LOCATION
Former H M Prison Blundeston
Lakeside Rise
Blundeston
Lowestoft
Suffolk
NR32 5BG

APPLICATION NO DC/17/2675/ARM

EXPIRY DATE 12th October 2017 (agreed EOT)
APPLICATION TYPE Approval of Reserved Matters
APPLICANT Badger Building (E.Anglia) Ltd
PARISH Blundeston
PROPOSAL Approval of Reserved Matters of DC/16/2157/FUL - Hybrid planning application for demolition of prison and construction of 2no shop units with 4no flats, and 3no office units with car parking, 16no affordable housing units (full submission), and residential development including care home, roads and open space (outline submission) (Construction of 38 houses with access roads)
### SUMMARY

1.1 Blundeston Prison closed in early 2014 and the site was sold by the Ministry of Justice. The site lies outside the physical limits of Blundeston, but is a large redundant brownfield site. Policy matters relating to the principle of reuse were dealt with as part of hybrid application DC/16/2157/FUL.

1.2 This application is the first of the reserved matters phases of the earlier hybrid application, which granted detailed approval to part of the site leaving other parts beneficiaries of outline permission, requiring reserved matters approval. In essence therefore it represents what will be the second phase of the building process, clearance work having already commenced on the parts that were granted approval in full on the hybrid application. It is to deliver 38 Open Market homes. Affordable housing is in the first phase.

1.3 A member site visit took place on 8th August 2016 in respect of DC/16/2157/FUL.

1.4 This proposal can be determined here as the section 106 relating to the outline application was conditioned as being required and the outline issued as approved with the condition rather than waiting for final conclusion of the agreement. This was considered acceptable in order to secure housing delivery.

1.5 The proposal is acceptable in layout and design and recommended for approval.

### SITE DESCRIPTION

2.1 The overall development area is in two parts; the main prison buildings are within the secured area which is enclosed by a high fence. However closer to Hall Road there are some existing buildings. One of these is the former prison officer’s club which is now used as a day nursery.

2.2 The site for this second phase forms the eastern end of the former prison grounds, formerly sports pitch and workshop area. To the north and east there is a mature tree shelter belt. The land is flat with a slope down to the lake to the south. The lowest part of this land close to the lake is in flood zone 3 and 2, however this particular phase does not include this lowest lying land so flood risk matters are not significant in this application.

2.3 The site is accessed from Hall Road, utilising an upgraded access that formerly was infrequently used and terminated at a substantial and secure perimeter fence gateway. There are two other accesses to the former prison estate complex, to the west of the access point to this second phase. Both serve the former prison officer’s dwellings, which have been sold into separate ownership and are not part of the redevelopment site.

2.4 The site lies beyond the physical limits for Blundeston identified in the Proposals map – the site boundary is approximately 100 metres from the physical limits boundary at the closest point.

2.5 The lake and surrounding woodland are identified as a County Wildlife Site.

2.6 The whole redevelopment area is 9.69 ha (23.95 acres). This site is 2.43 hectares in extent.
PROPOSAL

3.1 Phase two is the outline application, primarily related to the “secure” area of the site. This proposed overall 130 dwellings and a care home, the latter located on what is currently the artificial sports pitch. An illustrative masterplan and some indicative dwelling types was previously submitted, and this reserved matters application follows the broad principles in the masterplan drawing 6845 MP01.

3.2 This application proposes 38 houses, all two storey and four bedroom with a variety of detailed differences, comprising 5 x "Blyburgh", 5 x "Brundall", 5 x "Thorpe", 1 x "Ellingham", 4 x "Carbrooke", 3 x "Yoxford", 1 x "Burlingham", 2 x "Glemham", 6 x "Glemham" and 5 x "Redgrave".

3.3 All properties feature a minimum of 3 parking spaces, some have four, this accords with the Suffolk County Council’s adopted guidance.

3.4 Units 17 and 20 and 28 and 31 have 20.5m separation with regard to their rear gardens. Lateral separation between dwellings within the scheme is in most cases double driveway separation. It is no-where less than 2m and generally more partly as a response to the array of the housing around a crescent shape towards the woodland.

3.5 A 2400 m² public open space is provided to the northwest corner, the ongoing maintenance of this is covered within the Section 106 agreement associated with the outline application. The area dedicated to housing and access thereto, therefore is 2.18 hectares. Density therefore is 17 units per hectare.

4.0 CONSULTATIONS/COMMENTS

4.1 Neighbour consultation/representations
A number of neighbour complaints have arisen with regard to the enactment of demolition works relating to the earlier hybrid (part outline and part full). As such these are not deemed as objections to this current reserved matters application, but are reported for completeness.

4.2 Parish Council Comments: Blundeston & Flixton Parish Council recommend that this application should be approved.

Consultees (précised)

4.3 Forestry Commission were consulted on the 22 June 2017.

4.4 Natural England were consulted on the 21 June 2017.

4.5 Suffolk Fire And Rescue Service were consulted on the 21 June 2017.

4.6 Suffolk County Archaeological Unit: recommend that conditions 6 and 7 of the earlier hybrid application (the outline part, with regard to this reserved matters application) are sufficient.
4.7 **Environment Agency - Drainage** were consulted on the 21 June 2017.

4.8 **Suffolk Wildlife Trust** were consulted on the 21 June 2017.

4.9 **Anglian Water**: We have reviewed the applicant’s submitted foul drainage information (Design and Access and FRA) and consider that the impacts on the public foul sewerage network have not been adequately addressed at this stage. Surface water drainage information does not relate to Anglian Waters operated assets, so we offer no comments. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system discharges to a watercourse. Should this interact with Anglian Water operated assets, we would wish to be re-consulted.

4.10 **Police - Alan Keely Crime Reduction Beccles Police Station**: recommends that the developer applies for Secured by Design approval on a development of this size. This is a well thought out layout adopting many of the principles of Secured by Design. On the whole there appears to be good natural surveillance and permeability has been kept to a minimum. The orientation of buildings is good and the Architect has considered the need to create a sense of place. Further details of lighting, external works and landscaping are required to offer specific comments. Work should utilise “Designing Out Crime In Suffolk – Residential Developments” and the Secured By Design (SBD) document “Homes 16” and Section 17 of the ‘Crime and Disorder Act 1998’

4.11 **SCC Flooding Authority** had recommended a holding objection initially. An updated drainage design and evaluation of run off pollutant concentrations was submitted on 4th October 2017. This was reviewed by both Suffolk Floods and the Environmental Health officer and in an email received 19th October the EHO confirmed that the run off to the lake following the water risk assessment which had been carried out which concluded that, “...concentrations will not be leached at levels that would pose a significant risk.” Following this the Suffolk Floods officer confirmed in an email received 23rd October 2017 that: “I can confirm that if there is no concern for leaching contaminants from the Environmental health team then I have no objection to the proposed discharge strategy for the site”. Sustainable surface water drainage matters have been fully resolved following the issuing of Rossi Long drawing reference 161208 CL-101 P4 showing attenuation areas leading into the lake as confirmed by email from Suffolk Floods received 3rd November 2017.

4.12 **NHS Great Yarmouth And Waveney Clinical Commissioning Group** were consulted on the 21 June 2017.

4.13 **Suffolk County - Highways Department**: Further to receiving an amended layout plan (ref: 6845.P2 SL03 Rev E), notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the standard bin storage and presentation condition. The County notes that highways conditions from DC/16/2157/FUL (the outline section of the hybrid approval) cover the internal road layout: numbers 42, approval of manoeuvre
space and cycle parking; 44, drainage; 45, estate road design; and 46, completion to base-course before occupation.

4.14 **Suffolk County - Rights Of Way** were consulted on the 21 June 2017.

4.15 **WDC - Arboricultural And Landscape Officer**: (précised) Following negotiation over the landscaping and tree belt retention and enhancement suggest conditions covering tree retention, on the North and East site boundaries except where shown removed on 6845.P2 SL03, full details of measures to protect retained trees. Further full details of hard landscape are required at a scale of 1:200, and soft landscape works including species, numbers, sizes and densities. The implementation and retention requirements are conditioned.

5.0 **PUBLICITY**

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

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6.0 **SITE NOTICES**

The following site notices have been displayed:

General Site Notice Reason for site notice: Major Application, Date posted 21.06.2017 Expiry date 11.07.2017

**RELATED APPLICATIONS**

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7 **PLANNING POLICY**

7.1 The Waveney Core Strategy was adopted in 2009. Policy CS02 seeks high quality and sustainable design. Policy CS11 deals with housing and policy CS14 Culture (including open space).

The NPPF is also relevant where paragraph 63 states: “In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area”. And para 64: “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

And paragraph 73 where access to high quality open spaces and opportunities for sport and recreation is cited and paragraph 74 deals with loss of sports facilities and assessment requirements, this matter having been dealt with at outline stage.

And paragraph 111. Where decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value and paragraph 118 when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity and opportunities to incorporate biodiversity in and around developments should be encouraged.

8 PLANNING CONSIDERATIONS

8.1 Policy DM02 design principles require that new development provides reasonable amenity both to existing residents and to new residences. There are no existing residences within the orbit of this phase of the proposal, and later phases of development are currently in outline only, however mutual impact on privacy occurs in the scheme as submitted. Units 17 and 20 and 28 and 31 have 20.5m separation between each other to the rear with little to mitigate. No alternative has been negotiated and this is less than the standard set in the Suffolk Design Guide. This however is quite an old document and sets a standard higher than that found appropriate elsewhere. Given central government’s concerns over housing delivery the shortfall is considered to be outweighed in this instance.

8.2 Policy DM16 considers housing density, the proposal represents a density of 17 dwellings to the hectare, though the retaining of a generous tree belt around the outside of the site to the north and east means that larger gardens are needed in this area to contain the trees and to leave a reasonable distance to the dwelling such that future pressure to prune will not occur. Council policy generally recommends a density of 30 to the hectare, however it is considered that the density shown, given the character of the location and compensating higher densities towards the affordable housing in the centre of the site and the general density of the existing former prison officer’s housing to the west of the site, is appropriate.

8.3 Policy DM17 housing type and mix is considered satisfied, because this phase is a part of the larger scheme that does provide smaller homes, and in addition the 35% smaller homes aspiration set out in the policy across the district, is being achieved in current builds thanks to the affordable housing policy delivering reasonable numbers of smaller homes.

8.4 Matters relating to spatial policy sustainable development location within Policy DM22 (housing in the rural area) were considered and established under the outline approval.
8.5 Open space of a reasonable quantum is provided to the northwest corner of this phase, sufficient to fulfil Policy DM25 and the “Open space provision and developer contributions” Supplementary Planning Documents, where based on a density of 30 dwellings per hectare developer contributions are 53 m$^2$ per dwelling, thus suggesting a 2000 square metre area is required and an area of 2400 square metres is shown.

8.6 Matters relating to policy DM29 (protection of biodiversity) were addressed by conditions applied to the outline consent, however, there is no additional information provided here, so this remains awaited by further discharge of the original outline conditions.

8.7 Permitted development rights were not removed at outline stage, they do not need removal or modification however as the curtilages are sufficiently generous as to allow extensions and ancillary buildings without further interference by the local planning authority.

8.8 The north and east sides of the boundary with Hall Road are substantially planted a present and initially there was concern expressed that some trees shown as retained in the submitted layout would be removed in the short term by incoming residents on light ground. This was considered a problem because the site is currently well screened and continuation of this benefit was considered a positive aspect of the current site layout. The applicant and the landscape officer have worked together to frame suitable pre-commencement conditions to attain a replanting scheme that allows trees shown as removed in the revised drawing, to be compensated for. The degree of removal is now considered appropriate in this context allowing the layout submitted to be recommended as approved without further adjustment.

8.9 Initially County Highways raised issues with layout and driveway positions in relation to highway curvature close to the site access point; the latest site layout drawing resolves this, by adjusting driveways slightly to provide sufficient vision.

8.10 Some correspondents have raised the idea that site access to this phase should only be through the final entrance point rather than those existing currently. It is considered that this access certainly needs to be established before property is occupied but that material deliveries providing adhering to the construction management plan require no further conditioning.

9. CONCLUSION

9.1 Following detailed negotiations regarding highway and planting layouts the scheme has been finessed so as approval can be recommended.

10 RECOMMENDATION
Recommendation is for approval with conditions:

10.1. 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.
10.2. The development hereby permitted shall not be brought into use until it has been completed in all respects strictly in accordance with the submitted drawings received 16th June 2017 and amended site plan 6845.P2 SL03 revision E received 14th November 2017, for which permission is hereby granted or which are subsequently submitted to and approved in writing by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: To secure a properly planned development.

10.3. The strategy for the disposal of surface water (dated Sept 17, ref: 161208 CL-101 P4) and the Flood Risk Assessment (FRA) for the second phase of development shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained.

10.4. None of the existing trees or hedgerow on the North and East site boundaries) with the exception of the trees identified for removal on plan 6845.P2 SL03 shall be uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the local planning authority. Any trees or hedgerow removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season with trees and/or shrubs of a size and species which have previously been agreed in writing by the local planning authority.

Reason: To safeguard the visual amenity provided by the trees and hedgerows.

10.5. No development shall commence or any materials, plant or machinery be brought on to the site until, full details showing the position of fencing to protect all trees and hedgerow(s), shown to be retained on the approved plan, have been submitted to and approved in writing by the local planning authority. The protective fencing shall comply with BS.5837, and shown to be erected 1 metre beyond the canopy spread of the trees and hedgerow(s) unless otherwise agreed in writing by the local planning authority.

Reason: To protect the trees/hedgerow during the course of development in the interest of visual amenity.

10.6. No development shall commence until precise details of a scheme of hard landscape works, (which term shall include driveway construction, parking areas patios, hard surfaces etc, and other operations as appropriate), at a scale not less than 1:200 has been submitted to and approved in writing by the local planning authority.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

10.7. No development shall commence until precise details (including plant species, numbers, sizes and plant spacing/densities) of a scheme of landscape works (which term shall include tree and shrub planting, grass, earthworks and other operations as appropriate) at
a scale not less than 1:200 have been submitted to and approved in writing by the local planning authority

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

10.8. The approved tree/shrub planting scheme shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of 5 years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

10.9. Before the development is commenced details of the areas to be provided for storage of Refuse/Recycling bins shall be 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 for no other purpose.

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

BACKGROUND INFORMATION: See application ref: DC/17/2675/ARM at www.eastsuffolk.gov.uk/public-access

CONTACT Chris Green, Area Planning and Enforcement Officer, (01502) 523022, chris.green@eastsuffolk.gov.uk