable or necessarily expected in this location. The issue from a planning perspective is whether there would be harm to the quality of the environment created from the lack of such provision and also from lack of parking. Overall it is concluded that the proposal makes good use of a vacant site in a town centre and that when balanced against the objectives of SD07, SP01, SP03 and PPS6 refusal on lack of parking and amenity area would be difficult to defend.
35. The design proposed is simple in approach clearly taking a cue from the existing two and three storey shops to the west along Gaol Lane. The shop fronts are simple and traditional with materials being painted timber. The main building is proposed in brick and clay tiles with timber sash windows with appropriate lintel and cill detailing. Materials can be secured through condition.
36. The site is located in the Conservation Area, as discussed above, and therefore it is important to secure a quality of development. As such the following detailing changes have been requested, which would echo the detail of the 2002 proposal, of the applicant's agent:
 - Addition of parapets to articulate the building;
 - Addition of quoin detailing;

- Thickening of the pilasters to the shopfronts;
- Subdivision of the glazing to the shopfronts; and
- Rationalisation of the fenestration to the upper floor.

37. Subject to the submission of these changes the proposal is considered acceptable in design terms.

Planning Obligations

Affordable Housing

38. The site is situated within a town (Sudbury, combined with Great Cornard) and Policy HS08 is, therefore relevant to affordable housing issues. As such, affordable housing cannot be secured from developments of 14 or less units (or on sites larger than ½ hectare if in outline). This application proposes 6 units.

Education

39. There is no requirement for an education contribution from this proposal as the number of units is below the threshold.

Public Open Space

40. In accordance with the guidance of Circular 05/2005 (Planning Obligations) and emerging policy HS32 of the Local Plan it is considered reasonable and necessary to require the developer to either provide 10% of the application site as public open space or provide financial contributions to the provision or upgrade of existing areas of public open space. Clearly open space cannot be provided on site therefore the applicant will be required to make a contribution in lieu.

REASONS FOR APPROVAL

The proposed development is considered to be in accordance with the provisions of adopted and emerging Development Plan policies ENV3, and CN01 by reason of the scheme constituting acceptable group development in terms of its, layout, design, form, mix, scale, materials, relationship to adjoining development and public open space provision. There is no highway objection to the proposal and there are insufficient grounds on which to justify refusal in terms of its impact upon residential amenity, or the character and appearance of the town.

RECOMMENDATION

- A. The Solicitor to the Council be authorised to secure an obligation under Section 106 of the Town and Country Planning Act, 1990 in respect of public open space contributions.
- B. Upon completion of the obligation the Head of Planning (Control) be authorised to grant planning permission, subject to the following conditions –
 - Materials to be submitted (including re-use/re-cycling of materials arising from the demolition works);
 - Proposed boundary treatments;

- Finished ground floor levels relative to existing and proposed finished ground levels;
- As recommended by the Highways Authority – improvements to the access, provision of visibility splays;
- Use Class restriction to shop units (A1);
- Drainage details, including, routes of service pipes and cables, location and depths of soakaways etc).

Otherwise,

C. Refuse planning permission. Reasons (as may be appropriate);

- Inadequate provision of public open space and play equipment (off site).

DECISION
