

TRIMLEY ST MARTIN PARISH COUNCIL

You are hereby summoned to attend the meeting of Trimley St Martin Parish Council to be held at the Trimley St Martin Memorial Hall on Tuesday 6th September 2016 at 7.30 p.m.

**Gordon Mussett, Parish Clerk
30th August 2016**

Public Session

Please Note: residents are warmly welcomed and invited to give their views at this stage of the proceedings and to question the Parish Council on issues on the agenda, or raise issues for future consideration at the discretion of the Chairman. Members of the public may stay to observe, but may not take part in the Parish Council meeting that follows.

- Police Report (circulated)
- County and District Councillor Reports (items raised for decision at this time will be placed on the agenda for the next meeting)
- Public Question Time

Parish Council Meeting

1. To Receive Apologies for Absence

2. Receive Declarations of Interests

For Councillors to declare any interests in matters on the agenda.

3. To Receive and Determine Requests for Dispensations

To receive and determine requests from Councillors for dispensations enabling them to speak, or speak and vote, on matters on which they have a pecuniary interest

4. To Approve the Minutes of the Meeting Held 16th August 2016 (previously circulated)

To approve the minutes of the meeting held 16th August 2016

5. To Note the Receipt of the Minutes of the Planning Committee held 30th August 2016 (previously circulated)

To note the receipt of the minutes of the Planning Committee held on 30th August 2016.

6. To Receive a Financial Statement to 25 August 2016 (includes bank statements and budget update)

To receive a Financial and Budget Statement to 25th August 2016

7. To Comment on the Following Planning Applications:-

- a) DC/16/3413/FUL – Erection of 4 no. 3-bedroom detached dwellings, car parking and access – Land to rear of 16 & 18 Old Kirton Road
- b) DC/16/3211/FUL – Alterations to existing bungalow and the construction of 5 no. new bungalows, associated parking/garage and access road – 28 Old Kirton Road
- c) DC/16/3255/OUT – Construction of two affordable “starter” homes on land to rear of 25 to 27 Mill Lane

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8. To Approve the Following Cheque Payments:-

To approve the following payments:-

Date	Cheque No.	Payable to	In Respect of	Amount £
6/9/2016	48	G N Mussett	Clerk's Salary	£379.44
6/9/2016	49	HMRC	NI/PAYE	£94.80
6/9/2016	50	DMH Solutions	Software	£70.80

9. To Note the Completion of the External Audit and Respond to Any Matters Raised by the Auditor (if available)

To note the completion of the External Audit and respond to any matters raised by the Auditor (if available)

10.To Note the Recommendation of the Parish Clerk Working Party and Agree the Appointment of the New Clerk

To note the recommendation of the Parish Clerk Working Party and agree the appointment of the New Clerk

11.Closure

ITEM 6**To Receive a Financial Statement to 25 August 2016**

Income										
Date	Reference	From	In Respect of	Precept	Grants	VAT Refund	Bank Interest	Other Interest	Other	TOTAL
29/04/2016		Suffolk Coastal District Council	Precept	13230	207.56					13437.56
30/06/2016		Unity Trust Bank	Interest				£ 2.99			2.99
25/07/2016		HMRC	VAT Refund			£ 6,464.04				6464.04
				£ 13,230.00	£ 207.56	£ 6,464.04	£ 2.99	£ -	£ -	19904.59

Budget Report

ITEM	Proposed Budget 2016/17	Spend to Date Net of VAT)	Percentage Spent
Clerk's Salary	£ 7,500	£ 3,086.08	41.1%
General Expenses	£ 1,260	£ 886.97	70.4%
Audit Fees	£ 750	£ 191.00	25.5%
Insurance	£ 500		0.0%
Clerk Training	£ 1,000		0.0%
Councillor Training	£ 1,000	£ 600.00	60.0%
Chairman's Allowance	£ 350	£ 350.00	100.0%
Subscriptions	£ 750	£ 693.45	92.5%
Grants/Donations/Sec 137	£ 750		0.0%
Bus Shelter Cleaning	£ 800	£ 364.50	45.6%
Flower Beds & Roundabout	£ 1,500	£ 910.00	60.7%
Parish Pump	£ 450	£ -	0.0%
New Dog Bins	£ 350	£ 430.00	122.9%
Memorial Hall Corporate Trustees	£ 2,785	£ 1,000.00	35.9%
Legal Advice	£ -	£ 882.00	Unbudgetted
Queen's Birthday Commemoration	£ 475	£ 610.90	128.6%
TOTAL	£ 20,220	£ 10,004.90	

Bank Reconciliation

Reconciliation	
As at 31/03/16	
Deposit Account	£ 12,000.72
Current Account	£ 9,460.63
	£ 21,461.35
Add Receipts to 25/8/16	£ 19,904.59
Less Expenditure to 25/8/16	-£ 10,547.68
Less Unpresented Cheques	-£ 275.00
As at 25/8/16	£ 31,093.26
As at 25/8/16	
Deposit Account	£ 12,003.71
Current Account	£ 19,089.55
	£ 31,093.26

28/08/2016

Statement View (Printable Version)



Customer: Trimley St Martin Parish Council

Account: 60-83-01 20362896

Statement 7 from 26 Jul 2016 to 25 Aug 2016

Date	Description	Serial No	Debits	Credits	Balance
26Jul2016	Brought forward balance			12,003.71	12,003.71

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Customer: Trimley St Martin Parish Council

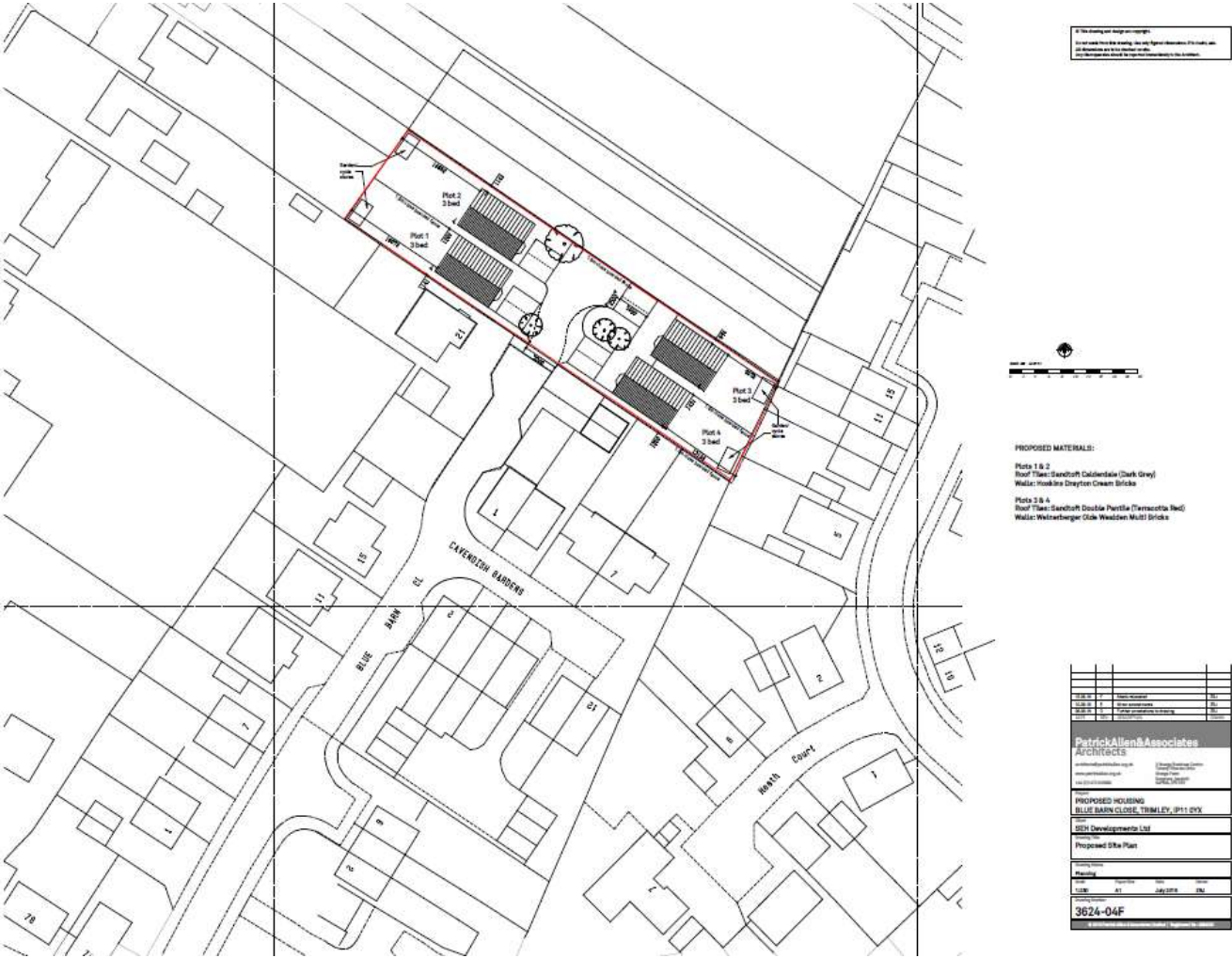
Account: 60-83-01 20362883

Statement 8 from 26 Jul 2016 to 25 Aug 2016

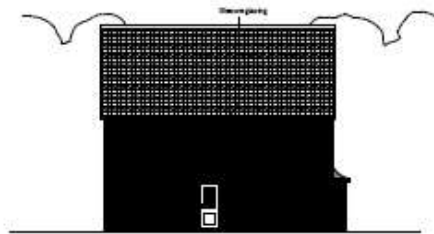
Date	Description	Serial No	Debits	Credits	Balance
26Jul2016	Brought forward balance			20,657.49	20,657.49
27Jul2016	Cheque	300030	(73.60)		20,583.89
04Aug2016	Cheque	300040	(343.84)		20,240.05
08Aug2016	Cheque	300041	(67.50)		20,172.55
09Aug2016	Cheque	300039	(85.80)		20,086.75
16Aug2016	Cheque	300043	(36.00)		20,050.75
17Aug2016	Cheque	300037	(46.00)		20,004.75
17Aug2016	Cheque	300038	(66.00)		19,938.75
18Aug2016	Cheque	300042	(229.20)		19,709.55
23Aug2016	Cheque	300046	(516.00)		19,193.55
24Aug2016	Cheque	300047	(54.00)		19,139.55
25Aug2016	Cheque	300045	(50.00)		19,089.55

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7. To Comment on the Following Planning Applications:-
a) DC/16/3413/FUL – Erection of 4 no. 3-bedroom detached dwellings, car parking and access – Land to rear of 16 & 18 Old Kirton Road



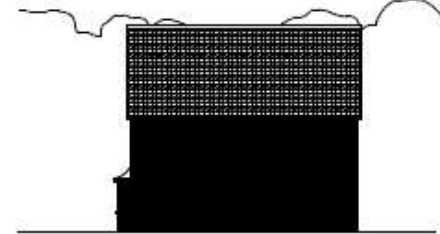
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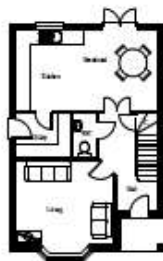
SOUTH WEST ELEVATION



NORTH WEST ELEVATION



NORTH EAST ELEVATION



GROUND FLOOR PLAN

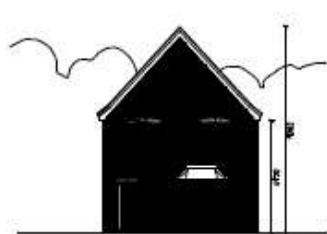


FIRST FLOOR PLAN

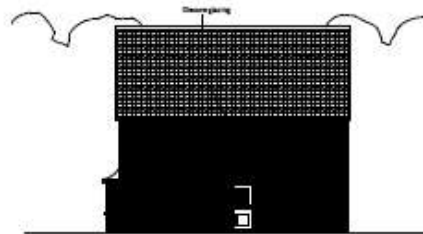
PLOTS 1 & 2 (1250 sq/ft)

[illegible]

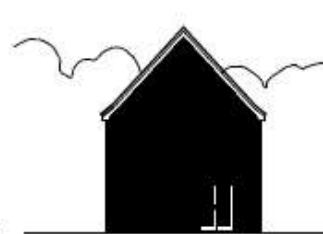
It is not valid to use this drawing, illustration, design, or copyright. If it is used, all dimensions are to be checked carefully.



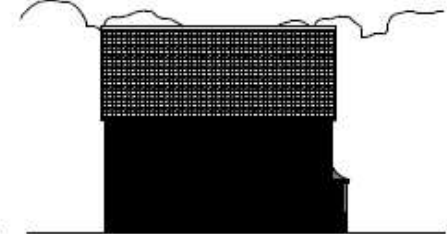
NORTH WEST ELEVATION



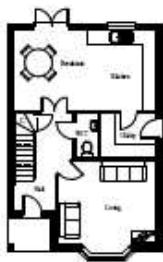
SOUTH WEST ELEVATION



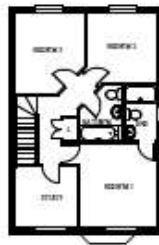
SOUTH EAST ELEVATION



NORTH EAST ELEVATION



GROUND FLOOR PLAN



FIRST FLOOR PLAN

PLOTS 3 & 4 (1250 sq/ft)

[illegible]

b) DC/16/3211/FUL – Alterations to existing bungalow and the construction of 5 no. new bungalows, associated parking/garage and access road – 28 Old Kirton Road



proposed front elevation (northeast) 1:100



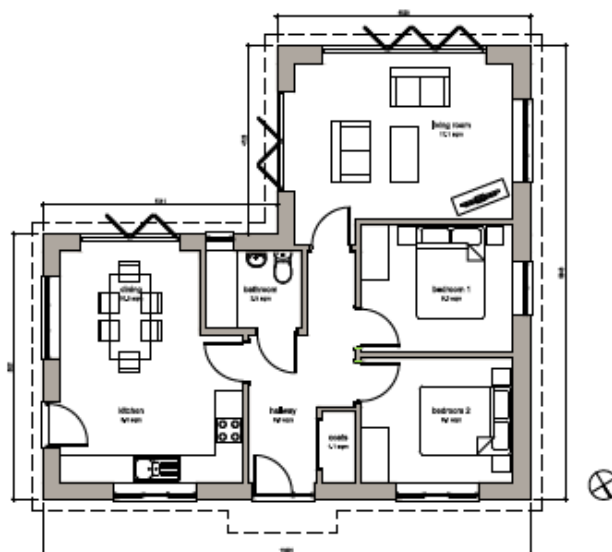
proposed side elevation (southeast) 1:100



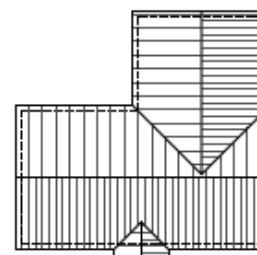
proposed rear elevation (southwest) 1:100



proposed side elevation (northwest) 1:100

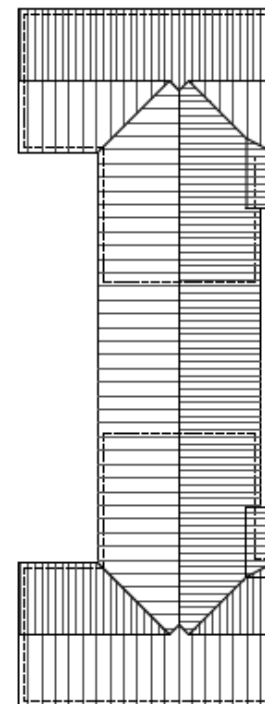
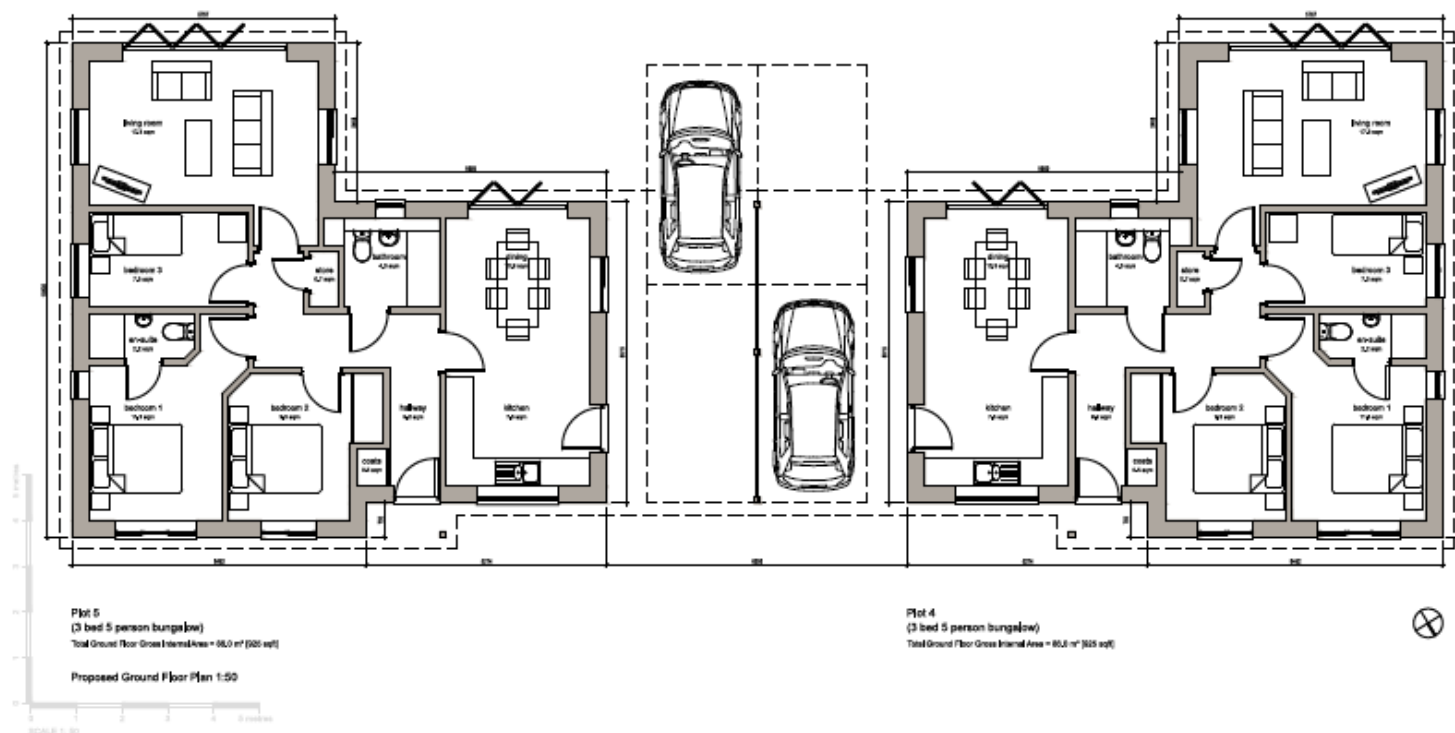


Plots 2 & 3
(2 bed 4 person bungalow)
Total Ground Floor Gross Internal Area = 71.0 m² (755 sq ft)
Proposed Ground Floor Plan 1:50



Proposed Roof Plan Plate 2 & 3, 1:100

No.	Name	Description	M/S No.	Date
peterwellsarchitects				
office from Butteringham, woodsbridge, sO16 7BA • 01904 864268 • info@peterwellsarchitect.co.uk				
Title:	Residential Development, 28 Old Kirtan Road, Trerley			
Type:	Proposed Plots 2 & 3, Ground Floor Plan, Elevations & Roof Plan. New Access Road Erection Scheme			
Client:	PJ Developments Ltd	Project Number:	Hanning	
Dates:	July 2016 v=4 1.25G @ A1	Designing By:	FHW&L/EZ	



W1111 ON MATERIALS
 Roof/Floor 45 day, 30 day
 Concrete panels
 uPVC windows, white & burgundy, colour white
 Multi-Red Brick (Redwood) and window board
 Gables and Chimneys Black uPVC
 Gable doors uPVC, colour white
 Windows & doors uPVC, colour white



plot 5 mirrored

NO.	Rev.	Revised	Revised	Rev.	Rev.
1	1	1	1	1	1
peterwellsarchitects					
info@peterwellsarchitects.co.uk, 01753 461111 - 01753 461111 - info@peterwellsarchitects.co.uk					
Residential Development, 28 Old Kirtan Road, Tisbury					
Proposed Plots 4 & 5, Ground Floor Plan, Elevations & Roof Plan					
PM Developments Ltd					
July 2016					
150, 1100 @ A1					
P10754_P108					
A					

Flux/Flask 60 deg, pour 20 deg
Concrete pantries
uPVC Flange, white & large black, colour white
Mull/Red Sheet (bracket) old structure board
Cutter and (cheap) black uPVC
Black door (PVC), colour white
Windows & door uPVC, colour white



proposed front elevation (northeast) 1:100



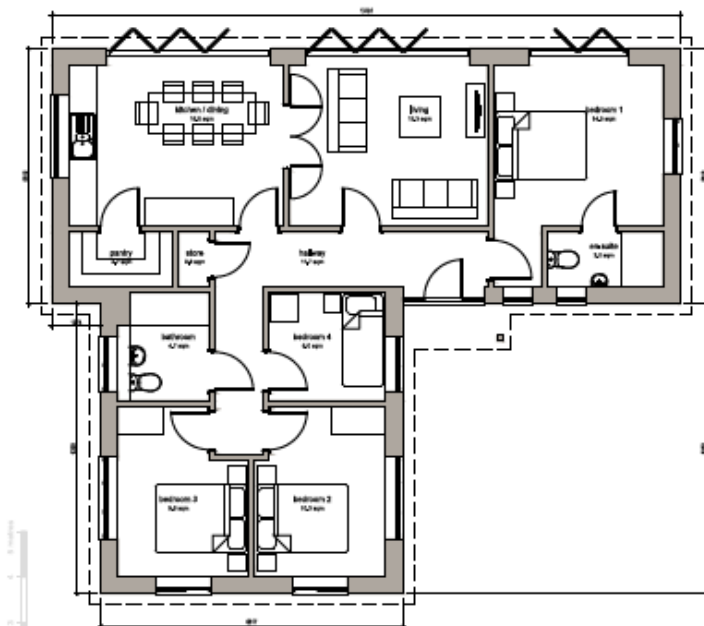
proposed side elevation (southeast) 1:100



proposed near elevation (southwest) 1:100

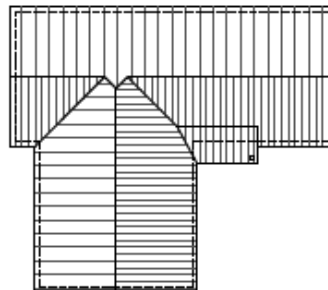
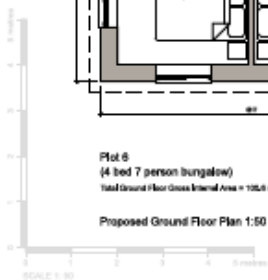


proposed side elevation (northwest) 1:100



Plot 6
(4 bed 7 person bungalow)
Total Ground Floor Gross Internal Area = 105.6 m² (1132 sqft)

Proposed Ground Floor Plan 1:50



Proposed Roof Plan Plot 6, 1:100

PW758_Design & Access Statement July 2016

Land to the rear of 28 Old Kirton Road, Trimley St Martin

5no. New Dwellings with New Access Road

1.0 Introduction

This application is for the erection of 5no. new dwellings on land to the rear of 28 Old Kirton Road, which is a detached dwelling fronting Old Kirton Road in Trimley St Martin. The proposal includes alterations to the existing property; the erection of 5no new bungalow dwellings and the construction of a new access drive to serve the properties.



Picture 1 – aerial view with site outlined in red.

2.0 Site Location / Scale

Trimley St Martin is a Key Service Centre as identified in the SCDC Core Strategy July 2013 and . The site is not within a Conservation Area or the Suffolk Coasts AONB.

The site is within the existing Settlement Boundary of Trimley St Martin and is currently occupied by a single one storey dwelling and a very large rear garden. The site is well related to the existing services in Trimley including public transport. There is a bus stop on High Road close to the site.

Trimley is characterised by a mix post WW1 development and modern development. As can be seen in the aerial view in Pic 1 above there has been significant 'estate' type development between High Rd and the A14 and the overall form of the village reflects this.



Picture 2 – view of existing access with 28 Old Kirton Road central to the picture.



Picture 3 – Birds eye view of the site, identifying the large rear garden.



Picture 4 – Extract of Trimley St Martin Inset Map with arrow indicating the site.

3.0 Site Layout inc. Highway Access

This proposal is for alterations to the existing bungalow and the construction 5no new dwellings, consisting of 2 x 2bed bungalows; 2 x 3bed bungalows; and 1 x 4bed bungalow, together with a new access road and parking bays/cartlodges/garages.

The layout has been designed to avoid impacting the amenity of the neighbouring dwellings including the retained bungalow. The new dwellings have been purposely designed as single storey bungalows so as not to create any overlooking or overshadowing on near by dwellings. The scheme provides a mix of accommodation whilst still providing buildings of a scale appropriate to the area and respecting the surroundings. We have considered carefully the relationship with the neighbouring dwellings on all boundaries, particularly the dwellings to the south and east of the existing site.

All new dwellings will be provided with at least parking spaces for cars, and the retained plot 1 will benefit from a new single garage a single car parking space.

Vehicular access in to the site will be directly off Old Kirton Road at the point where the existing driveway currently sits. A new access road will be taken along the side of the retained bungalow and continue along the northern side of the site, right up to the proposed plot 6, where it will terminate with a turning head suitable for refuse lorry's to turn.

A public footpath currently runs outside of the site along the northern boundary and it is proposed to create two links to this footpath, so that residents of the new properties have good connection with the surroundings.



Picture 5 – view of the existing public footpath running outside and above the northern side of the site.

Each of the new dwellings will have a large rear garden which will include an area of hard standing for waste and recycling bin storage. Bins will be presented at the identified bin presentation areas (BPA's) on the SCDC collection day.

The development will be served by an improved access on the line of the existing vehicular access from Old Kirton Road. We have increased the width of the access to 4.5m for its entire length to allow vehicles exiting and entering the site to pass. As can be seen on the submitted drawings there is good visibility in both directions on Old Kirton Road, a 30mph speed limit road.



Picture 6 – view looking north along Old Kirton Road, with the site access on the right.



Picture 7 – view looking south along Old Kirton Road, with the site on the left.

4.0 Design and Materials

The proposed materials are as noted on the application drawings. We have chosen materials that reflect the traditional materials found on existing and new properties in the area. We have chosen the layout and window / door positions carefully to avoid any overlooking and loss of amenity to neighbouring dwellings whilst maximising natural light and views to the rear garden areas from the new dwellings. We believe that we have right balance.

5.0 Level Access

We have considered the layout of the dwelling carefully to promote accessibility for all. The new dwelling will have level access thresholds to all external doors. The circulation space is generous and the provision of a ground floor bedroom with bathroom would allow a disabled or elderly resident to live comfortably in the property if they were unable to use the stairs.

6.0 Planning Policy

National Planning Policy Framework

The promotion of sustainable development is the golden thread running through the National Planning Policy Framework policy document and the instruction to Local Planning Authorities is one of a premise of approving the development as the default starting point in development management decisions.

Paragraph 7 is clear on this and states:-

"There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy".

The presumption in favour of all sustainable development is set out at paragraph 14 and for taking this means:

- "approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- 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; or
- specific policies in this Framework indicate development should be restricted".

Building a strong and competitive economy is one of the principles behind the delivery of sustainable development and paragraph 19 of the NPPF makes it perfectly clear that planning should do everything it can to support sustainable economic growth – *"Planning should operate to encourage and not act as an impediment to sustainable growth"*.

One of the key objectives of the NPPF is the delivery of a wide choice of high quality homes. The presumption in favour of all sustainable development of course needs to be balanced against the need to maintain local identity and distinctiveness.

In terms of design the NPPF considers good design and good planning to be synonymous in the delivery of attractive, usable and durable places. This is a key element in achieving sustainable development.

This means that development management decisions *inter alia* should:-

- ensure that a place will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- respond to local character and reflect the identity of local surroundings, while not preventing or discouraging appropriate innovation
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping.

The NPPF goes still further and notes that securing high quality and inclusive design goes beyond aesthetic considerations and states that individual decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

The Government sees the promotion of economic growth as its number one priority to address the failing national economy and considers the building industry as the sector that will lead economic recovery. It has recently published the Growth and Infrastructure Bill (published 18 October) which it believes will *"... help the country compete on the global stage by setting out a comprehensive series of practical reforms to reduce confusing and overlapping red tape that delays and discourages business investment, new infrastructure and job creation"*. New housing and other development across the country as a whole is seen as essential to any economic recovery.

We believe that the main policies relevant to this application are:

1. DM23 – Residential Amenity
2. SP27 – Key Service Centre

7.0 Pre- application Advice

The applicant submitted an application for pre-application advice on the 6th November 2015, ref: DC/PREAPP/15/4523. This includes 2 options for the development of the site, a scheme for 8no. bungalows and an alternative scheme for 8no. bungalows and houses. A formal response was received from SCDC on the 26th January 2016. We would summarise the comments as follows:

- That the pattern of development conflicts with existing pattern of development in the area.
- Both layouts appear cramped and would be considered over-development
- In the case of the option with houses it was considered that this was raise concerns about overlooking of neighbours. It was noted that the option with bungalows would not suffer from this problem.
- Consideration should be given to SCDC's policy on affordable housing (1 in 3). We note that this requirement has now changed and that schemes of 10 dwellings or less do not require affordable housing.
- That SCDC would be happy to comment on a revised scheme with a reduced number of dwellings.

A revised scheme showing 2 further options was issued to Liz Beighton on the 16th May 2016. To date we have had no response to our email and the plans attached.

The submitted scheme seeks to address the concerns raised as follows:

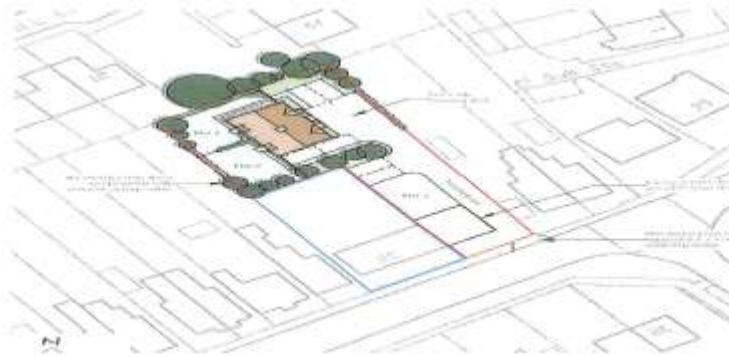
- The proposal is for 5no. bungalows of a scale and size appropriate to the location.
- The mix of 2no. 2 bed, 2no. 3 bed and 1no. 4 bed bungalows is broadly in line with table 3.8 of SP3
- The access road provides good visibility in both directions and includes provision for turning for delivery vehicles within the site.
- The scale of the bungalows will avoid any loss of amenity or overlooking to neighbours.
- The site is at a point where the more 'estate' type development to the north abuts properties with larger rear gardens. There is a linear footpath link to the north of the application site and the proposal follows this clearly defined line.
- The proposal provides a good range of new dwellings within an existing settlement where there is a clearly demonstrated need for additional houses.

c) DC/16/3255/OUT – Construction of two affordable “starter” homes on land to rear of 25 to 27 Mill Lane





**Outline Planning Application with all Matters Reserved.
Planning Statement:
Provision of 2 affordable Starter Homes
Land to rear of 25 and 27 Mill Lane, Trimley St Martin, IP11 0RN.**



28th July

**Andrew Cann B.A. MCILT
Planning Direct**



<i>Instructions and introduction.</i>	5
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Outline Planning Application Statement.

Instructions and introduction.

Planning Direct has been instructed by Mrs Jo Barber of 25 Mill Lane, Trimley St Martin, to submit an Outline Planning Application, With All Matters Reserved, with a view to having two affordable 'Starter Homes' constructed on land to the rear of the property.

Mrs Barber owns numbers 25 and 27 Mill Lane and all land within the blue and red lines on the enclosed site layout plan.

The application is cognisant of a former application made in July 2004 and enclosed at Appendix 2. The application is also made in the context of changes in the planning system with the gaining of Royal Assent to the Housing and Planning Act and the introduction of the 'Starter Home'. The application is also made in the context of SCDC's failure to provide a 5 year housing supply which has been tested in the courts and via appeals (most recently at Yoxford, Framingham and Melton).

The Site

The site is a rectangular piece of land to the rear of both 25 and 27 Mill Lane Trimley St Martin. The site is heavily overgrown with importantly a distinctive border of mature trees and large bushes. The following photographs are taken of the site:



Site looking west to east.



Site looking south to north.



Border of the site looking from the south.

As can be seen the site is bordered by a significant screen of vegetation and it is the intention of the applicant to retain as much of this border vegetation as possible in order to provide privacy for the new residents as well as their new neighbours at 25 and 27 Mill Lane as well as properties in Mill Close to the west.

The site is 0.084 hectares in size.

Site history

An application was made in 2004 for the construction of a bungalow on the plot. This application was refused under SCDC's former Development Control Policies. In short the former application was refused because:

- It was considered an 'unsatisfactory form of backland development' with a consequential loss of privacy and residential amenity by reason of associated noise and disturbance';
- The proposal entails the use of an access, driveway and parking area currently used by 27 Mill Lane;
- The application fails to make provision for sufficient outdoor play space.

It is considered that this new application rectifies these issues.

Access and car parking

Access to the development will be via the existing access to the north side of 27 Mill Lane. Two car parking spaces are to be provided to the rear of 27 Mill Lane thereby addressing any loss in car parking as a result of the new access way.

The two proposed homes will have two car parking spaces each thereby exceeding SCC's minimum parking standard.

It is not considered, as an existing access, there is any issue with the access to Mill Lane especially given the relatively small increase in traffic on Mill Lane from the proposed houses. Mill Lane is a quiet road and any additional traffic from the new development will be insignificant.

The main side entrance to number 27 Mill Lane is to be moved to the front of the property.

Layout and design

The proposed homes are orientated East to West. This is intended to provide a side end on to existing neighbouring properties. By use of frosted glass and other translucent windows on upper floors at the sides in conjunction with the existing vegetation screening it is possible to provide privacy to existing neighbours whilst retaining good lighting through front and rear windows to both new properties.

The design of the houses (at illustrative stage only) is for 1 and a half storey homes. This will help to

The applicant would be keen to see conditions imposed that ensure that vegetation to the borders of the site is retained and that appropriate upper storey translucent glass is installed to the sides of the two properties where glass is required (such as for an upstairs bathroom to each property).

Starter Homes and planning policy

Please see Appendix 1. Starter Homes are defined under the new Housing and Planning Act 2016 as affordable homes. A starter home, outside London, is a market home sold at a 20% discount off a maximum value of £250,000. So that would be a maximum value, in effect, of £200,000.

Policy DM1 of the Local Plan supports the development of affordable housing on exception sites. In terms of scale, affect on amenity, sustainability and need for affordable housing it is felt that this proposal fits well with the policy. The policy is of course out of date as there has been insufficient time to update it since the gaining of Royal Assent to the bill an introduction of a new category of affordable homes - starter homes are clearly not for rent. But it is felt that the proposal fits well with local exception policy and is in line with the

Governments wishes that Starter Homes be treated in all ways as affordable homes and as such enjoying any exceptions / exemptions that apply in order to promote affordable homes construction in an area, such as Trimley St Martin, of acute and unmet need.

As SCDC states in the local plan "Lack of affordable housing provision within the district is a major problem."

The proposed site presents a 100% affordable scheme. Well in excess of the districts ambitions for any site.

As a minor infill site in a settlement, of affordable housing in a sustainable location which does not propose sub-division and retains decent amenity space for all it is felt the application accords well with policy DM3 (Housing in the Countryside).

Development Management Policy DM7 (Infilling...) is of key concern with this application. It is our contention that in the context of affordable homes and in what is a reasonable dense frontage to both Mill Lane and Mill Close the proposal fits well. It provides adequate amenity space for both properties allows more than sufficient amenity space for the remainder (No. 27 is a very small property). It is well screened and maintains privacy and whilst unusual in terms of a backland development sits well and in particular because of the vacant land to the west of the property.

As discussed we believe residential amenity is well provided for with this application and therefore policy DM23 is satisfied.

It should also be remembered that the National Planning Policy Framework has a 'presumption in favour of sustainable development. This sustainable application sits well in local and national policy and attracts an exception due to it's 100% affordable nature. We believe in policy terms it should be granted.

SCDC's 5 year housing supply.

Notwithstanding the policies in favour of the development one must also consider SCDC's position regarding its statutory 5 year housing requirement.

Under Government direction SCDC is required, as are all local planning authorities (LPA's), to provide and demonstrate that they have a 5 year supply of housing land. SCDC has long maintained that it has just in excess of 5 years housing supply. SCDC members are still claiming this is the case and planning officers are stating this in response to applications.¹

Whilst there may be dispute about the 5 year housing supply situation SCDC's position has been challenged and the challenge accepted by The Planning Inspectorate.

¹ Planning Direct is in receipt of a recent (24th June 2016) pre-application response where this claim is still being made: "The Council's recently published figures show that the Council currently has a 5-year housing land supply to meet local identified needs."

In find in favour of an appellant (163 homes at Fairfield Road, Framingham) Mr John Braithwaite of the Planning Inspectorate found that SCDC's objectively assessed need for housing was out of date and the figure should be revised upwards. This is a position acknowledged by the council's own officer, Mrs Hanslip.

Therefore there is no doubt that SCDC does not have a 5 year housing land supply. It may well indeed be as low as 3.2 years.

This, as the council is aware, is important as local planning policies that prevent planning applications of housing from being approved carries less weight where a council does not have a demonstrable 5 year housing supply. Further the National Planning Policy Framework (NPPF) 'presumption in favour of sustainable development' carries more weight.

A recent legal case has made the position of this application that much more positive.

A recent Court of Appeal decision (17th March 2016) made by Lord Justices Jackson, Vos and Lindblom which concerned the meaning of the NPPF requirement *"[relevant] policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites"* has relevance here.

This long judgement is summed up by the Court of Appeal: *"In our view the meaning of those words, construed objectively in their proper context, is "relevant policies affecting the supply of housing"...a policy...relevant either because it is a policy relating specifically to the provision of new housing in the local planning authority's area or because it bears upon the principle of the site in question being developed for housing....the concept extends to plan policies whose effect is to influence the supply of housing land by restricting the locations where new housing may be developed—including, for example policies for the Green Belt [and other national constraints] and various policies whose purpose is to protect the local environment in one way or another by preventing or limiting development. It reflects the reality that policies may serve to form the supply of housing land either by creating it or by constraining it—that policies of both kinds make the supply what it is."*

The effect of this judgement is to make the presumption in paragraph 14 of the NPPF engaged (the presumption in favour of sustainable development) and of far greater weight than any local policy restricting housing growth.

Therefore, with Mrs Barber's sustainable infill scheme, which offers a positive and sensitive development within policy AND the presumption in favour of sustainable development inherent in the NPPF I believe SCDC has no choice but to grant planning permission.

Indeed if SCDC fails to grant planning permission I believe it will have knowingly erred (ignoring the judgements of the Planning Inspectorate and the Court of Appeal). In those circumstances I will be advising Mrs Barber to appeal and seek costs from SCDC.

Planning Application in Conclusion.

This outline planning application is for 2 one and a half storey Starter Homes.

There is clear unmet need for affordable housing in the area.

Trimley St Martin is a sustainable location.

Provision is made for two car parking spaces per dwelling and to provide two car parking spaces for number 27 Mill Lane.

The 'front' door to number 27 Mill Lane, currently to the side of the property in the access way, is to be moved to the front of the property.

The site is well screened with vegetation which will be retained at the borders of the site by condition.

The homes, that have been orientated east to west will have translucent glazing to the upper side windows (such as for a bathroom).

There is decent amenity space for both homes and retained at number 27 for what is a small annex property.

A new access point will achieve the required 2.4m x 43m visibility splay.

The application is in line with local and national policies.

SCDC is unable to present evidence (when challenged) that it has a 5 year housing supply.

Accordingly we believe this Outline Planning Application should be passed swiftly

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Application No: C04/1468

REFUSAL OF OUTLINE PLANNING PERMISSION

Town/Park: Trimley St Martin
Date of Application: 22 July 2004
Applicant: Applicant

Proposal: Use of land for the erection of one bungalow/chalet bungalow with integral garage.

Location: Land at rear of 25 - 27 Mill Lane Trimley St Martin

THE SUFFOLK COASTAL DISTRICT COUNCIL, as local planning authority **HEREBY REFUSE TO PERMIT** the development proposed by you as described above and shown on the application and plans attached thereto, for the reasons set out below:

Reasons:

- 1 The proposal represents an unsatisfactory form of backland development resulting in a bungalow or chalet bungalow behind the existing established residential properties with a consequential loss of privacy and residential amenity currently enjoyed by these properties by reason of the associated noise and disturbance caused by the establishment of a new household, contrary to policies AP19, AP27 & AP38 (iv) of the Suffolk Coastal Local Plan (incorporating First Alteration).
- 2 The proposal entails the use of an access, driveway and parking area currently used by the occupants of 27 Mill Lane. The loss of this access and parking area would lead to vehicles parking on the highway causing obstruction and danger to other road users to the detriment of road safety. The present access is of substandard width to provide a satisfactory access to more than one property.

