

Committee Report

Committee Date: 26 April 2017

Item No: 2

Reference: B/16/00777

Case Officer: Gemma Pannell

Description of Development: Erection of 71 residential dwellings (including market and affordable homes), garages, parking, vehicular access (with Bull Lane), estate roads, public open space, play areas, landscaping, drainage and other infrastructure works.

Location: Land on the south side of, Bull Lane, Long Melford

Parish: Long Melford

Ward: Long Melford

Ward Member/s: Cllr R. Kemp and Cllr J. Nunn

Site Area: 3.1

Conservation Area: Not in Conservation Area

Listed Building: Not Listed

Received: 07/06/2016 06:02:35

Expiry Date: 16/02/2017

Application Type: Full Planning Application

Development Type: Major Dwellings

Environmental Impact Assessment:

Applicant: Hopkins Homes Limited

Agent: Bidwells LLP

DOCUMENTS SUBMITTED FOR CONSIDERATION

The application, plans and documents submitted by the Applicant can be viewed online. Alternatively, a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

SUMMARY

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Having regard to Section 38(6) of the Planning & Compulsory Purchase Act 2004 it is considered that the development is broadly in line with development plan policies in the round but that material considerations indicate a departure is appropriate in the circumstances. In particular the absence of 5 year housing land supply is now an important material consideration. The officers recommend approval of this application. The proposed development is considered to be sustainable development within all three identified strands such that there is a presumption in favour of this proposal, in accordance with the NPPF.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

- It is a “Major” application for: -
 - a residential development for 15 or more dwellings.

PART TWO – APPLICATION BACKGROUND

This section details history, policies, advice provided, other legalisation and events that form the background in terms of both material considerations and procedural background.

History

1. There is no planning history relevant to the application site.

Details of Previous Committee

2. The application was due to be considered by committee on 14 December, but was withdrawn from the agenda prior to consideration to enable the Council to consider its position following the outcome of the judicial review in East Bergholt. The original report is attached at Appendix A. This report should be read in conjunction with that.

PART THREE – ASSESSMENT OF APPLICATION

3. The assessment of this application is contained within the report attached at Appendix A. This report is supplementary to the report produced at Appendix A, and takes account of any changes since the writing of the original report. Both consultations and publicity as they presently stand are reported below and a verbal update will be given at your meeting.
4. Since 24 March, the application has been subject to a re-consultation with interested parties on an amended scheme to take into account the mix of dwellings identified within the local needs survey. The following responses have been received since the original report was written.

Consultations

5. Summary of consultations received in response to the re-consultation carried out 24 March 2017.

Suffolk Preservation Society

- Welcome the increase in small dwellings with fewer executive style homes.
- No attempt has been made to reduce the impact on listed buildings or to limit the extension of the suburban edge of the village into the countryside.
- Continues to raise strong objections to the scheme.

- Draws attention to the comments of the Council's Heritage team, that there is less than substantial harm but that the harm is at a level greater than slight or moderate.
- The applicant's rebuttal that the erosion of the rural setting of 24 Bull Lane by the creation of the new development to the west should be taken in the context of the Planning Practice Guidance which provides that the cumulative change to the setting of listed buildings should be taken into account and that a negative cumulative change could include severing the last link between an asset and its original setting.
- Urge that the application is resisted and a reduced scheme is sought.

County Councillor Richrd Kemp

- Objects on a number of grounds.
- The site is in the wrong area of the village. The road is already overloaded by traffic from the 600 plus houses that feed onto Bull Lane. What is needed is a new approach to all developments in Babergh, upgrade of the basic infrastructure.
- The site will cause an urban spread to the village and will reduce the historic value of this medieval village.
- The site will impact upon the small cluster of listed buildings in the Bull Lane Farm area.
- The needs survey conducted by the Developer is not consistent with the normal process, and is therefore flawed.
- Bull Lane bungalows have been flooded at least three times in the past ten years. I have personally been and visited properties at the time of flooding. Sorry all the experts in the world do not overcome plain factual evidence. This development would without doubt exacerbate these problems.
- Road dangers at both ends of Bull Lane. Nothing has been included to overcome the dangers of increased traffic to pedestrians (in particular) next to the Bull Hotel or the Bull Lane to Melford bypass junction, where there have been at least two fatal accidents in the past few years. Just to remind the experts if Chilton Woods is ever built it is estimated by "experts" that 40% of the traffic will use the Melford bypass.
- I know from being a resident in Long Melford, there are pressures on the local surgery and local school pupil numbers, no further pressure is required.
- In critical terms it is the wrong site, in the wrong place, with a totally inadequate infrastructure, and should be REFUSED.

Representations

6. A number of additional letters of objection have been received, which raise no new issues to that previously reported, as contained within the original report attached as Appendix A.

Main Considerations

7. Your development plan policies are rehearsed in the original report. It is notable that Long Melford has been designated as a Neighbourhood Area but as yet not Neighbourhood Plan is in place. The site is located outside the Settlement Boundary for Long Melford. Therefore, there is a high level policy presumption against development in such locations unless exceptional circumstances are present. The absence of a 5 year supply of housing land is itself an important consideration which must weigh in this respect. Moreover the applicant has indicated a commitment to deliver the scheme within the next 5 years with the applicant committing to a reduced 2 years deadline for commencement. Long Melford is identified as a Core Village in the Core Strategy where growth is expected to focus.

8. Paragraph 47 of the NPPF requires LPAs to identify a 5 year supply of specific deliverable housing sites. NPPF Paragraph 49 states that “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”.
9. Babergh District Council does not have this housing land supply at this time and as such the relevant policies set out above are not considered to be up to date. Indeed paragraph 14 of the NPPF states in this respect:

"For decision-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"

10. The NPPF requires that development be sustainable and that adverse impacts do not outweigh the benefits to be acceptable in principle. Officers note that it is the NPPF taken as a whole which is relevant to the determination in these circumstances.
11. Paragraph 7 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:

"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."

12. The proposal is to develop up to 71 new dwellings which would not only add to the supply of housing in the district but includes an element of affordable housing which would provide additional housing in that respect as well, such that the proposal can be considered to fall within the social dimension of sustainable development.
13. The application site is well connected in highway terms, connecting the village to the market town of Sudbury and the nearest bus stops are located less than 100m to the centre point of the site and the site is considered to have a good level of public transport accessibility.

14. Furthermore, with regards to the economic strand the proposal would provide a development of reasonable size to support the local economy both in terms of construction and in respect of residents using local services.
15. In the light of all of the above the proposal is considered to be sustainable development within all three identified strands such that there is a presumption in favour of this proposal, in accordance with the NPPF.

PART FOUR – CONCLUSION

Planning Balance

16. With reference to the treatment of the submitted applications, the Council embraces its statutory duties and responsibilities in relation to listed buildings, notably; Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Local Planning Authority to have “*special regard to the desirability of preserving [a] building or its setting or any features of special architectural or historic interest which it possesses*”. *The Conservation Area furthermore warrants statutory responsibilities under Section 72 to preserve or enhance that area.*
17. Following recent legal judgments and related *obiter dicta*, it is understood that whilst the assessment of likely harm to a designated heritage asset is a matter for its own planning judgement, the Local Planning Authority is required to give any such harm considerable importance and weight having regard to the NPPF.
18. In the determination of the application, consideration should be given to weighing whether the public benefits are sufficient to outweigh the less than substantial harm to the listed building at 24 Bull Lane. Consideration has been given to the potential for harm to the setting of Melford Hall and to the other heritage assets, including the Conservation Area, detailed in the original report. In this regard it is established that the supply of land for housing is a matter of potential public benefit which may be weighed in the determination.
19. The lack of a five year supply of housing land does not automatically lead to the grant of planning permission. In this case, the adverse impact of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework when taken as a whole.
20. Whilst any policies relevant to the supply of housing are considered to be not up to date, the proposal would nevertheless strictly be contrary to the development plan and this conflict should be weighed against other material considerations including the provisions of the Framework and paragraph 14 in particular.
21. Overall, the scheme would contribute to housing need, provide for localised benefits and scheme specific mitigation. In light of the Council’s lack of housing land supply it is considered that the public benefits outweigh the harm to the heritage assets which harm has been assessed as being less than substantial but greater than a low or moderate level.
22. Officers have therefore applied the balance required by paragraph 134 of the NPPF, having special regard to the desirability of preserving the setting of the listed building as required by section 66 of the Listed Buildings Act and given the harm considerable importance and weight. The outcome of this balancing exercise is that those public benefits in the supply of housing land to meet expected land supply as identified do outweigh the less than substantial harm, and may be given considerable importance and weight relative to that harm identified.

23. When taken as a whole and as a matter of planning judgement, the proposal is considered to adhere to the development plan and NPPF and therefore can be considered sustainable development. There is a presumption in favour of sustainable development. The application is therefore recommended for approval.

Statement Required By Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.

24. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
25. In this case the planning authority has worked with the applicant to ensure that the mix of dwellings better reflects the housing mix identified in the applicants housing need survey.

Identification of any Legal Implications of the decision

26. The application has been considered in respect of the current development plan policies and relevant planning legislation. Other legislation including the following have been considered in respect of the proposed development.
- Human Rights Act 1998
 - The Equalities Act 2012
 - Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
 - Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
 - The Conservation of Habitats and Species Regulations 2010
 - Localism Act
 - Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

RECOMMENDATION

- (1) That the Corporate Manager – Growth and Sustainable Planning be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990, on terms to his satisfaction to secure :
- Affordable Housing
 - Open Space
- (2) That, subject to the completion of the Planning Obligation referred to in Recommendation (1) to the satisfaction of the Corporate Manager – Growth and Sustainable Planning, he be authorised to grant planning permission subject to conditions including
- 1) Modified time limit condition – 2 years.
 - 2) Listing of approved plans
 - 3) Development shall be implemented in accordance with the approved sustainability statement
 - 4) Strategy for disposal of surface water and FRA shall be implemented as approved.
 - 5) Details of the Sustainable Urban Drainage System shall be submitted and approved (prior to 36th dwelling being occupied)
 - 6) Construction surface water management plan.
 - 7) Surface water drainage strategy
 - 8) Provision of fire hydrant
 - 9) Recommendations of the ecological survey reports to be implemented in full
 - 10) Soft Landscaping

- 11) Hard Landscaping
- 12) Details of External Lighting
- 13) Tree Protection
- 14) Archaeological Conditions
- 15) Protection measures outlined in the arboricultural report
- 16) Construction and Environmental Management Plan
- 17) No burning shall take place on site
- 18) Materials
- 19) Screen walls and fences to be submitted
- 20) Provision of residents travel packs
- 21) Estate roads details
- 22) Construction of carriageways and footways to Binder course prior to occupation of any dwellings.
- 23) Provision of visibility splays.
- 24) Parking and turning space to be provided and retained.
- 25) Delivery of off-site highway improvements, including;
 1. Upgrade the road markings at the Bull Lane / Hall Street junction and pinch point past the Bull Hotel
 2. A yellow box road marking to the Bull Lane / Cordell Road junction
 3. Installation of new signs promoting the pedestrian route to Hall Street via Cordell Road and Woollards Gardens.
 4. Installation of a westbound bus stop on the site frontage to include hardstanding, bus shelter and Real Time Passenger Information screen.
 5. Installation of an eastbound bus stop opposite the site to include a hardstanding and flag pole / timetable case.
 6. Installation of traffic calming measures to Bull Lane and adjustment of the existing traffic calming.
 7. Widening and resurfacing of Bull Lane on the site frontage to 5.5 metres minimum.

APPENDIX A

Item No: 1

Reference: B/16/00777/FUL

Parish: LONG MELFORD **Ward Members:** Cllrs R Kemp and J Nunn

Location: Land on the south side of, Bull Lane

Proposal: Erection of 71 residential dwellings (including market and affordable homes), garages, parking, vehicular access (with Bull Lane), estate roads, public open space, play areas, landscaping, drainage and other infrastructure works.

Applicant: Hopkins Homes Limited

Case Officer: Gemma Pannell **Date for Determination:** 08 September 2016

RECOMMENDATION: Refuse Planning Permission

This application is referred to Planning Committee as the proposal is of a scale that requires consideration by Members.

A Panel of Members inspected the site on 26th October 2016

THE SITE

1. The site comprises approximately 3 hectares of arable land to the east of the village of Long Melford, to the south of Bull Lane. The northern boundary of the site is defined by Bull Lane and six existing properties on Bull Lane that back on to the site. To the west are existing residential properties, where the site meets the current village settlement boundary and the disused railway line, now a Local Nature Reserve, forms the southern edge of the proposed site.
2. The site is outside of the defined Conservation Area, but there are a number of Listed Buildings within the vicinity of the site.

THE PROPOSAL

3. The application seeks full permission for the construction of 71 dwellings (including 46 market and 25 affordable homes) garages and parking. The vehicular access is to be constructed off of Bull Lane to serve the development.

4. The mix of houses is as set out in the table below:

| Size | Number |
|--------------|-----------------|
| 1 bed | 4 (16%) |
| 2 bed | 15 (60%) |
| 3 bed | 5 (20%) |
| 4 bed | 1 (4%) |
| Total | 25 (35%) |

| Private Size | Number |
|-------------------------|---------------|
| <i>2 bed</i> | 7 (15%) |
| <i>3 bed</i> | 26 (57%) |
| <i>4 bed</i> | 13 (28%) |
| Total | 46 (65%) |

- The application documents can be viewed on line via the planning pages on the District Council's website.

NATIONAL PLANNING POLICY FRAMEWORK

- The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law, and the NPPF, continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.
- The NPPF is supported by the Planning Practice Guidance (PPG), which assists applicants and decision makers to interpret the NPPF. Both the NPPF and PPG are referred to within this report where relevant to the assessment.

PLANNING POLICIES

- The Development Plan comprises the Babergh Core Strategy 2014 and saved policies in the Babergh Local Plan (Alteration No.2) adopted 2006. The following policies are applicable to the proposal:

Babergh Core Strategy 2014

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy
- CS3 Strategy for Growth and Development
- CS11 Strategy for Development for Core and Hinterland Villages
- CS15 Implementing Sustainable Development in Babergh
- CS18 Mix and Types of Dwellings
- CS16 Affordable Homes
- CS21 Infrastructure Provision

Babergh Local Plan (Alteration No.2) 2006

- HS31 Public Open Space (Sites of 1.5ha and above)
- CN01 Design Standards
- CN06 Listed Buildings – Alteration/Extensions/Change of use
- CN08 Development in or near conservation areas
- CN14 Historic Parks and Gardens of Special Historic Interest
- CR07 Landscaping Schemes
- TP15 Parking Standards – New Development

9. The relevant policies can be viewed on line. Please see the notes attached to the schedule.

CONSULTATIONS

10. The application has been subject to two rounds of consultation and therefore the comments summarised below are those received in connection with the latest plans received on 27th September except where consultees have made no further comments in relation to the revised plans:
11. **Long Melford Parish Council** – The application does not address concerns about road dangers, problems with junctions, flooding and wildlife issues. Object. Detailed objection attached at appendix A.
12. **County Highway Authority** – No objection subject to conditions
13. **County Archaeologist** – No objection subject to conditions
14. **Historic England** – The additional analysis helps to clarify the impact of the proposed development on Melford Park and the conservation area. This would cause a low level of harm to both of these designated heritage assets. Your authority should weight this harm against the public benefits of the proposal in line with paragraph 134 of the National Planning Policy Framework. If your authority is minded to grant consent, we recommend this is conditional upon the implementation and maintenance of an appropriate landscaping scheme approved by your authority and designed to minimise the impact of the development on the Park and conservation area.
15. **Anglian Water** – The foul drainage from this development is in the catchment of Long Melford Water Recycling Centre that will have available capacity for waste water flows. The sewerage system at present has available capacity for these flows. Anglian Water suggests a condition to deal with surface water disposal.
16. **Suffolk Fire and Rescue** – Recommend the installation of a fire hydrant (to be dealt with by condition).
17. **Suffolk Wildlife Trust**
18. **Original Comments** The revised layout fails to buffer the adjacent Long Melford Disused Railway Line County Wildlife Site (CWS) and the Railway Walks Local Nature Reserve (LNR). With the absence of a suitable buffer between the new dwellings and the CWS and LNR it cannot be concluded that the proposal will not result in adverse impacts on sites designated for their nature conservation value or the species that they support. It also remains unclear what form the garden boundaries will take and whether these will be compatible with maintaining the ecological value of the CWS/LNR. If some development at this location is acceptable in principle, the layout should be revised to include a significant buffer to the CWS/LNR. The application should not be approved in its current form.
19. **Further Comments** We have received additional information from the applicant's ecological consultant (Southern Ecological Solutions) following our comments of 12/07/2016 and 18/10/2016, and understand that comments on this additional information may be useful to you.

20. We note that the letter from Southern Ecological Solutions (dated 28/10/2016) includes mitigation measures proposed to address our comments. As currently presented, the proposed development has residential gardens adjoining the CWS/LNR. In our opinion the designated site should be buffered by public open space or additional landscaping. However, it is understood from the ecological consultant that this does not fit with the wider design proposals for the development and therefore the measures in the letter from Southern Ecological Solutions have been put forward to mitigate impacts on the CWS/LNR.
21. With regard to the measures described, we have the following comments:
- It is noted that the gardens are considered to be adequate to mitigate light spill from the development on to the CWS/LNR, to ensure this there should be no south facing lighting installed on any of the proposed buildings. Nor should there be any street lighting spilling on to the CWS/LNR.
 - We note that additional planting is proposed to reinforce the southern boundary. Any planting proposed on the southern boundary, which falls outside the development site, must be agreed with the site owner/manager in advance of anything being conditioned.
 - Whilst it is noted that the natural boundary line at the base of the embankment is proposed to form the edge of the development, it remains unclear what boundary treatment will be applied here and whether it is appropriate to secure the detail of this by condition (should consent be granted). It must be ensured that any boundary treatment proposed is compatible with the CWS/LNR (such as preventing direct access from gardens), including any further management requirements for the designated site.
22. **County Rights of Way Officer** – No objection
23. **Suffolk County Council – Landscape** – The proposal will create a significant change in land cover and clearly therefore in the character of the site. It will also change the outlook of users of the right of way that runs along the railway line (LNR). The proposal will also change the outlook of adjacent dwellings. Subject to effective implementation of a robust scheme of the detailed planting and landscaping as well as control of the proposed materials finishes and lighting by condition the proposal will not have significant adverse impact on the wider landscape. The proposal is acceptable in landscape terms subject to conditions requiring soft landscaping, hard landscaping, tree protection and external lighting details all to be submitted.
24. **Suffolk County Council – Development Contributions Manager:**
25. **Education:** The local catchment schools are Long Melford CEVCP and Ormiston Sudbury Academy. Based on existing capacities of these schools SCC will require contributions towards providing additional school places for the 18 primary age pupils arising, at a total cost of £219,258. There is existing capacity at Ormiston Sudbury Academy so we would not be seeking secondary school contributions.
26. **Pre-school Provision:** We would anticipate up to 7 pre-school pupils arising at a cost of £6,091 per place and there are no surplus places to accommodate children arising from this development. Therefore an early years contribution of £42,637 is sought.
27. **Libraries:** The capital contribution towards libraries arising from this scheme is £15,336 and will be spent on enhancing library services at Long Melford Library.
28. The above will form the basis of a future bid for CIL funds.
29. **Police Design Out Crime - Suffolk Constabulary** – No objection or comments.

30. **NHS England** – The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 163 residents and subsequently increase demand upon existing constrained services. The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the ‘presumption of sustainable development’ advocated in the NPPF provide appropriate levels of mitigation.
31. A development contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £22,360. NHS England therefore requests that this sum be secured through Community Infrastructure Levy.
32. **Suffolk County Council Flood & Water Team (inc Drainage)** – Suffolk County Council, can recommend approval of the application subject to conditions.
33. **Corporate Manager – Sustainable Development (Heritage)** - The Heritage Team considers that the proposal would cause harm to the significance of a number of designated heritage assets, with the greatest harm being to the setting and significance of 24 Bull Lane. Whilst the level of harm to all assets is less than substantial, and in some cases is assessed as being at a low or moderate level, in the specific case of 24 Bull Lane it is assessed as being less than substantial but greater than a low or moderate level.
34. The Heritage Team recommends that decision-takers should now make the balancing assessment of harm against public benefits, as required by NPPF 134. Unless the public benefits of the scheme are considered to be substantial, however, they will not outweigh the harm to heritage interests and the scheme should be refused as failing to meet the requirements of Babergh saved Local Plan policies CN06 and CN08 and national policy guidance contained in NPPF 131, 132 and 134. Decision-takers should also be mindful of the specific legal duties with regard to the settings of listed buildings set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
35. **Arboricultural Officer** – No objection to this proposal subject to it being undertaken in accordance with the protection measures outlined in the accompanying arboricultural report. Only a small section of remnant hedgerow is proposed for removal but this is of low quality and should not be considered a constraint. Appropriate new planting can be dealt with as a condition.
36. **Strategic Housing** – Provides detailed comments on the affordable and open market requirements. *These have been incorporated into the housing needs assessment of this report.*
37. 25 of the dwellings on the proposed development should be for affordable housing. 18 of these dwellings should be for Affordable Rent Tenancy and 7 for Shared Ownership.
38. **Public Realm/Open Space** – No comments received
39. **Corporate Manager – Sustainable Environment (Land Contamination Issues)** – No objection.
40. **Corporate Manager – Sustainable Environment (Sustainability Issues)** – No objection – subject to conditions

41. **Corporate Manager – Sustainable Environment (Other Issues)** – I have no objections in principle to this application. This is a large development and therefore there is a risk of loss of amenity at existing premises during the demolition and construction phases of the development. I would therefore suggest a construction and environmental management plan should be submitted and hours of work should be limited to 0800-1800 Mon – Fri and 0900 – 1300 on Saturdays.
42. I understand that a children’s play area is planned for the public open space area to the rear of the existing dwellings 20 – 24 Bull Lane. No detail is given in the Landscape Strategy as to what this play area will contain. I do have some concerns about the siting of play equipment at this location, given its proximity to the existing dwellings, and would recommend that any equipment installed should only appeal to very young children and not contain any noisy equipment (e.g. skate ramp, pitches/equipment for ball games etc). I would strongly advise that a condition be attached to any permission to the effect that no equipment shall be installed until full details have been submitted to, and approved by the LPA.
43. I would also suggest that further acoustic detail be obtained about the proposed substation which is in relatively close proximity to plot 14, and existing dwellings. Substations can be associated with noise, particularly low frequency noise which can result in loss of amenity.
44. Finally I would suggest that a condition be attached to any permission to the effect that prior to the commencement of the permitted development, a written scheme of the proposed lighting, including siting, height, design and position of luminaires, shall be submitted to and approved in writing by the local planning authority. Each luminaire must be aligned to ensure that the upper limit of the main beam does not exceed 70 degrees from its downward vertical. The submitted scheme shall include an isolux diagram showing the predicted luminance in the vertical plane (in lux) at critical locations on the boundary of the site and at adjacent properties. The lighting shall be implemented in accordance with the approved scheme and permanently maintained for the life of the approved development. No other form of lighting shall be implemented on the application site without the prior written approval of the local planning authority.
45. **National Trust** – The National Trust holds restrictive covenants over the entire site. The Trust considers that the original objection has not been overcome. There have been changes to the materials and some small changes to the landscaping, the fundamental concerns relating to the layout remain unaltered and the Trust remains of the view that the suburban form is inappropriate for the context. The Trust is of the view that this is a sensitive edge of settlement location and that the transition from open countryside into the village should be carefully treated, the current appearance is of a typical suburban layout and is inappropriate for this context. The Local Planning Authority should satisfy themselves that the settings of the nearby listed buildings is not compromised and also that the loss of the existing agricultural land is acceptable.

REPRESENTATIONS

46. In relation to the original application 23 representation(s) objecting to the application have been received and the comments are summarised as follows:
- Impact on traffic
 - No need for further development
 - Impact on existing infrastructure
 - Loss of wildlife
 - Impact on privacy
 - Development on greenfield land

- Loss of property values
 - Impact on character of Long Melford
 - Overlooking
 - Flooding
 - Impact on tourism
 - Highway safety
 - Not consistent with the orientation and layout of neighbouring development
 - Need for a roundabout onto the bypass
 - Overdevelopment
 - Agricultural land should be retained
47. Following the receipt of revised plans on 27th September 2016 (and a further period of consultation for 21 days) 157 representations objecting to the application have been received and the comments are summarised as follows:
- Traffic
 - Overdevelopment
 - Lack of employment opportunities
 - Impact on infrastructure
 - Impact on tourism
 - Overlooking
 - Impact on privacy
 - Flooding
 - Emergency Services won't be able to get through
 - Impact on wildlife/local nature reserve
 - Impact in character of area
 - Lack of parking
 - Loss of rural outlook
 - Existing problems with sewage/drainage
 - Visual impact
 - Impact on existing services (Doctors)
 - Brownfield sites should be a priority
48. Following the receipt of revised plans on 27th September 2016 (and a further period of consultation for 21 days) 4 representations supporting the application have been received and the comments are summarised as follows:
- There is a need for cheaper housing
 - The market needs more houses.
 - Currently a limited choice of new housing
 - Measures to reduce speed of traffic along Bull Lane should be considered. The existing traffic is not a reason to prevent much needed housing
 - Flooding of Bull Lane is only experienced during exceptionally heavy rainfall – there is no risk of new homes being subject to flooding
 - Provision of further employment opportunities as more residents therefore more businesses may be attracted to Hall Street
 - This is a modest extension to Sampson Drive development
 - Long Melford must take its share of development
49. Following the receipt of revised plans on 15th November 2016 (and a further period of consultation for 21 days, expiring on 8th December was undertaken) 10 representations objecting to the application have been received which raise issues similar to those previously outlined. Any representations raising any new issues will be updated through the addendum.

50. The following organisations and public representatives have made representations on the application and their comments are summarised as follows:

51. **Suffolk Preservation Society**

52. **Comments on original scheme** - Objects to the application which it considers will cause harm to the significance of heritage assets of national importance and will erode the rural context of this historic village and makes the following summarised comments:

- The 2016 SHLAA is not a development plan document or a supplementary planning document and therefore, particularly in this case, should be given limited weight in the assessment of planning applications.
- Disagrees with the assessment of harm to identified heritage assets
- Impact on edge of village landscape – suburbanisation of the countryside, eroding the historic setting of village.
- Local Policy – the Bull Lane site is an unsustainable location and contrary to Local policies CS11 and CS15.
- Development of this site will cause harm to the significance of listed buildings and strongly urge that the application in its current form is refused. However, if the lpa is minded to approve some development of this site we would urge that a reduced site is considered which would allow development of the western parcel of the site up to the Bull Lane cottages. A reduced scheme which omits the land behind the Bull Lane Cottages, including the listed number 24, and the land to the south of the Bull Lane Farmhouse could successfully minimise the impact on heritage and maintain a degree of rural context to the village.

53. **Comments on amendments of 27th September 2016** – Following a discussion of the additional information received and the comments made by Historic England, SPS continue to object to the proposal and urge the local authority to seek a substantially reduced scheme as previously outlined.

PLANNING CONSIDERATIONS

54. From an assessment of planning policies, public representations and other material considerations, it is appropriate to evaluate the following key aspects in relation to this development in a core village:

- Principle of Development
- Consideration against policy CS11 and SPD
- Connectivity and Highway safety
- Biodiversity and Protected Species
- Surface Water Drainage
- Planning Obligations and CIL
- Planning Balance

Principle of Development

55. The National Planning Policy Framework (NPPF) was published on 27th March 2012. It provides that the NPPF "does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise".

56. The NPPF also provides (para 187) that “Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”
57. Long Melford is defined as a core village under policy CS2, which states that core villages will act as the focus of development within their functional cluster. The cluster comprises Acton, Alpheton, Boxted, Cockfield, Great Waldingfield, Lawshall, Shimpling, Stanstead, *Borley, Foxearth and Liston (within Braintree District Council)*. The application site abuts the built up area boundary (buab) for Long Melford and therefore policy CS11, which provides greater flexibility for appropriate development beyond the buab for identified core villages, would apply.
58. Policy CS3 of the Core Strategy identifies 1050 homes for rural areas, this quantum of development is unallocated at present (in either district development plan documents or Neighbourhood Plans) so there is a reliance at present on windfall sites to deliver this growth.
59. Development in core villages will be approved where the criteria related to core villages in CS11 are addressed to the satisfaction of the local planning authority and where proposals score positively when assessed against policy CS15.

Consideration against policy CS11 and the adopted SPD

60. Policy CS2 (Settlement Pattern Policy) identifies Long Melford as Core Village, which will act as a focus for development within its functional cluster. Policy CS2 identifies the 10 larger rural villages, which form the centre or core of a ‘functional cluster’ of smaller settlements (see Core Strategy, paragraph 2.1.1.5).
61. Policy CS11 sets out the Local Plan 'Strategy for Development in Core and Hinterland Villages' and (so far as relevant) states that:
- "Proposals for development for Core Villages will be approved where proposals score positively when assessed against Policy CS15 and the following matters are addressed to the satisfaction of the local planning authority ... where relevant and appropriate to the scale and location of the proposal:*
1. *the landscape, environmental and heritage characteristics of the village;*
 2. *the locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets);*
 3. *site location and sequential approach to site selection;*
 4. *locally identified need - housing and employment, and specific local needs such as affordable housing;*
 5. *locally identified community needs; and*
 6. *cumulative impact of development in the area in respect of social, physical and environmental Impacts.*

7. The general purpose of Policy CS11 is to provide greater flexibility in the location of new housing development in the Core and Hinterland Villages. Considered together, Policy CS2 (Settlement Pattern Policy) and Policy CS3 (Strategy for Development and Growth) and Policy CS11 provide for a **minimum** of 1,050 dwellings to be delivered in Core and Hinterland Villages for the period between 2011 and 2031. Subject to specified criteria, Policy CS11 intentionally provides greater flexibility for appropriate development beyond the existing Built Up Area Boundaries (BUAB) for each Core Village, as identified in the 2006 Local Plan Saved Policies.
62. The accompanying 'Rural Development & Core Strategy Policy CS11 Supplementary Planning Document ("the SPD") was adopted by the Council on 8 August 2014. The Council produced the SPD to provide guidance on the interpretation and application of Policy CS11, acknowledging that the Site Allocations Document foreshadowed in Policy CS11 may not be prepared for some time. Although the SPD is not part of the statutory development plan, its preparation included a process of community consultation before it was adopted by the Council, means that it is a material consideration when planning applications are determined.
63. The proper interpretation of development plan policy is a matter of law and, in principle, policy statements should be interpreted objectively in accordance with the language used, read as always in its proper context; however, statements of policy should not be construed as if they were statutory or contractual provisions (see *Tesco Stores Ltd v Dundee City Council* [2012] UKSC 13).
64. Accordingly, the correct meaning of Policy CS11 requires an objective interpretation of the policy text considered in the context of relevant development plan policies and the wider context of national planning policy in force when the Core Strategy was adopted in February 2014. As the SPD was not adopted until August 2014, the proper interpretation of Policy CS11 cannot be influenced by the guidance within the SPD.
65. However, to the extent that it is consistent with the proper interpretation of Policy CS11, the planning guidance within the SPD will be relevant to the Council's application of Policy CS11 when determining planning applications. In this respect, under the subheading 'Scale of Proposal in Relation to Existing Settlement', paragraph 12 of the SPD states (so far as relevant) that:

"12. ... The size and scale of any proposal should be proportionate to the settlement in which it is located. Because each village is different it is not possible to prescribe standard proportions of development that would be acceptable. A judgment will need to be made on the basis of the size and character of the village, the services and facilities that are available and their capacity to accommodate further development

...Proposals for both core and hinterland villages will need to demonstrate that the development can be accommodated without adversely affecting the character of the village and that the services, facilities and infrastructure have the capacity to accommodate it or will be enhanced to accommodate it."
66. As it relates to proposals "*for development for Core Villages*", the matters to be addressed to the satisfaction of the local planning authority listed within Policy CS11 do not include the 'proportionality' of a proposal to the settlement in which it is located. As such, the guidance on the 'proportionality' of a proposal in paragraph 12 of the SPD is not directly relevant to the proper interpretation or application of Policy CS11. Put simply, Policy CS11 does not require the size and scale of a proposal for development for a core village to be proportionate to the settlement in which it is to be located.

67. The matters listed in Policy CS11, which proposals for development for Core Villages must address, are now considered in turn.

The landscape, environmental and heritage characteristics of the village

Impact on Landscape

68. The site is a narrow arable field on the edge of Long Melford to the north of the disused railway line on the edge of the valley of the Chad Brook. The site is on land that is within the Rolling Valley Farmlands landscape type. River valleys of this type are typically found across Suffolk to the South of the Gipping. (Suffolk LCA 2008/2011).
69. The applicant has provided a Landscape Appraisal sufficient to demonstrate the likely impacts of the proposal on the character of the landscape and local visual amenity.
70. The proposal will create a significant change in land cover and clearly therefore in the character of the site. It will also change the outlook of users of the right of way that runs along the railway Line Local Nature Reserve (LNR). The proposal will also change the outlook of adjacent dwellings. Subject to effective implementation of a robust scheme of the detailed planting and landscaping, as well as control of the proposed materials finishes and lighting by condition, the proposal will not have a significant adverse impact on the wider landscape.
71. The applicant has also provided an outline scheme of planting and landscaping with a palate of species which is broadly acceptable. It is considered that the planting details and species choices can be provided and refined as part of the discharge of condition stage.
72. The application site is not located within a designated area of landscape or ecological importance. To inform consideration of the impact of the proposal on the landscape the Council has sought specialist advice from Place Services (14.11.2016) which, whilst making specific recommendations, concluded that: ‘...for a development of this size which abuts the existing village boundary, the proposals have sort [...sought...] to mitigate its impact both through the layout, design approach and landscaping...Notwithstanding some other issues highlighted in terms of transport and heritage impact [...see below for further comments...], the proposals establish a layout which references the built context of Long Melford while seeking to mitigate its impact at the country edge and important gateway into the village.’
73. It is considered that subject to detailed conditions relating to the landscaping of the site, there is the opportunity to reasonably minimise the adverse impacts of the development on the character of the landscape and local visual amenity having particular regard for Policy CS15.

Impact on Heritage

74. In accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 local planning authorities must pay special regard to the desirability of preserving or enhancing the character or appearance of a conservation area when considering planning applications.

75. In addition Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 places a general duty upon local planning authorities which requires them to have special regard to the desirability of preserving listed buildings or their settings when considering whether to grant planning permission.
76. The Government's planning policies for Conserving and enhancing the historic environment are contained within Paragraphs 126 to 141 of the National Planning Policy Framework (NPPF). The NPPF defines the setting of a heritage asset as,
77. "The surroundings in which the heritage asset is experienced - Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance, or may be neutral"
78. In order to assist local authorities and other parties concerned with the implementation of historic environment policy and the assessment of setting issues Historic England have produced good practice advice notes. Advice Note 3 - The Setting of Heritage Assets (2015) sets out a staged approach to assist decision-making.

Impact on Listed Buildings

79. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that *'in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority.....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.
80. The following built heritages assets have been identified within the vicinity of the site and which may experience a level of impact as a result of the proposed development;
- Melford Hall (Grade I)
 - Melford Hall Registered Park and Garden (Grade II*)
 - Bull Lane Farm (Grade II Listed)
 - Barn and Outbuildings to Bull Lane Farmhouse (Grade II Listed)
 - 24 Bull Lane (Grade II Listed)
 - The Old Cottage (Grade II)
81. Historic England have assessed the impact of development on the Grade I and Grade II* listed building and undertaking an assessment of the impact of the proposed development on Melford Park and Melford Hall. It is considered that there would be no perception of the development from the upper floors of Melford Hall and, whilst there would be a perception of the development from certain viewpoints from within the park, these would be glimpsed views and, whilst there is some impact on the southern part of the park, this would only result in a low level of harm.
82. The Old Cottage lies to the north of Bull Lane and about 50m north-east of the north-east corner of the development site. It lies in a well-defined plot with open land around it. Its roadside position and the land to the side and behind it to the north are important parts of its setting. The land to the south of Bull Lane and west of Kings Lane makes a lesser contribution, however. The Old Cottage is not immediately opposite the development site, and the specific configuration of the landscape here suggests that, although the development site may be within its distant setting, this is not a part of the setting that makes any particular contribution to significance. It is considered therefore, that there is unlikely to be any harm to the significance of this particular asset.

83. Bull Lane Farm and the separately-listed barn to the west form a coherent historic farmstead group, in a prominent roadside position immediately to the north of Bull Lane, opposite the easternmost portion of the development site. The well-defined farmstead gives a sense of enclosure and separateness to both assets, but there is no doubt that the open land to either side, and especially that behind, which merges to the north with Melford Park and the eastern extension of the conservation area, also makes a very important contribution. In my view, however, as with other local assets, Bull Lane itself marks a division in the setting: the land to the south of it is a much lesser contributor to setting and significance. Given this, whilst there will be some harm to the significance of these two assets from the development, this will be at a low to moderate level.
84. The greatest impact of the development is likely to be on the setting of 24 Bull Lane. At present, this has a completely rural setting, one that belies its true location relatively close to Long Melford. Its roadside position is an important feature of its setting, but of similar importance is the isolated location of this house and its immediate (unlisted) neighbour: they form a distinctive group, in well-defined individual plots, but with a strong physical and visual relationship to the open countryside around them. The open land to the east of 24 Bull Lane, and particularly that behind it and its neighbour, provides a tranquil rural backdrop to the asset, which greatly enhances the appreciation and understanding of its significance as an isolated rural dwelling.
85. The proposed development seeks to embed this isolated group of buildings in a new suburban extension to Long Melford, and this disrupts the existing tranquil, open and rural setting of the asset. Of particular concern is the plan to develop immediately behind 24 Bull Lane, including the construction of a new access road running behind the existing plots and a number of new, two-storey dwellings. The visual intrusiveness and disruptive effect of this will be exacerbated by the slight rise in the existing ground level from north to south and the end result is likely to completely sever 24 Bull Lane from its existing rural context. In addition, development along the roadside to the east of 24 Bull Lane will further erode the open, rural character of the setting, leaving the listed building appearing as one amongst many roadside buildings, now completely absorbed into the built-up area of Long Melford.
86. For the reasons set out above, this proposal would cause harm to the significance of 24 Bull Lane as a designated heritage asset, the level of harm is assessed as less than substantial, but close to that level and certainly greater than a slight or moderate level of harm.

Impact on Conservation Areas

87. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states '*...In the exercise, with respect to any buildings or other land in a conservation area....special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'.
88. Long Melford Conservation Area is a heritage asset of high significance, with the significance deriving principally from the historic character of its medieval linear planform and the architectural value of the historic buildings contained within it. The Conservation Area derives significance from the spatial relationships of the elements contained within it, in terms of the sense of place these elements convey, and the provision of setting they provide for assets within the designated area. The site is located adjacent to the south eastern boundary of the Conservation Area which provides a small degree of rural character to the wider setting of the asset.

89. The Long Melford Conservation Area has a large eastward extension which includes Melford Park and the southern boundary of the conservation area lies immediately north of Bull Lane, along the line of the Chad Brook. At its closest, the Conservation Area is within about 70 m of the northern boundary of the development site and is therefore considered to be within the setting of this part of the Conservation Area. The existing undeveloped agricultural land north of Bull Lane is a significant feature of the conservation area's setting and makes an important contribution to significance; this lessens as one moves away south, however, and particularly as one crosses Bull Lane.
90. The land to the south of Bull Lane, including the development site, is considered to make only a minor contribution. Because of this the level of harm the proposal causes to the conservation area's significance as a designated heritage asset is considered relatively minor.

Impact on Archaeological Assets

91. The site lies in an area of archaeological potential, south of Melford Park, which is a registered parkland and to the west of Acton place, another former parkland. Multi period finds scatters have been located within the vicinity of the site, whose situation within the Stour Valley is topographically favourable location for occupation of all periods. Archaeological evaluation at this site has revealed a series of medieval features. As a result there is high potential for the discovery of further below ground heritage assets of archaeological importance within this area, and groundworks, associated with the development have the potential to damage or destroy any archaeological remains which exist. However, the county archaeologist is satisfied that the impact can be adequately mitigated by the imposition of conditions.

Conclusion (Impact on Heritage)

92. The NPPF, at paragraph 134, says that, where proposals lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Decision-takers should now make this balancing assessment of harm against public benefits. Unless the public benefits of the scheme are considered to be substantial, they will not outweigh the harm to heritage interests. Decision-takers should also be mindful of the specific legal duties with regard to the settings of listed buildings set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The balancing assessment follows at the end of this report.

The locational context of the village and the proposed development

93. This matter requires an assessment of the context in which the application site is located by reference to the village, its facilities and applicable planning designations.
94. Paragraph 10 of the SPD states that: "To be considered under CS11 proposals must be in or adjacent to a Core Village or a Hinterland Village. Proposals should be well related to the existing settlement. It is suggested that the starting point for assessing this is whether or not the site adjoins the Built Up Area Boundary (BUAB) of the village. Some sites, even though they adjoin a BUAB may not be well related to the village and a judgement will need to be made taking in account issues such as:

- Whether the proposal would constitute ribbon development on the edge of the village
- How the site is connected to the existing settlement, jobs, facilities and services including location of site access and availability of sustainable transport links
- The scale, character and density of the proposal in relation to the existing adjoining development
- Whether the proposal constituted a logical extension of the built up area of the village
- Whether the proposal is self-contained and has logical natural boundaries

95. The site abuts the BUAB and the adjoining railway walk which provides a natural physical boundary to the edge of the development. The site is a logical extension to the built up area boundary and the scale and character of development is commensurate with the neighbouring development of Sampson Drive.

Site location and sequential approach to site selection

96. The acceptability of the principle of development does not turn on whether or not the site is within the BUAB. In this case the site is outside but adjacent to the BUAB. However it adjoins the boundary and is considered to be reasonably well related and accessible by walking to the services and facilities of Long Melford.

97. The applicant has not undertaken an assessment to identify if there are any sequentially preferable sites. There are no sequentially preferable allocated sites within Long Melford.

98. The proposal is well connected to existing facilities within walking distance. The site abuts the settlement boundary and is one of the few remaining sites which are not designated by a Special Landscape Area or constrained by the historic Melford Walk, which abuts the south east boundary of the settlement.

Locally identified need - housing and employment, and specific local needs such as affordable housing

99. Members will be aware that the Planning Court will consider two claims for judicial review challenging the Council's decision to grant planning permission for development proposed for the Core Villages of Bildeston and East Bergholt. Both claims include grounds of challenge concerning the proper interpretation of Policy CS11; specifically, the meaning of "*locally identified need*" as one of the matters that a proposal for development for a Core Village must address to the satisfaction of the local planning authority.

100. The Council defends both claims for judicial review on the basis that the decisions to grant planning permission proceeded upon a proper interpretation of Policy CS11, as it relates to "*locally identified needs*" and a lawful application of relevant development plan policies, including Policy CS11, having regard to the particular facts and circumstances relevant to each decision.

101. The Council contends that "*locally identified needs*" must be construed having regard to Policy CS2 (Settlement Pattern Policy), Policy CS3 (Strategy for Growth and Development) and Policy CS11 (Strategy for Development for Core and Hinterland Villages), which require Core and Hinterland Villages to make a contribution towards meeting the District's housing needs. As stated above, these policies provide for a **minimum** of 1,050 dwellings to be delivered in Core and Hinterland Villages for the period between 2011 and 2031.

102. Paragraph 2.8.5.4 of the Core Strategy notes that the total requirement of 1,050 new dwellings to be accommodated in Core and Hinterland Villages should not be viewed as a sum simply to be divided equally or randomly between the number of villages listed. The approach to the distribution of new dwellings within Policy CS3 is to be driven by the function of the villages, their role in the community, and the capacity for a particular level of growth which will be guided by many factors and which will result in a different level of development being identified as "*appropriate*" in different settlements, even those within the same category. The approach will also provide for a degree of in-built flexibility within the catchment area.
103. The Core Villages are very varied and their needs and factors which influence what is an "*appropriate level of development*" will vary from village to village, especially where villages are situated within environmentally and visually sensitive landscapes, particularly the AONBs, and/or where villages include conservation areas and heritage assets. These landscapes and heritage assets will be key considerations when considering planning applications.
104. Without prejudice to the Council's defence to the two extant claims for judicial review, until such time as the Planning Court delivers judgment, it would be prudent for the Council to adopt a cautious approach to the determination of planning applications involving proposals for development for Core Villages. Accordingly, "*locally identified need*" or "*local need*" should be construed as the development to meet the needs of the Core Village identified in the application, namely Long Melford, and the functional cluster of smaller rural settlements which it serves.
105. It is important to note that this interpretation of Policy CS11 should not be misconstrued as a justification to restrict proposals for new development in and around Core Villages to meet the needs of that Core Village alone. The Core Strategy expressly contemplates that Core Villages will accommodate the majority of new housing development to meet the needs described in Policy CS3 as "*rural growth*", including the development needs of the "*functional cluster*" served by that Core Village. Where appropriate, the development needs of a wider catchment area may also be relevant, subject to the particular needs of local rural communities and significant constraints on development in nearby Core and Hinterland Villages (see Core Strategy, paragraph 2.8.5.4)
106. Policy CS11 allows flexibility for developments of appropriate scale and form to come forward for Core Villages. The Growth and Development Strategy therefore allows for some rural growth, which has been identified locally as important to sustain the existing rural settlement pattern and existing rural communities in the catchment area. The sequential approach of the Strategy for Growth and Development requires new development for "*rural growth*", first, to be directed to Core Villages, which are expected to accommodate new development in locations beyond existing BUAB, where appropriate.
107. In respect of affordable housing need, paragraph 2.8.5 of the Core Strategy advises that Policy CS11 will lead to greater flexibility in the provision of affordable housing, related to need which has to be considered more widely than just within the context of individual settlement but also the other villages within that cluster and in some cases adjoining clusters. This is consistent with the requirements of the NPPF that aim to ensure that the local plan meets the needs for affordable housing in the housing market area.

108. The SPD identifies that proposals should be accompanied by a statement that analyses the local housing needs of the Village and how they have been taken into account in the proposal. For the reasons explained, the local housing needs of the village must be construed as the needs of the village itself and the needs of the function cluster of smaller rural settlements it serves. In this case the Applicant has submitted a housing needs assessment.
109. The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, and also for older people who are already in the property owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.
110. The Council's Choice Based Lettings system currently has circa.1200 applicants registered for affordable housing in Babergh at July 2016. The Council's Choice Based Lettings system currently has 66 applicants registered for affordable housing, who are seeking accommodation in Long Melford, 22 of whom are aged over 55. This site is a S106 planning obligation site so the affordable housing provided will be to meet district wide need hence the 1200 applicants registered is the important number.
111. The development of the site will contribute towards the locally identified need for both affordable housing and market housing. Evidence of local housing need has been established by the applicants Housing Need Survey which identified that there is an estimated 1,091 households that would like to move to a new home in Long Melford over the next five years. The survey was also very clear that demand for homes in Long Melford outstrips supply, with a substantial demand for market housing in the study area, with an estimated 98 new market homes required each year in Long Melford and 171 in the surrounding villages, totalling 269 per annum across the study area.
112. The survey also identified there is a requirement for 24 affordable homes per year in Long Melford and an additional 35 affordable homes per year in the surrounding villages, totalling 59 per annum across the study area if these homes should be affordable (made available for shared ownership or rent).
113. The survey showed that households in Long Melford are less likely to be unable to afford market housing than households in the Surrounding Villages. The data indicates that 68.2% of lone parent households in the study area would be unable to afford market housing (if they were to move home now). Other households are also relatively unlikely to be able to afford. Households that contain two or more pensioners are most likely to be able to afford market housing in the study area.
114. Almost a third (30.8%) of households headed by someone employed in the study area would be unable to afford market housing locally (if they were to move now) compared to only 14.0% of households headed by someone employed outside of the study area.
115. Of the schemes with planning permission in Long Melford, Orchard Brook provided no on-site affordable housing and the scheme in Ropers Lane provides the affordable housing (27 units) in the form of 24 flats and 3 houses, so the offer from Hopkins Homes provides dwelling types that will not be provided in the quantity required on the other sites and will help meet the range of housing need that exists.

116. There is strong demand for one and two bedroom flats/apartments and houses. Developers should consider flats/apartments that are well specified with good size rooms to encourage downsizing amongst older people, provided these are in the right location for easy access to facilities. Older people have also expressed their desire for chalet bungalows of one and a half storeys. There is also a demand for smaller terraced and semi-detached houses suitable for all age groups. This application proposes 11 x 4 beds which is 24% of the open market provision. The SHMA 2012 recommends that only 6% of all new supply should be in the form of 4 bedroomed accommodation.
117. In this application there are 7 x 2 bed open market homes proposed, only 2 are bungalows, which is disappointing considering the age profile for Long Melford and the surrounding villages where 26.8% of the population are aged over 65. This compares to the average for Babergh which is 21.4%.
118. The mix of affordable dwellings has also taken account of other schemes that have recently been approved in Long Melford, namely B/15/01043 Former Fleetwood Caravans Ltd, Hall Street, Long Melford and B/15/00180 Land north of Ropers Lane, Rodbridge Hill, Long Melford. There are no affordable units on the former Fleetwood Caravan site.
119. There is a need for housing across all tenures and all dwelling types. The shortages in Long Melford and its cluster are for smaller dwellings for younger first time buyers and for those older households that wish to downsize from larger, older less manageable properties. The overall benefits of the proposal would mean that 35% (25 dwellings) of the development would deliver much needed affordable housing which is of considerable public benefit enabling those on lower incomes to buy into shared ownership or to apply for the rented units that will help the local economy by accommodating those households on lower incomes. The open market mix is not exactly what we would have liked to see but has provided a reasonable mix of dwelling types for sale and compliments the overall potential delivery of new housing in Long Melford when considered in the context of what has been granted permission recently.

Locally Identified Community Needs

120. Policy CS11 requires a similar approach to the determination of proposals for development to meet locally identified community needs, recognising the role of Core Villages and the *"functional clusters"* they serve. Paragraph 2.8.5.2 of the Core Strategy notes that the *"approach advocated for the management of growth in Core Villages and their hinterlands, has many benefits for the communities"*. The benefits that the application of Policy CS11 and other relevant policies should secure include *"Flexibility in the provision of and location of facilities" ... "to reflect a catchment area pattern which relates to the day to day practice of the people living in the villages"* (see item iii) in paragraph 2.8.5.2).
121. The SPD identifies that proposals should be accompanied by a statement that analyses the community needs of the Village and how they have been taken into account in the proposal. In this case the applicant has not submitted a community needs assessment. The proposed development will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities.
122. It does not appear that the applicant has identified any specific community needs that could benefit from the development.

Cumulative impact of development in the area in respect of social, physical and environmental impacts

123. The SPD identifies, at paragraph 13, that *"cumulative impact should include existing commitments and other proposals in the same village and existing commitments and other proposals in the cluster where they are likely to have a wider impact for example in terms of traffic generation, capacity of schools and health services. The impact on other neighbouring villages and neighbouring local authority areas should also be taken into account"*.
 124. In terms of existing commitments and other proposals in the relevant cluster¹, as defined in Map 4 of the Core Strategy, which are considered likely to have a wider impact for example in terms of traffic generation, capacity of schools and health services, the table at Appendix A shows applications which have been either delivered or have planning permission within the cluster, which looks at data from a date 3 years from the date the report was run.
 125. In the functional cluster of Long Melford, there have been 175 dwellings approved, with 137 of these being within Long Melford itself and the remainder split between Acton (7), Cockfield (14), Lawshall (4), Great Waldingfield (2) and Shimpling (5) and Stanstead (6).
 126. Other development already consented in the village includes 77 homes north of Ropers Lane, Rodbridge Hill (which is at the other end of the village) and 44 homes on the former Fleetwood Caravan Factory site which is centrally located. The proposed development will represent a 59% increase on those dwellings already committed within the village.
 127. For clarification details of the number and level of housing completions are set out in the following tables. In Long Melford 26 planning applications were approved between 2011 & 2015 which provided for 154 dwellings; 128 of which were granted 2015/16.
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128. **Approved Planning Applications and related number of dwellings**

| Long Melford Functional Cluster | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 up to 29/11/2016 | Planning applications approved 2011 to 2015 |
|--|----------------|----------------|----------------|----------------|----------------|---------------------------------|--|
| Acton | 1 | 4 | 1 | 1 | 1 | 3 | 11 |
| Alpheton | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Boxted | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cockfield | 0 | 0 | 1 | 2 | 2 | 8 | 13 |
| Great Waldingfield | 0 | 1 | 1 | 0 | 2 | 2 | 6 |
| Lawshall | 2 | 2 | 0 | 1 | 1 | 0 | 6 |
| Long Melford | 2 | 4 | 2 | 7 | 7 | 4 | 26 |
| Shimpling | 0 | 0 | 0 | 1 | 1 | 1 | 3 |
| Stanstead | 0 | 1 | 2 | 1 | 2 | 2 | 8 |
| Long Melford Functional Cluster | 5 | 12 | 7 | 13 | 16 | 20 | 73 |

| Long Melford Functional Cluster | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 up to 29/11/2016 | Number of dwellings per planning application approved 2011 to 2015 |
|--|----------------|----------------|----------------|----------------|----------------|---------------------------------|---|
| Acton | 1 | 4 | 2 | 1 | 2 | 7 | 17 |
| Alpheton | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Boxted | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Cockfield | 0 | 0 | 1 | 2 | 4 | 13 | 20 |
| Great Waldingfield | 0 | 1 | 1 | 0 | 2 | 2 | 6 |
| Lawshall | 2 | 2 | 0 | 2 | 1 | 0 | 7 |
| Long Melford | 3 | 8 | 3 | 9 | 128 | 3 | 154 |

| Long Melford Functional Cluster | 2011/12 | 2012/13 | 2013/14 | 2014/15 | 2015/16 | 2016/17 up to 29/11/2016 | Number of dwellings per planning application approved 2011 to 2015 |
|--|----------------|----------------|----------------|----------------|----------------|---------------------------------|---|
| Shimpling | 0 | 0 | 0 | 1 | 1 | 2 | 4 |
| Stanstead | 0 | 1 | 2 | 1 | 2 | 2 | 8 |
| Long Melford Functional Cluster | 6 | 16 | 9 | 16 | 140 | 29 | 216 |

129. The technical advice received from highways, Anglian Water and the lead flood officer demonstrate that the development can be accommodated within the village and that the services, facilities and infrastructure have the capacity to accommodate the level of development proposed.
130. It is therefore considered that given the responses from statutory consultees and the scale of development proposed, the cumulative impact of the development will be easily accommodated within the existing infrastructure of the village and will not lead to a detrimental impact on the social, physical and environmental wellbeing of the village nor the wider cluster on the basis that the level of growth proposed remains similar to that already experienced in the cluster over the last five years.

Connectivity and Highway Safety

131. The development abuts the existing village boundary and although not within 400m, (5min walking distance of the village centre) provides opportunities to create new pedestrian links to the key services and facilities. Opportunities for pedestrian connections are limited and the proposals have provided a connection into the existing pavement on Bull Lane. Bus stops are located immediately adjacent to the development and have been incorporated into the highway proposals. With close access to bus stops and the provision of a connecting pavement into the village, the development proposals have utilised all of the available connection attributes of the site.
132. Bull Lane connects Long Melford with the A134 bypass to the east of the site, whereby it connects via a staggered cross roads junction as Bull Lane continues across the A134 towards Acton. At the other end of Bull Lane, the road narrows due to the proximity of listed buildings at the junction with the High Street.
133. Concern has been raised about the increased traffic generated by this development and the impact on the road network and in particular the junction onto the High Street from Bull Lane. The details of the application have been reviewed by the County Highway Authority who are satisfied that the development would not result in harm to highway safety.

134. The County Highway assessment regarding traffic is based on evidence provided by the applicants transport consultants. There was a Transport Assessment dated 31/05/2016 and a subsequent letter/report dated 25/08/2016 addressed to Hopkins Homes. This was further research in response to the initial comments of the Highway Authority.
135. The initial transport assessment measured actual vehicle flows and speeds on Bull Lane in September 2015. A significant amount of vehicle speeds near the site access were measured above the 30mph limit hence the proposal for traffic calming measures to help reduce speeds along the site frontage. The existing traffic flows on Bull Lane are well below the theoretical capacity a road of this nature can accommodate. The additional flows likely from the development are predicted from traffic flow databases and will not significantly affect the capacity of either Bull Lane or its junctions. Using industry standard computer modelling the flows are factored up to the year 2020 and they are still well within capacity.
136. In terms of Bull Lane/Hall Street there is no scope for further improvements due to existing buildings. The pedestrian route to the village centre will have enhanced signing to encourage use of the Woollards Gardens route.
137. Essentially it was demonstrated that the development will not have a severe impact on the highway network, with the inclusion of mitigation measures to assist speed reduction, improve public transport infrastructure and to enhance alternative pedestrian routes to the village amenities.

Design and Layout

138. The scheme equates to approximately 23 dwellings per hectare which is considered to reflect the existing density and characteristics of the locality.
139. The development encompasses a strong built frontage along Bull Lane which is set behind a linear green space which incorporates a footpath link to the existing residential development. The development site itself benefits from being surrounded by mature tree planting (to the east and south) which helps to reduce the impact of the development onto the wider environment. The setback built frontage from Bull Lane helps to reduce the impact the development will have onto Bull Lane, allowing opportunities for tree planting and screening landscape.
140. A number of built forms are included within the proposals with a mix of single storey, one and half storey and two storey dwellings and garages, which will create a varied typology reflecting the character and topography of the site. Single storey dwellings are located on the western and eastern boundaries of the development to address any potential loss of privacy or private amenity currently enjoyed by existing properties in these locations.
141. The proposed layout has been designed around a central minor access spine road which serves the entire site. At each end of the minor access road, private drives provide access to smaller pockets of single storey dwellings. The minor access road has been designed in a series of curves to help provide both a speed restraint to vehicle movement and variety to the development layout.

142. The proposed layout has been amended to reflect feedback and comments regarding the impact on the adjacent listed building that the development will surround. In terms of urban design, the layout has attempted to mitigate this impact by both setting the building line further back into the site and reducing the proposed development to the rear of the existing dwellings.
143. Inevitably, the proposed development will have an effect of the visual setting of the listed building which will now become part of a large development rather than an isolated dwelling. The mitigation applied to reduce and limit this impact will lessen the overall visual impact to some degree but the overall context of the site will fundamentally change.
144. The general approach to elevations throughout the proposed development has been aimed to respond to the local vernacular, taking design cues from the positive context of Long Melford.
145. The proposed mix of materials and finishes provide enough variety without becoming too contrived in appearance, especially along Bull Lane itself. The proposed range of house typologies is suitable and suitably reflects the proposed development mix, size and tenure.
146. The development includes three areas of open space, a large area at the centre of the site, a focal open space at the end of the north south entrance road into the site from Bull Lane and a large open space to the eastern end of the development at the culmination of the spine access road.
147. For a development of this size which abuts the existing village boundary, the proposals have sought to mitigate its impact both through the layout, design approach and landscaping.

Biodiversity and Protected Species

148. In assessing this application due regard has been given to the provisions of the Natural Environment and Rural Communities Act, 2006, in so far as it is applicable to the proposal and the provisions of Conservation of Habitats and Species Regulations, 2010 in relation to protected species.
149. An extended Phase I habitat survey has been undertaken and has established that the majority of the site is likely to be of low biodiversity value, however field boundary hedgerow habitats on site are known to be of value to several protected species, as well as being of general biodiversity value themselves.
150. The southern hedgerow is part of the Long Melford Walk Local Nature Reserve (LNR)/County Wildlife Site (CWS). Phase 2 surveys have been undertaken which include Bat Activity Surveys, Reptile Surveys, Badger Surveys, invertebrate walkover; and BAP/NERC Act mammals. The Phase 2 Surveys have found six species of bats were recorded foraging around the boundaries and commuting across the site. A small population of slow worms were found using the southern western area of grassland.
151. In view of these findings, the proposed scheme has adopted a number of mitigation and enhancement recommendations which ensure that there will be no predicted significant adverse impacts from the development upon identified ecological receptors.

Surface Water Drainage

152. Policy CS15 requires development to minimise the exposure of people and property to all sources of flooding and to minimise surface water run-off and incorporate sustainable drainage systems (SUDS), where appropriate.
153. Permeability testing has been undertaken which demonstrates that the underlying geology is of insufficient permeability to utilise soakaways to discharge surface water run-off from the site and therefore it is proposed to discharge surface water run-off to the existing Anglian Water sewer, located adjacent to the roundabout for Bull Lane and Sampson Drive.
154. The applicant has provided evidence of a viable surface water drainage strategy for the proposed development and has therefore complied with the requirements of both policy CS15 and the NPPF.

Environmental Issues (Land Contamination, Ecology)

155. A phase 1 investigation report has been submitted with the application and this highlighted some potential isolated pockets of made ground on site which may contain contaminative material – the applicant has since undertaken an additional investigation and this determined that the risk posed was sufficiently low to not require additional works and therefore the Senior Environmental Management Officer has raised no objection to the proposed development. A note will be imposed on any permission to advise the developer the Local Authority should be informed if any inspected ground conditions are encountered during construction.

Planning Obligations and CIL

156. The application is liable to CIL and therefore Suffolk County Council have outlined the monies that they would be making a bid for to mitigate the impact of the development on education and libraries.
157. The application, if approved, would require the completion of a S106 agreement to secure the required number of affordable dwellings as set out previously in the report.
158. In accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured by way of a planning obligation deed are (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development

Crime and Disorder

159. Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

Public Benefits vs Harm

160. In consequence of the Council's heritage assessment, the NPPF (para 14, footnote 9 and paragraph 134) and the statutory duty imposed by section 66(1) of the Listed Buildings Act are to be taken into account in the consideration of the policy context.
161. As set out in the judgement on Forest of Dean Council & the Secretary of State for Local Government v Gladmen Developments Limited (2016) EWHC 421 (Admin) and at the Court of Appeal in its decision on Barnwell Manor Wind Energy Ltd v East Northants DC [2014] EWCA Civ. 137 when an authority finds that a proposed development would harm the setting of a listed building or the character and appearance of a conservation area, it must give that harm considerable importance and that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted.
162. The presumption in favour of sustainable development which is set out in Para 14 of the NPPF, accordingly does not apply as a result of the identified heritage impact.
163. The NPPF (para. 134) sets out that 'where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing optimal viable use.' The applicant submitted a letter dated 28.11.16 which identifies the public benefits which the applicant considers the scheme would provide. The public benefits set out by the applicant are summarised below and where relevant to the policy considerations further comment is provided.
- A contribution to housing needs with a mix of house types (including bungalows) and policy compliant affordable tenures (25 units or 35%).
164. Further to the applicants comment that 'other development commitments in the village, either do not provide any affordable housing, or is of a mix which does not reflect local need' other major applications approved in Cluster Long Melford in the 5 year period include:
- B/15/01043/FUL - Former Fleetwood Caravan Site, Hall Street, Long Melford - 23/03/2016 – 44 dwellings, including 13 sheltered units.
 - B/15/00180/OUT - Land North of Ropers Lane, Long Melford – 12/02/2016 - 77 dwellings including 27 affordable housing units
 - B/07/01211/FUL - Folly Road (Land off) (B/11/0402/FUL also refers), Great Waldingfield - 23/11/2010 – 93 Dwellings including 32 affordable housing (Completed).
 - B/07/01918/FUL - List House Works, Hall Street - 07/03/2008 - 12 dwellings with 0 affordable housing (Completed).
165. In 2015/16 128 units have been permitted in Long Melford (which has included provision of affordable and sheltered accommodation). This proposal would contribute further to meeting market and affordable housing need and further information on this is provided in the comments of the Strategic Housing Officer.

- On-site delivery, subject to approval by the end of 2016, could commence on site as early as May 2017, with first homes being available for occupation by early 2018, with completion of the entire site by mid-2020. Therefore 100% of this site can be delivered within a five-year period from consent, and for this reason will help assist the Council's five-year housing land supply.

166. For clarification the Council currently has a 5 year supply position of 5.7 years. As of April 2016 outstanding completions in the Parish of Long Melford are 143 dwellings (128 of which were permitted 2015/16) and in the wider Long Melford Cluster 162 dwellings.

167. Further details of completion rates in the locality are set out in the following table:

| Long Melford Functional Cluster | Census 2001 | Change 2001-2011 | Census 2011* | Comp 11 - 12 | Comp 12 - 13 | Comp 13 - 14 | Comp 14 - 15 | Comp 15-16 | 2016 | difference in stock 2011 to 2015 | additional houses 2011 to 2015 |
|--|--------------|------------------|--------------|--------------|--------------|--------------|--------------|------------|--------------|----------------------------------|--------------------------------|
| Acton | 737 | 40 | 777 | 0 | 1 | 3 | 2 | 0 | 783 | 1 | 46 |
| Alpheton | 99 | 5 | 104 | 0 | 0 | 0 | 0 | 0 | 104 | 0 | 5 |
| Boxted | 50 | 2 | 52 | | | | 0 | 0 | 52 | 0 | 2 |
| Cockfield | 362 | 34 | 396 | | 3 | 2 | 1 | 1 | 403 | 2 | 41 |
| Great Waldingfield | 611 | 11 | 622 | 28 | 46 | 8 | 12 | 2 | 718 | 15 | 107 |
| Lawshall | 377 | 19 | 396 | 1 | | 2 | 1 | 3 | 403 | 2 | 26 |
| Long Melford | 1,646 | 104 | 1,750 | 8 | 5 | 6 | 3 | 4 | 1,776 | 1 | 130 |
| Shimpling | 168 | 22 | 190 | | | | 0 | 0 | 190 | 0 | 22 |
| Stanstead | 131 | 19 | 150 | | | 1 | 0 | 1 | 152 | 1 | 21 |
| Long Melford Functional Cluster | 4,181 | 256 | 4,437 | 37 | 55 | 22 | 19 | 11 | 4,581 | 3 | 400 |

- Contribution of approximately £649,060.00 Community Infrastructure Levy with 15% of this (circa £97,359) allocated to Long Melford Parish Council to finance Parish Council community initiatives and New Homes Bonus Payments to Babergh District Council of £640,000.

168. Of the contributions from CIL the following is required in order to mitigate impact of the proposal:

- Health - £22,360
- Education – £219,258 & pre-school contributions of £42,637
- Libraries - £15,336

169. This leaves a residual of £252,110 and £97,359 directly to the Parish Council.

- The site layout provides a well-designed new neighbourhood which takes account of its context and integrates well with it; and will result in the existing landscape structure being enhanced, with the provision of public open space within the development site in accordance with the Council's standards

170. Notwithstanding the impact on designated heritage assets, the advice provided by Place Services generally agrees with this view. With regard to the impact of the scheme's design and layout on the listed building the advice from Place Services notes that ...'inevitably, the proposed development will have an effect on the visual setting of the listed building which will now become part of a large development rather than an isolated dwelling. The mitigation applied to reduce and limit this impact will lessen the overall visually impact to some degree but the overall context of the site will fundamentally change
- The development will be afforded good connectivity and accessibility to nearby facilities, including enhanced connectivity for the public to the Long Melford Railway Walk'.
171. The submitted plans include 'informal' linkages to the railway walk however there is a lack of clarity on status of access points and whether they would be considered for wider community use and therefore a public benefit.
- Traffic calming measures to Bull Lane, a comprehensive scheme of off-site highway improvements, including new bus stop provision and enhanced pedestrian footway links to village centre. Further they have identified that the traffic associated with the development has not been highlighted to have a significant effect upon the operation of the local highway network.
172. The details of the application have been reviewed by the County Highway Authority who are satisfied that the development would not result in harm to highway safety subject to off-site highway improvements works being undertaken. The extent of any public benefit arising from the off-site works, over and above scheme mitigation, has not been subject to assessment.
- No significant concerns in respect of biodiversity, arboriculture, landscape and visual perception, contamination, archaeology, flood risk or drainage.'
 - Renewable energy and low carbon technologies are proposed for the site, which will provide a combination of approaches which exceed Building Regulations and Policy requirements to increase the sustainability of the proposals;
 - The proposal would provide and retain local employment in construction and in the related supply chain via a local developer based in Suffolk.
173. These views are noted however the extent of what is greater public benefit rather than simply scheme mitigation would need to be considered fully.
174. In the determination of the application consideration should be given to weighing whether the public benefits are sufficient to justify the presumption against harm to the listed building at 24 Bull Lane.
175. The authority currently has a positive 5 year land supply position and as a result of the identified impact on the designated heritage asset the presumption in favour of sustainable development does not apply. Therefore in accordance with the NPPF, para 134 the determination of the application should consider whether the harm to the heritage asset is outweighed by the public benefits derived from the proposal.

176. Overall, whilst the scheme would contribute to housing need and provide for localised benefits and scheme specific mitigation, on balance it is not considered that the public benefits are considered to outweigh the harm to the heritage asset which is assessed as being less than substantial but greater than a low or moderate level.
177. Officers have therefore applied the balance required by paragraph 134 of the NPPF, having special regard to the desirability of preserving the setting of the listed building as required by section 66 of the Listed Buildings Act and given the harm considerable importance and weight. The outcome of this balancing exercise is that those public benefits identified do not outweigh the less than substantial harm, having given considerable importance and weight to that harm identified.

RECOMMENDATION

That planning permission be refused for the reasons including:-

- (1) The proposed development comprises the erection of 71 residential dwellings and associated development outside of the housing settlement boundary for Long Melford. The greatest impact of the development is likely to be on the setting of 24 Bull Lane. At present, this has a rural setting, one that belies its true location relatively close to Long Melford. Its roadside position is an important feature of its setting, but of similar importance is the isolated location of this house and its immediate (unlisted) neighbour: they form a distinctive group, in well-defined individual plots, but with a strong physical and visual relationship to the open countryside around them. The open land to the east of 24 Bull Lane, and particularly that behind it and its neighbour, provides a tranquil rural backdrop to the asset, which greatly enhances the appreciation and understanding of its significance as an isolated rural dwelling.
- (2) The proposed development seeks to embed this isolated group of buildings in a new suburban extension to Long Melford, and this disrupts the existing tranquil, open and rural setting of the asset. The proposal will result in development immediately behind 24 Bull Lane, including the construction of a new access road running behind the existing plots and a number of new, two-storey dwellings. The visual intrusiveness and disruptive effect of this will be exacerbated by the slight rise in the existing ground level from north to south and the end result is likely to completely sever 24 Bull Lane from its existing rural context. In addition, development along the roadside to the east of 24 Bull Lane will further erode the open, rural character of the setting, leaving the listed building appearing as one amongst many roadside buildings, now absorbed into the built-up area of Long Melford.
- (3) For the reasons set out above, this proposal would cause harm to the significance of 24 Bull Lane as a designated heritage asset, the level of harm is assessed as less than substantial, but close to that level and certainly greater than a slight or moderate level of harm, contrary to policies CR01, CR06, CS11 and CS15 of the Babergh Local Plan, Core Strategy & Saved Policies.

- (4) The development of the site whilst the scheme would contribute to housing need and provide for localised benefits and scheme specific mitigation, on balance it is not considered that the public benefits outweigh the harm to the heritage asset which is assessed as being less than substantial but greater than a low or moderate level. The proposal is therefore not found to represent sustainable development and is therefore refused in accordance with paragraph 134 of the NPPF.

Long Melford Parish Council

Gemma Pannell, Planning Department
Babergh District Council
Council Offices
Corks Lane
Hadleigh
IP7 6SJ

16 October 2016

Dear Ms Pannell

PROPOSED DEVELOPMENT IN BULL LANE, LONG MELFORD B/16/00777

The Long Melford Parish Council objects to the revised plans for the above proposed development on the grounds listed below and in the attached document.

1) Overdevelopment of Long Melford with 121 homes already approved to be built in two other major developments. Even without the 72 in Bull Lane, the rate of housebuilding is in excess of that envisaged by Babergh's Core Strategy

The proposed development does not comply with Babergh's own Core Strategy policies

Long Melford is classified as a Core Village and Policy CS11 says "Proposals for development for Core Villages will be approved where proposals score positively when assessed against Policy CS15". We have carried out these assessments (the applicant has not) and it is clear that the proposed development fails to score positively in 18 of the 21 criteria set out in CS15.

The development is not necessary to meet the Babergh Core Strategy overall housing requirements

Long Melford's share of overall new housing required under the Core Strategy is well on the way to being met for the plan period (2011-2031) with over 13 years of the period still to go. Other sites within the built up village boundary (or well related to it) rather than on agricultural land could easily make up the requirements.

Some of the applicant's submitted documents are seriously flawed and therefore should not be relied upon. For example:

Housing Needs Study misleading This study is analysed in Appendix 2 of the attached document and is based on flawed methodology.

– the study is based not on published statistics (as Government guidance recommends) but on a survey conducted on behalf of the applicant. This survey had a low response rate of around 12.6% (compare that with the response rate of over 77% when Long Melford produced its Parish Plan in 2006). This is a small self-selected sample and likely to be made up mainly of people who did have housing needs and were therefore motivated to respond.

Taking the study's conclusion of the need for 122 dwellings a year in the area of Long Melford, that would mean a total of 1647 homes over the remaining 13.5 year period of Babergh's Core Strategy. This figure is 28% of the total 5974 additional dwellings envisaged for the whole of Babergh District in the 20-year period covered by the Core Strategy. Moreover, it would double the size of Long Melford over the period. The applicants study is not an adequate justification for the proposed development.

2) Substantial extra traffic in Bull Lane and at the dangerous junctions with the bypass and Hall Street where accidents have occurred (and which Suffolk Highways is also concerned about) with no suggested measures to make the junctions safer or slow down Bull Lane traffic

The applicants Transport Assessment is incomplete with basic mistakes

– the Transport Assessment mentions only one accident in Bull Lane and it only assesses one junction: the proposed access to the scheme. It makes no assessment of the dangerous junctions between Bull Lane and the A134 / Long Melford bypass and between Bull Lane and Hall Street / Cordell Road, where there have been several accidents in the last three years and many more (including two deaths) before that.

The transport Assessment also implies that walking distances to the town centre / school etc are acceptable. In fact they fall way outside the 'acceptable walking distances' the applicant quotes.

3) Potential flooding problems (which Anglian Water is also concerned about)

4) Increased demand on the doctors' surgery, school and Hall Street parking

5) Loss of rural character at entrance to the village. Rural character is essential to the attraction of Long Melford; without it, the economy (shops and services) of the village will suffer. These facilities are central to the Core strategy role of Long Melford as a core village.

6) Threat to wildlife (which Suffolk Wildlife Trust is also concerned about)

7) the application does not comply with many of Babergh's own planning policies and attached is a detailed document from the parish Council showing this.

Some of the applicants supporting documents, especially its Housing Needs study, are seriously flawed and should not be relied upon by Babergh planners. Details of the inadequacies are included in the attached document.

We would be grateful for a response from you on the points made above and in the attached document, especially on the points made about the proposal failing to comply with Babergh's saved planning policies.

Yours sincerely

Graham Eade, Chair, Long Melford Parish Council

John Watts, Chair, Chair LMPC Planning Committee

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Long Melford Cluster Report

Application Total: 54

| <u>CaseRef</u> | <u>Site Address</u> | <u>Proposal</u> | <u>AppType</u> | <u>Code</u> | <u>Dcn</u> | <u>DcnMade</u> | <u>Parish</u> |
|--------------------------------|---|---|----------------|-------------|------------|----------------|---------------|
| B/14/00910 Long Melford | Pooles Meadow, High Street, Acton, SUDBURY, CO10 0AJ | Erection of detached 4 Bedroom one and a half storey dwelling together with new vehicular access and associated works | FUL | Q13 | GRA | 08/09/2014 | Acton |
| B/15/00003 Long Melford | Pooles Meadow, High Street, Acton, SUDBURY, CO10 0AJ | Erection of 1 no. one and a half storey detached dwelling together with new vehicular access and associated works as amended by agent's email and amended plans 2328/01G and 02F received on 17 February 2015. | FUL | Q13 | GRA | 20/02/2015 | Acton |
| B/15/01332 Long Melford | Tola, Waldingfield Road, Acton, SUDBURY, CO10 0AH | Demolition of existing workshop and storage area and erection of 2 No. detached residential dwellings with studio garages | FUL | Q13 | GRA | 12/01/2016 | Acton |
| B/16/00088 Long Melford | Meadow View, Melford Road, Acton, SUDBURY, CO10 0BA | Outline - Residential Development for up to 3 No. Dwellings (all matters reserved) | OUT | Q13 | GRA | 05/04/2016 | Acton |

| <u>CaseRef</u> | <u>Site Address</u> | <u>Proposal</u> | <u>AppType</u> | <u>Code</u> | <u>Dcn</u> | <u>DcnMade</u> | <u>Parish</u> |
|--------------------------------|---|--|-----------------------|--------------------|-------------------|-----------------------|----------------------|
| B/16/00726 Long Melford | The Pool House, High Street, Acton, SUDBURY, CO10 0AJ | Erection of 1 no. three bedroom dwelling; (following demolition of existing double garage).Erection of single garage ancillary to pool house. | FUL | Q13 | GRA | 26/08/2016 | Acton |
| B/16/00851 Long Melford | Land adjacent Meadow View, Melford Road, Acton | Outline - Residential Development for up to 3 No. Dwellings (all matters reserved) | OUT | Q13 | GRA | 17/08/2016 | Acton |
| B/15/00827 Long Melford | Great Green Farmhouse, Great Green, Cockfield, BURY ST EDMUNDS, IP30 0HQ | Erection of a two-storey dwelling. | FUL | Q13 | GRA | 04/09/2015 | Cockfield |
| B/14/01164 Long Melford | Land South of Jupiter, Great Green, Cockfield | Outline - Erection of 6 semi-detached dwellings. | OUT | Q13 | GRA | 01/04/2016 | Cockfield |

| <u>CaseRef</u> | <u>Site Address</u> | <u>Proposal</u> | <u>AppType</u> | <u>Code</u> | <u>Dcn</u> | <u>DcnMade</u> | <u>Parish</u> |
|--------------------------------|---|--|----------------|-------------|------------|----------------|---------------|
| B/13/01521 Long Melford | Green Farm, Great Green, Cockfield, BURY ST EDMUNDS, IP30 0HJ | Conversion of two-storey barn and adjacent single-storey wing and erection of extension to form 1 no. dwelling. Demolition of lean-to cartshed and store. Erection of detached cartlodge store. | FUL | Q13 | GRA | 02/04/2014 | Cockfield |
| B/16/00408 Long Melford | Hope House, Cross Green, Cockfield, BURY ST EDMUNDS, IP30 0LG | Conversion of former agricultural barn to dwellinghouse. Construction of access. Erection of 2 no. bay cartlodge (following demolition of existing outbuilding and stable block) | FUL | Q13 | GRA | 28/07/2016 | Cockfield |
| B/16/00591 Long Melford | Hope House, Cross Green, Cockfield, BURY ST EDMUNDS, IP30 0LG | Notification for Prior Approval of proposed change of use of agricultural building to a dwellinghouse (Use Class C3), and for associated operational development | AGDW | Q27 | GRA | 21/06/2016 | Cockfield |
| B/16/00527 Long Melford | Earls Hall Farm, Earls Hall Road, Cockfield, BURY ST EDMUNDS, IP30 0JD | Notification under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 - Prior Approval Under Class Q(a) Change of use from agricultural building to 1 no. dwellinghouse (C3) (as amended by application form received 15/06/16 and site location plan received 13/06/16). | AGDW | Q27 | GRA | 16/06/2016 | Cockfield |

| <u>CaseRef</u> | <u>Site Address</u> | <u>Proposal</u> | <u>AppType</u> | <u>Code</u> | <u>Dcn</u> | <u>DcnMade</u> | <u>Parish</u> |
|--------------------------------|--|--|----------------|-------------|------------|----------------|---------------|
| B/16/00778 Long Melford | Kings Barn, Smallbridge Farm, Bradfield Road, Cockfield, BURY ST EDMUNDS, IP30 0HH | Notification under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 - Prior Approval Under Class Q(a&b) Change of use from agricultural building to 1 no. dwellinghouse (C3) | AGDW | Q27 | GRA | 25/07/2016 | Cockfield |
| B/16/01075 Long Melford | Land west of Clovelly, Howe Lane, Cockfield | Outline Application - Erection of 2 no. single-storey detached dwellings with garages and construction of new shared vehicular access. | OUT | Q13 | GRA | 14/10/2016 | Cockfield |
| B/16/01105 Long Melford | Land South of Jupiter, Great Green, Cockfield | Outline (all matters reserved) - Erection of 5 no. dwellings. | OUT | Q13 | GRA | 05/10/2016 | Cockfield |
| B/16/01107 Long Melford | Abbey Farm, Bury Road, Cockfield, BURY ST EDMUNDS, IP30 0LB | Notification under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 - Prior Approval Under Class Q(a&b) - Change of use from agricultural building to dwellinghouse (C3) | AGDW | Q27 | GRA | 18/10/2016 | Cockfield |

| <u>CaseRef</u> | <u>Site Address</u> | <u>Proposal</u> | <u>AppType</u> | <u>Code</u> | <u>Dcn</u> | <u>DcnMade</u> | <u>Parish</u> |
|--------------------------------|--|--|----------------|-------------|------------|----------------|--------------------|
| B/16/01141 Long Melford | Ivy Farm, Chapel Road, Cockfield, BURY ST EDMUNDS, IP30 0HE | Erection of a replacement dwelling and change of use of land from agricultural to residential curtilage. | FUL | Q13 | GRA | 17/10/2016 | Cockfield |
| B/14/00918 Long Melford | The Hives, Lavenham Road, The Heath, Great Waldingfield, SUDBURY, CO10 0SE | Erection of 1 no. single-storey detached dwelling, with detached garage and construction of new vehicular access (following demolition of existing outbuildings); and erection of new detached garage building to serve existing dwelling. | FUL | Q13 | GRA | 08/01/2015 | Great Waldingfield |
| B/15/01501 Long Melford | The Hives Lavenham Road The Heath Great Waldingfield Sudbury CO10 0SE | Erection of 1 no. 1 1/2 storey dwelling and attached annexe (following demolition of existing outbuilding). As amended by Drawing nos. 1463/15/01 G and 1463/15/02 D, received 04/12/2015. | FUL | Q13 | GRA | 24/12/2015 | Great Waldingfield |
| B/16/00175 Long Melford | Greenleys, Badley Road, Great Waldingfield, SUDBURY, CO10 0RY | Erection of 1 No. bungalow (following demolition of existing). | FUL | Q13 | GRA | 08/04/2016 | Great Waldingfield |

| <u>CaseRef</u> | <u>Site Address</u> | <u>Proposal</u> | <u>AppType</u> | <u>Code</u> | <u>Dcn</u> | <u>DcnMade</u> | <u>Parish</u> |
|----------------|---|--|----------------|-------------|------------|----------------|--------------------|
| B/16/00888 | Oakham View, Lavenham Road, The Heath, Great Waldingfield, SUDBURY, CO10 0SE | Erection of 1no dwelling. | FUL | Q13 | GRA | 24/08/2016 | Great Waldingfield |
| Long Melford | | | | | | | |
| B/14/00177 | Land north Garden House, Lambs Lane, Lawshall | Erection of 1 No. single dwelling & associated external works as amended by letter from agents dated 2 May 2014 and revised plans 3206/20C ,21B, 22C,23C,24A, 25A and 27A as amplified by agent's letter dated 16 May 2014 attaching details of facing materials and drawing 3206/18A showing details of hard and soft landscaping and site levels. | FUL | Q13 | GRA | 28/05/2014 | Lawshall |
| Long Melford | | | | | | | |
| B/14/00730 | Frithwood Works, Hanningfield Green, Lawshall, BURY ST EDMUNDS, IP29 4QD | Erection of 2 No. detached dwellings following demolition of existing workshop buildings - (revised scheme to outline approval B/12/00837). | FUL | Q13 | GRA | 18/09/2014 | Lawshall |
| Long Melford | | | | | | | |
| B/14/00842 | Gate and West Farm, Golden Lane, Lawshall, BURY ST EDMUNDS, IP29 4PT | Siting of a caravan for a temporary 3 year period, including mains water connection, electric and septic tank for occupation by an agricultural worker. | FUL | Q13 | GRA | 14/11/2014 | Lawshall |
| Long Melford | | | | | | | |

| <u>CaseRef</u> | <u>Site Address</u> | <u>Proposal</u> | <u>AppType</u> | <u>Code</u> | <u>Dcn</u> | <u>DcnMade</u> | <u>Parish</u> |
|--------------------------------|---|---|----------------|-------------|------------|----------------|---------------|
| B/15/00484 Long Melford | Land south of Mages Yard, Lambs Lane, Lawshall | Erection of 1 No. detached dwelling (amended to that approved under B/12/01095/FUL) with siting of building moved 1.8m to the South and relocation of a bin/log store to fulfil the required clearance with side of an underground electric cable). | FUL | Q13 | GRA | 05/06/2015 | Lawshall |
| B/14/00196 Long Melford | Rosevale, Ropers Lane, Long Melford, SUDBURY, CO10 9HQ | Erection of 2 No. semi-detached dwellings. | FUL | Q13 | GRA | 02/05/2014 | Long Melford |
| B/14/00208 Long Melford | The Old Foundry, Hall Street, Long Melford, SUDBURY, CO10 9JG | Notification under Part 3 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 - Change of Use from Office(B1a) to Residential Use (C3) | OFDW | Q27 | GRA | 17/04/2014 | Long Melford |
| B/14/00604 Long Melford | The Old Barn, Withindale Lane, Long Melford, SUDBURY, CO10 9HS | Change of use from commercial to a single dwelling. | FUL | Q13 | GRA | 15/01/2015 | Long Melford |

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|--------------------------------|--|--|----------------|-------------|------------|----------------|---------------|
| B/14/00554 Long Melford | Land to south of The Bungalow, Rodbridge Hill, Long Melford | Erection of 2 No. semi-detached single storey dwellings as amended by agent's e-mails dated 6 June 2014 and 10 June 2014 and plans 13/SK186-01 and 05A showing amended red lined site area. | FUL | Q13 | GRA | 25/07/2014 | Long Melford |
| B/13/01173 Long Melford | Swags and Bows, Hall Street, Long Melford, SUDBURY, CO10 9HZ | Change of use of part of building from Class A1 (retail) use to Class C3 (residential) use. Erection of pitched roof extension to, fenestration alterations to rear elevation, timber cladding to rear elevation of, existing single-storey rear flat-roof element. | FUL | Q13 | GRA | 31/03/2014 | Long Melford |
| B/13/00875 Long Melford | Downs Garage, Southgate Street, Long Melford, SUDBURY, CO10 9HU | Erection of 3 No. detached dwellings (demolition of redundant filling station building) as amended by agent's letter dated 16 January 2014 (received on 20 January 2014) submitting a revised Site Location Plan numbered 11012-05 Rev B and revised Local Character and Analysis Plan (11012-01 Rev A). As further amended by submission of Supplementary Supporting Statements on marketing and contamination and design and layout together with amended site layout plan 11012-05 Rev C. As amended by agents letter dated 21 July 2014 and amended plans 11012-05D. | FUL | Q13 | GRA | 29/09/2014 | Long Melford |
| B/15/01183 Long Melford | St Catherines Hall, Liston Lane, Long Melford, SUDBURY, CO10 9LD | Subdivision and conversion of dwelling to form 2 No. dwellings. | FUL | Q13 | GRA | 24/12/2015 | Long Melford |

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|----------------|--|--|----------------|-------------|------------|----------------|---------------|
| B/15/01188 | Springvale, Rodbridge Hill, Long Melford, SUDBURY, CO10 9HG | Erection of new bungalow and detached cart lodge. | FUL | Q13 | GRA | 03/03/2016 | Long Melford |
| | Long Melford | | | | | | |
| B/15/01191 | Springvale, Rodbridge Hill, Long Melford, SUDBURY, CO10 9HG | Erection of 2 No. 3 bedroomed dwellings following demolition of existing bungalow. | FUL | Q13 | GRA | 17/02/2016 | Long Melford |
| | Long Melford | | | | | | |
| B/15/01043 | Former Fleetwood Caravans Ltd, Hall Street, Long Melford | Erection of 44 dwellings (including 13 sheltered units) with associated parking, access, landscape, open space, drainage and infrastructure. | FUL | Q07 | GRA | 23/03/2016 | Long Melford |
| | Long Melford | | | | | | |
| B/15/00180 | Land north of Ropers Lane, Rodbridge Hill, Long Melford | Outline - Erection of 77 dwellings with new vehicular and pedestrian accesses, parking and public open space, as amended by Infiltration testing details, provided by Geosphere Environmental Ltd, received 26th June 2015. | OUT | Q07 | GRA | 12/02/2016 | Long Melford |
| | Long Melford | | | | | | |

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|--------------------------------|---|--|----------------|-------------|------------|----------------|---------------|
| B/15/00335 Long Melford | Land to south of The Bungalow, Rodbridge Hill, Long Melford | Erection of 2 No. semi detached single storey dwellings as amended by agent's emails dated 1 June 2015 and amended plans 13/186-05B and 06A (with corrected roof plan) received dated 1 June 2015. | FUL | Q13 | GRA | 04/06/2015 | Long Melford |
| B/16/00247 Long Melford | Windmill Hill House, Windmill Hill, Long Melford, SUDBURY, CO10 9AD | Erection of replacement dwelling with detached two-storey garage (following demolition of existing dwelling) amended from approved scheme: B/13/00842 | FUL | Q13 | GRA | 11/04/2016 | Long Melford |
| B/15/01656 Long Melford | The Lodge, Withindale Lane, Long Melford, SUDBURY, CO10 9HS | Notification under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 - Change of use from B1(a) office to (C3) dwelling. | OFDW | Q27 | GRA | 21/01/2016 | Long Melford |
| B/16/00766 Long Melford | Cranfield Barn, Clare Road, Long Melford, SUDBURY, CO10 9AE | Notification for Prior Approval of proposed change of use of agricultural building to a dwellinghouse (Use Class C3), and for associated operational development. | AGDW | Q27 | GRA | 03/08/2016 | Long Melford |

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|--------------------------------|---|--|----------------|-------------|------------|----------------|---------------|
| B/16/00750 Long Melford | Barn and Land northwest side of, Gents Lane, Shimpling | Erection of 2 no. detached two-storey dwellings; Erection of detached double garage serving plot 1; and alterations to existing vehicular access (following demolition of existing agricultural buildings) | FUL | Q13 | GRA | 07/09/2016 | Shimpling |
| B/14/00409 Long Melford | Gatefields Meadow, Hartest Hill, Shimpling, BURY ST EDMUNDS, IP29 4EX | Change of Use of Nursery building to form single dwelling | FUL | Q13 | GRA | 03/07/2014 | Shimpling |
| B/12/00485 Long Melford | Trevilla, The Street, Shimpling, BURY ST EDMUNDS, IP29 4HW | Part demolition of existing listed building, severance of (part) side garden to host dwelling, reinstatement of outbuilding to form two bedroom dwelling, construction of new single garage and vehicular access to serve existing dwelling (as amended by agents letter and revised plans received by the Local Planning Authority on 29/08/2012 and letter from Brett Design Partnership dated 02/12/12 received by the Local Planning Authority on 04/12/12 and further amended by email from Brett Partnership dated 10/04/13 received by the Local Planning Authority on 10/04/2013 and further amended by email dated 22/04/2013 from the agent) as amplified by Land Contamination Questionnaire received 15/05/2015. | FUL | Q13 | GRA | 04/06/2015 | Shimpling |

| <u>CaseRef</u> | <u>Site Address</u> | <u>Proposal</u> | <u>AppType</u> | <u>Code</u> | <u>Dcn</u> | <u>DcnMade</u> | <u>Parish</u> |
|--------------------------------|--|---|----------------|-------------|------------|----------------|---------------|
| B/13/01291 Long Melford | Offices And Premises, Landmark House, Hartest Hill, Shimpling, BURY ST EDMUNDS, IP29 4EX | Notification under Part 3 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 - Change of use of Class B1 office to Class C3 dwelling house. | OFDW | Q27 | GRA | 23/12/2013 | Shimpling |
| B/13/00991 Long Melford | Land west of White Hart Inn, Lower Street, Stanstead, SUDBURY, CO10 9AH | Erection of 1 no. detached two-storey dwelling. | FUL | Q13 | GRA | 18/12/2013 | Stanstead |
| B/14/01419 Long Melford | Giffords Meadow, Shimpling Road, Stanstead | Notification under Part 3 of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 -Prior Approval Under Class MB(a) Change of use from Agricultural Building to Dwellinghouse (C3) - Conversion of winery to dwelling house. As amended by drawing no. 1435 01 b, received 16/12/14. | AGDW | Q27 | GRA | 07/01/2015 | Stanstead |
| B/15/00158 Long Melford | Land east of 5 Blooms Hall Lane, Stanstead | Erection of single-storey dwelling and garage. | FUL | Q13 | GRA | 12/06/2015 | Stanstead |

| <u>CaseRef</u> | <u>Site Address</u> | <u>Proposal</u> | <u>AppType</u> | <u>Code</u> | <u>Dcn</u> | <u>DcnMade</u> | <u>Parish</u> |
|----------------|--|--|----------------|-------------|------------|----------------|---------------|
| B/15/00991 | Land East of, Blooms Hall Lane, Stanstead | Erection of single-storey dwelling and garage (alternative scheme to that approved under B/15/00158/FUL). | FUL | Q13 | GRA | 01/10/2015 | Stanstead |
| Long Melford | | | | | | | |
| B/15/00852 | The Barn, Highbank Nursery, The Hill, Stanstead, SUDBURY, CO10 9AP | Notification under Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 - Prior Approval Under Class Q(a) Change of use from Agricultural Building to Dwellinghouse (C3), and for associated operations under Class Q(b). As amplified by submission of land contamination report. | AGDW | Q27 | GRA | 25/08/2015 | Stanstead |
| Long Melford | | | | | | | |
| B/16/00701 | Highbank Nursery, The Hill, Stanstead, SUDBURY, CO10 9AP | Erection of dwelling following demolition of barn | FUL | Q13 | GRA | 17/08/2016 | Stanstead |
| Long Melford | | | | | | | |
| B/16/00286 | Land west of Brambles, Lower Street, Stanstead | Erection of 1 no. two-storey dwelling with associated ancillary outbuilding and improvements to existing vehicular access as amended by agent's letter dated 8 April 2016 and submission of amended plans 16/15/02a,03a,04a,05a and 06 and external materials samples. | FUL | Q13 | GRA | 12/07/2016 | Stanstead |
| Long Melford | | | | | | | |

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|----------------|---|--|----------------|-------------|------------|----------------|---------------|
| B/16/00127 | Highbank Nursery, The Hill, Stanstead, SUDBURY, CO10 9AP | Erection of 1 no. dwelling (following demolition of barn). (Resubmission of B/15/01478/FUL) | FUL | Q13 | GRA | 24/03/2016 | Stanstead |
| Long Melford | | | | | | | |
| B/16/00129 | Land East of 5, Blooms Hall Lane, Stanstead | Erection of single storey dwelling & associated garage, utilising existing vehicular access. (Variation to approved scheme B/15/00991/FUL). | FUL | Q13 | GRA | 10/03/2016 | Stanstead |
| Long Melford | | | | | | | |
| B/16/01076 | Land east of 5 Blooms Hall Lane, Stanstead | Erection of single storey dwelling & associated garage, utilising existing vehicular access. (Variation to approved scheme B/16/00129/FUL). | FUL | Q13 | GRA | 29/09/2016 | Stanstead |
| Long Melford | | | | | | | |

Proposed Bull Lane Development: Representation

Introduction

This representation relates to the proposed development of 71 houses on Bull Lane in Long Melford (Application ref: B/16/00777) (and is made on behalf of the Long Melford Parish Council which has already submitted a representation on the original version of the proposals before they were amended). The objection has been endorsed by those who attended a public meeting called by the Parish Council to consider the revised proposals.

The objection in brief is that the proposals are too large and in the wrong location; furthermore the proposals fail too many sustainability tests. The objection is based on scrutiny of the proposals against the planning policies of Babergh DC and, in some instances, the Government and Suffolk CC.

Summary

Long Melford Parish Council agreed at the Planning Meeting of 4th October 2016 to proceed with the Neighbourhood Plan and to the submission to Babergh DC for the parish to be designated as the area. Allocation of sites for housing in sustainable locations within the village will be a key issue in the Plan. The Parish Council supports suitable and sustainable housing development in Long Melford, but not the present proposal.

Our considered view on this proposal is that **it should be refused planning permission** for the following reasons:

1. It is too large and not needed, given the large volume of housing already built or committed in Long Melford in the early years of the Core Strategy period and given the likelihood of sufficient more sustainable sites coming forward in the balance of the plan period, this all in the context of the objectively assessed need for housing set out in the Core Strategy and confirmed by the Council in January 2015. The Housing Needs Assessment submitted by the applicant is flawed and would, if followed to its logical conclusion, lead to the doubling of the size of Long Melford by the end of the Plan period (2031); it is not an adequate justification for the proposed development. In brief:
 - a. The Council has identified a five-year housing land supply to meet the objectively assessed need (Annual Monitoring Report 2015-2016, Babergh DC).
 - b. The applicant's Housing Needs Study is flawed and provides no justification for the development proposed.
 - c. Locally the pace of housing development and commitments in Long Melford in the early years of the Core Strategy has more than fulfilled its share of the housing required to meet the Council's assessment of need; more will be built in the rest of the Plan period and welcomed but not in this location.
2. The failings of the applicant's Housing Needs Study mean that the proposals cannot meet the requirements in terms of housing mix set out in the Core Strategy in Objective 1 and Policies CS11 and CS18.
3. It is poorly located from the perspective of

- a. Its distance from the main village facilities and the uncongenial/unsafe pedestrian route from the proposed development to the village. The development would be a 350m long eastwards extension of the built up area, beyond the village boundary.
 - b. Its deleterious effect on an important route of rural and heritage character in to the village; the character of Long Melford is not just a nice view; it is an important asset drawing visitors to the village to use its shops and services. If that character is eroded by suburban development such as that proposed, then visitors will be lost, the viability of shops and services will be diminished and Long Melford will be less able to serve as a core village. This character is the sum of many features, and this holistic picture is not addressed in the piecemeal way in which the applicant has assessed the impacts of the proposed development.
 - c. The only way out of the site is via Bull Lane, which, as a winding, undulating rural lane, is unsuitable for additional traffic and which ends in two dangerous junctions, both with a significant accident record.
4. The proposals fail to meet important policy criteria by which development, especially in Core Villages, is to be assessed, especially failing to score positively on 18 of the 21 sustainability criteria in Policy CS15. The applicant does not assess the proposals against these criteria.

In short the proposed development should be refused planning permission because it conflicts with Core Strategy policies relating to housing need, sustainable development, transport planning, ecology, heritage and a series of detailed aspects of sustainability.

Scale of Housing Development and Need

The Core Strategy and Policies, adopted in February 2014, provide for 5,975 new dwellings to be built in the District in the plan period: 2011-2031. This total comprises three elements:

1. Windfalls: 1,640 units; these are unplanned developments put forward by landowners and developers.
2. Developments completed in 2011-12 and other committed developments: 2,430 units
3. Sites to be allocated by the Council: 2,500 units.

The total of 5,975 equates to some 300 dwellings per annum over the 20-year plan period. As part of the process of producing a combined development plan for Babergh and Mid-Suffolk, this total has been confirmed as fulfilling the Government policy requirement to meet the objectively assessed need for housing (Local Plan: Core Strategy Focused Review – Objectively Assessed Need and Rural Growth Policy, Issues and Options, Early Stage Consultation, Babergh DC and Mid-Suffolk DC, January 2015).

The share of any single rural settlement in this overall provision will be a product of two main factors:

1. An overall total of 1,050 dwellings (within the 2,500 units for which sites are to be allocated) which are planned to be provided in core and hinterland villages (Long Melford is a core village serving ten smaller surrounding hinterland villages).

2. An allocation for each core village, which will be considered in the light of the size, location, character and its role in its hinterland, with local communities and at the site allocations stage of the preparation of the plan (Core Strategy Policy CS2 and paras 2.2.3.4 and 2.8.5.3). However this stage in the preparation of the development plan has not been reached, so there is no allocation for Long Melford; a broad estimate of the housing numbers that might be expected to be developed in the cluster of Long Melford and its hinterland villages in the period 2011-2031 has been made by considering the potential windfalls, commitments and the allocation to core and hinterland villages (Table 1 in the Appendix 1).

Table 1 indicates that, using reasonable assumptions to assess the share of the Long Melford cluster (Long Melford and its ten hinterland villages) in housing supply in the plan period (2011-2031), a range of 358-537 (on the different assumptions set out in Appendix 1) additional dwellings might be required (this would represent increases of 7% or 11% respectively in the number of dwellings in Long Melford and each of its ten hinterland villages). Against this requirement, a total of 383 dwellings have either been constructed or permitted in the cluster. This means that, 6.5 years into a 20-year plan period, between 71% and 107% of the total requirement in the Long Melford cluster has been fulfilled. At this pace of development (by contrast, the Core Strategy anticipated that development would be at a lower rate in the first five years of the plan: 220 dwellings p.a. compared to 325 dwellings p.a. thereafter) there can be little doubt that the need for additional housing in the Long Melford cluster will be met in both Long Melford and the ten hinterland villages. There is no need for the proposed development.

If the Bull Lane proposals were to be permitted, the total commitments rise from 383 dwellings to 454, representing 127% or 85% of the identified requirement. Clearly at this early stage in the plan period, there is no need for the present proposals in order for the overall housing requirement in the Core Strategy, which has been confirmed recently, to be met. If the higher end of the range of housing need (537 dwellings) is taken, then, without the Bull Lane proposals, there is an outstanding need for 154 dwellings in the remaining 13.5 years of the plan period. In order to explore an alternative way in which this requirement might be met, we have identified 12 sites within 1 kilometre of the Coop store which could accommodate some 120 dwellings; ten of these sites are within the village boundary (BUAB) and the other two have a long boundary with the BUAB (unlike the Bull Lane site, neither of these sites is anywhere near the outer edges of the village BUAB). All relate well to the structure of the village. As is the nature of windfall sites, there is no certainty that they will come forward for development. However the recent pace of development in Long Melford indicates that a sufficient flow of sites that are better located than the Bull Lane proposals will be forthcoming.

The Core Strategy states (para 2.8.5.4) that the overall requirement for the district cannot simply be divided between the different settlements because of their differing abilities to accommodate development. The Core Strategy then sets out policies (CS2, CS11 and CS15) to guide the evaluation of development proposals in the different communities.

Scale, Role and Character of Long Melford

The Core Strategy repeatedly refers to the need to relate the scale of development proposed in core and hinterland villages to their scale and character, role and function and the views of the local community (paras 2.2.3.4, second and fourth paras of section 2.7., paras 2.8.5.3 and 2.8.5.4). It is appropriate to consider these features of Long Melford. Much of this picture of the village is drawn from the Parish Plan 2006. Key features of Long Melford are:

- It contains about 1,600 houses and a population of some 3,500.
- It has a very long north-south main street, known as Little St Mary's, Hall Street and High Street, with a historic westerly extension at Westgate.
- The village has developed over many centuries, mainly through small-scale incremental development.
- Larger residential developments, for example Roman Way and Harefield, have been integrated into the village by dint of being located on the robust main street (which was the main road from Sudbury to Bury St Edmunds before the bypass was built) and of their sympathetic design which features large greens and varied house styles.
- Many people are attracted to Long Melford by the opportunity to live in a beautiful village yet be within walking distance of shops, pubs and other facilities.
- Long Melford is unusual in having not only a fine and very large mediaeval church but also two major country houses, both open to the public.
- The village is fortunate in having a by-pass, the A134. Nevertheless the main street, which is the focus for the many shops, restaurants, galleries and antiques centres, is very busy and often congested.
- Long Melford attracts large numbers of visitors, to both the permanent attractions and to the many events staged in the village and the country houses. Visitors include both day visitors and overnighting visitors, who stay in the hotels and bed-and-breakfasts in the village.
- Whilst Long Melford is a popular destination for retirement, it is also a lively working and family community, with some 150 local businesses and a flourishing primary school.
- Further employment opportunities are provided in the two industrial estates immediately east of the by-pass.
- Long Melford offers a good choice of shops for day to day needs and for certain more specialist shopping (art and fashion); it has good access, including by bus, to a larger range of shops and services in Sudbury, about 5.5 kms to the south. Shops and businesses serving the public are located throughout much of the main street, making it an interesting walk to reach other shops.
- Long Melford is surrounded by natural features that give the village a distinctive character: the parkland of Kentwell and Melford Halls, the River Stour and its tributary the Chad Brook and the woodland that lines the former railway line on the east side of the village.

The importance of these characteristics, which influence the capacity of the village to accommodate additional development, is clearly recognised in the Core Strategy:

“It is clear that the Core Villages identified are very varied, and their needs and factors which influence what is an “appropriate level of development” will vary from village to village. This is especially the case where villages are situated within environmentally and visually sensitive landscapes, particularly the AONBs, and/or where they include conservation areas and heritage assets. These landscapes and heritage assets will be key considerations in the site allocation process, and when considering planning applications.” (Core Strategy 2014, para 2.8.5.4)

| Evaluation of Proposed Development against Babergh DC Planning Policies | |
|---|---|
| BDC Policy | Evidence of the Application and <i>Our Commentary</i> (the latter in italics) |
| <p>Policy CS2: Settlement Pattern Policy</p> <p>Most new development (including employment, housing, and retail, etc.) in Babergh will be directed sequentially to the towns / urban areas, and to the Core Villages and Hinterland Villages identified below. In all cases the scale and location of development will depend upon the local housing need, the role of settlements as employment providers and retail/service centres, the capacity of existing physical and social infrastructure to meet forecast demands and the provision of new / enhanced infrastructure, as well as having regard to environmental constraints and the views of local communities as expressed in parish / community / neighbourhood plans.</p> <p>These criteria for the assessment of development proposals have been considered below, where there are generally very similar criteria in Policies CS11 and CS15.</p> | |
| <p>Policy CS11: Strategy for Development for Core and Hinterland Villages</p> <p>Proposals for development for Core Villages will be approved where proposals score positively when assessed against Policy CS15 and the following matters are addressed to the satisfaction of the local planning authority (or other decision maker) where relevant and appropriate to the scale and location of the proposal:</p> | |
| <p>Where CS11 matters are listed in CS15, they are considered under CS15; matters occurring only in CS11 are considered here.</p> | |
| <ul style="list-style-type: none"> site location and sequential approach to site selection; | <p>The applicant states that the site is sequentially preferable as it abuts the village boundary (Built Up Area Boundary (BUAB) defined in the Local Plan 2006 Saved Policies) and is well connected to village facilities. The applicant says further that the site is one of the few remaining sites in Long Melford that is not constrained by planning policies.</p> <p><i>However the sequential approach identified in Policy CS11 means that sites within the BUAB are to be preferred for development, then those abutting the boundary and then those at greater distances from the boundary. Therefore sites within the BUAB are to be preferred over the proposed site on Bull Lane. A number of sites within the BUAB have been identified which are little used or are in non-residential use, and which are likely to come forward for residential development in the rest of the plan period.</i></p> |

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| | <p><i>Two aspects of the site’s relationship to the BUAB and the village need to be considered:</i></p> <ol style="list-style-type: none"> <i>1. The site is located at the extreme eastern end of the Long Melford BUAB; it would represent a major extension of the village away from the heart of Long Melford.</i> <i>2. It is the short boundary of the proposed development which touches the BUAB; most of the site (it is 350m long) will be a long distance from the BUAB.</i> <p><i>The applicant’s claim to be adjacent to the boundary is technically correct but not substantially helpful in establishing the relationship of the site to the village and its facilities. Paragraph 10 of the SPD addresses this situation clearly, especially the reference to ribbon development in the first bullet point (Rural Development & Core Strategy Policy CS11, 2014, Babergh DC). The site adjoins the BUAB so is not sequentially preferable; in substance the particular geography of the site and the village means that the proposal would be ribbon development and not favoured in policy terms.</i></p> <p><i>The applicant in the Design and Access Statement (para 6.1) describes the site, significantly, as “located to the east of Long Melford”, not in Long Melford.</i></p> <p><i>The applicant refers to the recognition of the site in the Strategic Housing Land Availability Assessment (SHLAA), 2016. However the assessment is draft and does not represent planning policy or an allocation of the site. The assessment concludes only that “the site is potentially considered suitable for residential development, taking identified constraints into consideration.” The constraints are given as “highways – regarding access, footpaths and infrastructure required and environmental- part of site adjoins County Wildlife Site.” The site is included in the assessment because it was submitted on behalf of the landowner not because it has been identified by the planning authority.</i></p> <p><i>Inclusion of the site in the SHLAA does not bestow on the site any status as a location for development.</i></p> |
| <ul style="list-style-type: none"> • locally identified need - housing and employment, and specific local needs such as affordable housing; • and CS2 local housing need | <p>The applicant has undertaken their own housing needs survey in the Long Melford cluster. This is reported to indicate a need for 98 market houses and 24 affordable houses per year in Long Melford alone. <i>If this requirement was accepted it would amount to 1647 additional homes in Long Melford over the remaining 13.5 years of the plan period. This would double the size of the village which has about 1600 dwellings. It would be 28% of the total (5975 dwellings) housing requirement for Babergh District (including urban and rural areas). This is clearly not a credible</i></p> |

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| | <p><i>outcome: the applicant's housing needs survey does not justify the scale of development proposed or any other scale of development.</i></p> <p><i>Further comments on the applicant's Housing Needs Study, September 2015, are given in Appendix 2. These comments cast considerable doubt on the validity of the Needs Study, especially on the household survey, which provides the evidence for the study and which is not the recommended source of data for a local housing needs study.</i></p> <p><i>The provision of affordable housing is welcomed but not as part of a scheme that is in total unacceptable.</i></p> <p><i>An important feature of Long Melford is that it is a working village, and workplaces and shops are mingled with residential property in many parts of the village; the application includes no workplaces which might have enlivened the community and reduced the need to travel, almost certainly by car, to work in more distant settlements.</i></p> |
| <ul style="list-style-type: none"> • cumulative impact of development in the area in respect of social, physical and environmental impacts. | <p>The applicant in the Planning Statement at paras 7.29-7.32 acknowledges that concerns have been expressed about the capacity of local services, including health and education; they also recognise two other developments that should be taken into account: Ropers Lane and Fleetwood Caravans; the three developments would produce 192 additional homes. The applicant then refers to the Community Infrastructure Levy (CIL) that they expect to pay (£649,405, set out in Section 9 of the Statement), which will help mitigate the impact of the development on local infrastructure.</p> <p><i>CIL is indeed designed to deliver funding for infrastructure. Whether the moneys collected filter through to infrastructure investment in Long Melford depends on the priorities of Babergh DC.</i></p> <p><i>There is a different aspect of cumulative impact that is not addressed by the applicant: the cumulative impact of the many different effects (visual, traffic, landscape, heritage, ecological etc) of the proposed development itself. We have said elsewhere that the applicant's assessments have all tended to be very piecemeal, even within individual disciplines or topics, for example impact on a single listed building, views from particular viewpoints. The lack of a holistic view of the development and its effects is more marked between topics, which is the effect that should be captured by a cumulative impact assessment. The most evident cumulative impact is that of the</i></p> |

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| | <p><i>development itself and its attendant highway works, together with the removal of vegetation along Bull Lane on the character of this important entry to the village, a character which itself derives from a rich array of natural and man-made assets, including listed buildings, a varied topography, a lane that does not have the muscle to carry this scale of development, woodland, the valley of the Chad Brook and views across the landscape. And this character of the entry to the village is part of the underpinning of the economic and social well-being of Long Melford visitors like coming to an attractive and distinctive village; this important entry to the village would be dramatically and permanently changed for the worse.</i></p> |
| <p>Policy CS15: Implementing Sustainable Development in Babergh</p> | |
| <p><i>Note: Policy CS11 above stipulates that “Proposals for development for Core Villages will be approved where proposals score positively when assessed against Policy CS15.” The applicant has not addressed the provisions of CS15 in their Planning Statement: the applicant at paragraphs 6.40, 7.13, 7.38 and 7.39 appears to have responded to the Checklist in Appendix 4 of Supplementary Planning Document (SPD) on Rural Development & Core Strategy Policy CS11, 2014, not to the CS15 criteria for sustainable development, which are repeated in Appendix 3 of the same document. The Checklist in Appendix 4 does not have the weight of the development plan, whereas the CS15 criteria have that weight, being in the adopted Core Strategy. The applicant has not addressed CS15 and has failed to show how the proposals score positively when assessed against the CS15 criteria. The SPD and its appendices (at para 1) is stated to be designed “to provide guidance on the interpretation and application of Policy CS11.” It does not have the same weight as the Core Strategy and cannot alter or diminish the requirements of CS11 and its daughter Policy CS15; ultimately, whatever guidance may be provided in the Appendix 4 Assessment Checklist, it is the policies of the adopted Core Strategy against which the development proposal must be assessed; the SPD may be a material consideration. We have therefore tested the proposals and the applicant’s evidence against the 21 tests of CS15.</i></p> | |
| <p>Policy CS15: Proposals for development must respect the local context and character of the different parts of the district, and where relevant should demonstrate how the proposal addresses the key issues and contributes to meeting the objectives of this Local Plan. All new development within the district, will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development – as interpreted and applied locally to the Babergh context (through the policies and proposals of this Local Plan), and in particular, and where appropriate to the scale and nature of the proposal, should:</p> | |
| <ul style="list-style-type: none"> • respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views; • And CS11: the locational context of the village and the proposed development (particularly the | <p>The applicant’s Landscape and Visual Assessment considers the landscape and visual features within 2 kms of the site, identifies receptors that may be affected by the proposed development and then assesses the effects and their potential significance. Measures to mitigate significant effects are proposed. The viewpoints of 16 receptors are assessed; five are found to suffer substantial or very substantial adverse effects.</p> <p><i>Mitigation measures are proposed but the residual effects on the various receptors after the</i></p> |

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| <p>AONBs, Conservation Areas, and heritage assets);</p> <ul style="list-style-type: none"> • Also CS11: the landscape, environmental and heritage characteristics of the village; | <p><i>application of mitigation are not considered; in the absence of such consideration, it may be that the five receptors will indeed suffer substantial or very substantial adverse effects. The main defect of the Landscape and Visual Assessment is that it takes a very disintegrated view of the issues set out in the Core Strategy policies: single receptors are considered, single viewpoints are assessed, identified through analysis of Zones of Theoretical Visibility, and in the conclusions the effects are presented on a series of discrete sets buildings: residential buildings, listed buildings etc. None of this approximates to a response to Core Strategy Policy CS15: “Proposals for development must respect the local context and character of the different parts of the district”, which is a sensible holistic approach which relates to human experience of settlements and places. The Landscape and Visual Assessment has probably followed the accepted methodology for such assessments, but it fails to address the local context and character of Long Melford and the impact of the proposed development on the features that together make up that character.</i></p> <p><i>On the same theme of a holistic approach the Planning Statement does not refer to any of the important features listed below except the listed buildings. It considers that the impact of the proposed development will be minimal. Partly because heritage and landscape are considered separately by the applicant, there is no holistic recognition of this key gateway to the village.</i></p> <p><i>The importance of this entrance to the village cannot over-emphasised:</i></p> <ul style="list-style-type: none"> • <i>the boundary of the area covered by the Dedham Vale (AONB) and Stour Valley Management Plan 2010-2015 runs along Bull Lane towards the village before turning south just two houses before the application site; the site is not within the AONB but within the wider area that is being managed to maintain and improve its landscape and conservation character. The site lies at the entrance to this part of the plan area. The Council comments on page 65 of the Core Strategy: “One of the most precious natural assets in England is its landscape. Babergh makes a valuable and varied contribution to this. The Suffolk Coasts and Heaths AONB and Dedham Vale AONB including the Stour Valley cover a considerable part of the district.” On the same page it identifies some of the essential features of the AONB and the Stour Valley: “Key features within the landscape in this area which are significant include; the meandering river and its tributaries, gentle valley slopes with scattered woodlands, grazing and water meadows, sunken rural lanes, historic villages with imposing church towers and historic timber framed buildings, small fields enclosed by ancient hedgerows and a wealth of evidence of human settlement over centuries. The Stour Valley is predominantly rural with a</i> |
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medieval settlement pattern. **Woodlands are situated within the tributary valleys and much of the valley floor comprises arable crops**, with the exception of the areas such as Sudbury Common Lands.” The text in bold is relevant to the site and its immediate environs.

- Following the line of the Chad Brook, which, with its wooded banks, frames the entrance to the village along Bull Lane, are two important boundaries: historic parks and gardens (protected by Core Strategy policies CN14 and CN 15) and the Long Melford conservation area (protected by policies CN08, CN09 and CN11).
- Three Listed Buildings in close proximity to the application site, Bull Lane Farmhouse, Melford Barn and Outbuildings and 24 Bull Lane, which are important landmarks along Bull Lane. We agree with the observations of the Suffolk Preservation Society in relation to the listed buildings.

The lack of a holistic approach to the character of Long Melford is illustrated by the conclusion of the Landscape and Visual Assessment at para 4.3 : “it is considered that the landscape/townscape effects would be of ‘moderate significance’. Changes to the character of the landscape would be limited to a localised area and would not impact on the wider landscape.”

There is an inconsistency in the applicant’s treatment of the short sections of hedgerow on the south side of Bull Lane: Viewpoint 1 in the Landscape and Visual Assessment relies on the vegetation at the NW corner of the site being retained, but the External Works Layout shows this and the hedgerow further east as to be removed; the Planning and Landscape Strategy Layouts confirm this.

The impact of the proposed housing will be exacerbated by the topography of the site: throughout its length it rises away from Bull Lane to the south, meaning that even houses located away from Bull Lane will be very visible: the development will fill the view along Bull Lane on the south side.

The proposed development will have an overwhelming and damaging effect on this whole entrance; its scale and suburban character will be at odds with the heritage and landscape scene, creating a disappointing and “could be anywhere” impression in the minds of visitors and residents entering the village. And that is not merely a “nice view” issue; it has social and economic consequences: the shops and services in Long Melford, from Jane’s Department Store to

Holy Trinity Church, rely on visitors, and visitors come to Long Melford because the whole experience is good: the buildings, the river, the streetscape, the pubs and cafes, the greens and the approaches to the village, which are the visitors' crucial first impression of the village. This overall attractiveness is recognised by Babergh DC's designation of Long Melford as a hub village serving ten other villages (and many visitors from further afield). This would be eroded if one of the entries to the village was to be suburbanised by the proposed development.

The other important factor in the scene that you encounter on entering Long Melford via Bull Lane is that it is a lane with an irregular alignment and bordered with a variety of hedges and banks. If the requirements of the County Council (SCC) in relation to highways are met, Bull Lane will be suburbanised, losing any character.

Key requirements of SCC (from the response of the Highways Development Manager to the application):

- *New road markings.*
- *Comprehensive scheme of traffic calming for the entire length of Bull Lane.*
- *New formal bus stops with appropriate kerbing and shelters.*
- *Footways from the development to the bus stops.*
- *Consider a pedestrian crossing to access the bus stops.*
- *Proposed new road junction to have larger radii.*

These measures are in addition to highway works proposed by the applicant in the Transport Assessment (set out in the Appendices):

- *Widening of Bull Lane, unspecified as to how wide or for what distance.*
- *A site access road which will be 5.5m wide and bordered by two footpaths each 2m wide, a total of 9.5m of hard surface and kerbs.*
- *Junction visibility splays either side of the junction, each 120m long and 4.5m wide.*
- *30mph signs in the road and crocodile teeth on the surface.*

The applicant has shown no sensitivity to the character and quality of this part of the village or respect for the "landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views"

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| | <p><i>The Planning Layout appears to show a new footpath running along Bull Lane north of the hardstanding and the adjacent houses; this is outside the red line, so presumably will not be delivered.</i></p> <p><i>We note the findings of research carried out by Indigo Planning and presented at the Planning for Housing Conference on 29th September 2016. They analysed the decisions on 258 major housing appeals decided in 2016. Of relevance to the present case they found:</i></p> <ul style="list-style-type: none"> <i>• In 34% of cases (88), where the inspector concluded that the local planning authority could not demonstrate a 5-year supply of land for housing but nevertheless dismissed the appeal, the most frequently occurring key factor in the decision was the impact on the character and appearance of the area/loss of countryside; it was a key consideration in over 70% of cases.</i> <i>• In 14% of cases (36), where the inspector concluded that the local planning authority could demonstrate a 5-year supply of land for housing and dismissed the appeal, the most frequently occurring key factor in the decision was the impact on the character and appearance of the area/loss of countryside; it was a key consideration in just under 70% of cases.</i> <p><i>Whilst there is great political priority being attached to expanding the supply of housing, it does not override all other factors: protecting the character and appearance of the area is a very important consideration.</i></p> <p><i>The proposed development will have a very damaging effect on precious and sensitive natural and man-made features which together create a lovely and quite distinctive gateway to the village, a gateway that is also an important element in the social and economic well-being of the village. The requested highway measures may improve safety but they will compound the suburbanising effect of the proposed development.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> <i>• make a positive contribution to the local character, shape and scale of the area;</i> | <p><i>The Planning Statement does not refer to how the proposals will contribute.....</i></p> <p><i>The proposed development will contribute negatively to the shape of the area in that it will create a major (350m) eastward extension of the village away from its heart. It will contribute negatively to the character of the area by suburbanising an attractive rural approach to the village. It will contribute negatively to the scale of the area because it is too large for the needs of the village.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> <i>• protect or create jobs and sites to</i> | <p><i>The applicant recognises that LM is a Core Village, which serves a wider group of surrounding</i></p> |

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| <p>strengthen or diversify the local economy particularly through the potential for new employment in higher skilled occupations to help to reduce the level of out-commuting, and raise workforce skills and incomes;</p> <ul style="list-style-type: none"> • And CS2: the role of settlements as employment providers and retail/service centres | <p>villages and claims that the heart of the village (shops and services) is 800m from the site and the primary school and doctors' practice in Cordell Road 750 m from the site (Planning Statement Table 7). Elsewhere in the Planning Statement (paras 2.20 and 2.21) it is stated that the primary school is 0.8 miles (<i>which equates to 1.29 kms</i>) and the medical practice 0.5 miles (<i>0.8 kms</i>) from the site. In the Transport Assessment there is a brief reference to the accessibility of village facilities on foot at para 3.22.</p> <p><i>These distances are confusing but generally long; they have been measured by ourselves from the western edge of the existing cottages that will be surrounded by the proposed development; this is roughly the middle of the proposed development. The distances are:</i></p> <ul style="list-style-type: none"> • <i>to the Co-op, the most important convenience shop and the heart of the village: 1.12 kms.</i> • <i>to the primary school gate: 1.26 kms. (The Medical Practice is about 250m closer to the site)</i> <p><i>Whilst these are walkable distances, they are not easy or congenial walking distances for many people. These distances can be compared the standards recommended by the Department for Transport: desirable – 400m; acceptable – 800m; preferred maximum – 1200m (Local Transport Note 1/04, Department for Transport); there are no facilities within the desirable or acceptable distances of the proposed development (The Bull Hotel is 750m from 20 Bull Lane). Furthermore the trip to local facilities such as these will often be linked to a trip to a more distant destination, e.g. work, a larger centre such as Sudbury or visiting friends and family. In many instances it will be natural to use the car. Because the proposed site is not immediately accessible to the village centre, the benefit of additional spending in local shops and services is likely to be limited. This limiting effect will be compounded by two further factors:</i></p> <ul style="list-style-type: none"> • <i>It will be very tempting to turn right out of the proposed development onto the by-pass to get to the larger centres of Sudbury and Bury St Edmunds, rather than go to Long Melford.</i> • <i>Unlike the main street, there are no shops or services on Bull Lane, which will make for a less interesting and less attractive walk to the village centre.</i> <p><i>It is our view that the site is poorly located from the point of view of access to the village shops, restaurants, pubs and other services.</i></p> <p><i>The proposed development includes no workplaces which might have enlivened the community (in keeping with the mixed character of Long Melford) and reduced the need to travel, almost certainly by car, to work in more distant settlements.</i></p> <p>Not score positively.</p> |
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- ensure an appropriate level of services, facilities and infrastructure are available or provided to serve the proposed development;
- and CS2: the capacity of existing physical and social infrastructure to meet forecast demands and the provision of new / enhanced infrastructure

NHS England in their observations on the proposal have stated that the application lacks a Health Impact Assessment and that there is inadequate capacity in the Long Melford Medical Practice; the developers should contribute to additional capacity through the Community Infrastructure Levy. The applicant's Planning Statement estimates the CIL as £649,405. There is no assurance that these funds will be applied to increasing capacity in the medical practice.

The primary school in Long Melford appears, from figures provided by Suffolk CC Children and Young People Services, to have spare capacity:

| Long Melford CEVC Primary | Published Admission Number | Number on Roll |
|----------------------------------|-----------------------------------|-----------------------|
| Year R | 30 | 14 |
| Year 1 | 30 | 28 |
| Year 2 | 30 | 23 |
| Year 3 | 30 | 19 |
| Year 4 | 36 | 31 |
| Year 5 | 36 | 35 |
| Year 6 | 36 | 27 |

However two classes are very nearly at capacity and these figures relate to a time before which the school has been in special measures; the numbers on roll are probably understated, compared with more normal times.

If additional capacity is required, there should be funds from CIL to assist with the funding.

The Council should provide assurance that the CIL funds will be applied to additional capacity in local health and education.

Score positively

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| <ul style="list-style-type: none"> • retain, protect or enhance local services and facilities and rural communities; • And CS11 (v): locally identified community needs; | <p>The applicant records that the new residents will spend money in local shops and patronise other local services.</p> <p><i>This effect will be limited by:</i></p> <ul style="list-style-type: none"> • <i>The long and uncongenial/unsafe (Bull Lane/Hall Street junction) walking distance to the main village facilities.</i> • <i>The consequent temptation to use the car, which will make other centres such as Sudbury almost as accessible.</i> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • consider the aspirations and level and range of support required to address deprivation, access to services, and the wider needs of an aging population and also those of smaller rural communities; | <p>Planning Statement: The scale, mix and type of dwellings proposed reflect the local housing need within Long Melford and the surrounding villages as determined by a Local Housing Needs Survey and Assessment. The Housing Needs Study carried out for the applicant gathered evidence of support for specialist housing for the aging population (e.g. Figures 8.6 and 8.7) and it reported the Census results which show a higher than average proportion of older people in the study area. The housing mix recommended in Table 9.1 addresses the mix according to tenure (market and affordable) and numbers of bedrooms.</p> <p><i>The Planning Statement produces the housing mix at Table 5 and there is no provision for older people. In Table 6 against policy CS18 non-compliance with the policy is justified by reference to the Housing Needs Study. The Housing Needs Study survey included questions on preferences for housing types suitable for older people (e.g. Questions C9 and D11) but the need for such housing is not evaluated in the Study and no provision is made in the proposed development.</i></p> <p><i>There is no mention of deprivation in either the Housing Needs Study or the Planning Statement.</i></p> <p><i>It is concluded that the applicant has not considered these issues and cannot therefore justify non-compliance with the policy.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • protect and enhance biodiversity, prioritise the use of brownfield land for development ensuring any risk of contamination is identified and adequately managed, and make | <p>By implementing the mitigation and enhancement recommendations, there will be no predicted significant adverse impacts from the Proposed Development upon identified ecological receptors in line with relevant wildlife legislation and planning policy. Furthermore, enhancements can be achieved following recommendations in accordance with the National Planning Policy Framework and Babergh Local Plan (Planning Statement, para 8.7).</p> |

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| <p>efficient use of greenfield land and scarce resources;</p> | <p><i>We agree with Suffolk Wildlife Trust that the application fails to demonstrate that it will not result in an adverse impact on the CWS/LNR; it therefore should not be consented.</i></p> <p><i>It is agreed that this is greenfield site. Prioritising the use of brownfield sites would mean directing development to the sites that have been identified within the village, rather than use of the Bull Lane site.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • address climate change through design, adaptation, mitigation and by incorporating or producing sources of renewable or low-carbon energy; | <p>The proposals will meet with current building regulations which increasingly are improving to achieve low carbon and energy efficient development. Planning Statement, Table 6. The Proposed dwellings will produce 25% less CO₂ than buildings built to 2006 Building Regulations Standards (Sustainability Statement para 4.1); this will be achieved partly by improving the thermal performance of the buildings and partly by a number of additional measures that will be considered (<i>our emphasis</i>). Chapter 10 of the Sustainability Statement sets out <i>options</i> for how a 10% reduction in carbon emissions <i>could be achieved</i> (<i>our emphasis</i>).</p> <p><i>There is no commitment to these proposals and it is unclear what the benchmark is for a 10% reduction.</i></p> <p><i>The large majority of house designs shown on the applicant's drawings include chimneys and have hearths in the main room.</i></p> <p><i>Triconnex Ltd, in their report included in the application documents, assumes that the plots will all be gas heated, and that there will be a need for an additional 136kVA electrical supply to the site, involving a new transformer and substation.</i></p> <p><i>The sentence from the applicant's Planning Statement gives no indication of the extent to which the proposals will deliver any of the elements of the Council's energy and climate change as expressed in this policy. No commitment is given in the application for any sources of renewable or low-carbon energy generation.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • make provision for open space, amenity, leisure and play through providing, enhancing and contributing to the green | <p>The Landscape Strategy shows two areas of public open space with, apparently, a narrow stretch of public open space linking them along the whole northern boundary of the site. This stretch borders Bull Lane for a considerable distance.</p> <p><i>The spaces are relatively modest and sufficient for toddlers accompanied by an adult. Bull Lane</i></p> |

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| <p>infrastructure of the district;</p> | <p><i>carries fast-moving traffic and would be a significant hazard to wandering young children: small children would have to be accompanied while at play. There is no recreation space to meet the needs of older children.</i></p> <p><i>The spaces proposed will not, to any significant extent, either contribute to, or enhance the green infrastructure of Long Melford, but will tend to be 'owned' by the immediate local residents of the development, and therefore not attractive to children from the wider locality, who would feel like 'intruders'. The remote location of the proposed development and the location of the open spaces within the scheme make it very unlikely that they will contribute to the green infrastructure of the village, still less the district. It is not clear whether the open spaces will be available to non-residents of the proposed development. Provision of open space needs to be matched by robust arrangements for the maintenance and management of the spaces. The Drainage and Flood Relief Plan shows a management company as responsible for the maintenance of public open space, parking areas, underground attenuation tanks and SCC Highways responsible for roads, verges and footways. Inadequate management arrangements and funding could be a major risk for the development.</i></p> <p>Potentially score positively.</p> |
| <ul style="list-style-type: none"> • create green spaces and / or extend existing green infrastructure to provide opportunities for exercise and access to shady outdoor space within new developments, and increase the connectivity of habitats and the enhancement of biodiversity, and mitigate some of the impacts of climate change eg. enhancement of natural cooling and reduction in the heat island effect, provision of pollution sequestration for the absorption of greenhouse gases, and through the design and incorporation of flood water storage areas, sustainable drainage systems (SUDs); | <p>The application site, being set in existing farmed land, and with an established public footpath running along its southern border, provides ample opportunity for walking, and allows access on foot to all the local recreational facilities elsewhere in Long Melford. The extensive planting included in the landscaping report, included in the application documents, will provide shade. The geology of the site does not allow for attenuation of surface water runoff by infiltration; surface water will be evacuated to an off-site sewer.</p> <p>The Ecological Surveys and Assessment submitted by the applicant record six species of bats foraging around the boundaries and commuting across the site including barbastelle <i>Barbastella barbastellus</i>; a small population of slow worm <i>Anguis fragilis</i> using the south-western area of grassland; an outlier badger sett situated 15m from the south-western boundary of the site and foraging signs visible along Long Melford Walk. It also reported that the majority of the site is of low value to invertebrates although Long Melford Walk likely supports an assemblage of moths of conservation concern, specifically species of principal importance. The report recommends a number of mitigation and enhancement measures and concludes that there will be no predicted significant adverse impacts from the proposed development upon identified ecological receptors.</p> |

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| | <p>The Planning Statement repeats the same findings.</p> <p><i>The proposals will not increase the connectivity of natural habitats in Long Melford. The application site is virgin agricultural land and the development will detract from its natural ecology and existing biodiversity. The application makes no reference to the grass snakes, lizards and owls which are frequently seen on and adjacent to the site. Competition from introduced species will detract from the existing biodiversity. The proposal cannot therefore be said to mitigate the impact of climate change but the reverse. Furthermore in relation to the ecological interest recorded on and adjacent to the site there is no commitment to the recommended mitigation and enhancement measures; for example the Landscape Strategy shows no buffer along the southern boundary with the Local Nature Reserve, only "Occasional trees within back gardens to connect with off-site woodland." George Millins, a local wildlife expert, agrees that this is a serious omission from the proposals; furthermore he advocates that there should be a fence, or better a wall, between the gardens and the Local Nature Reserve to reduce the opportunities for access to the LNR and disturbance; there should be a commitment to maintenance of the fence or wall.</i></p> <p><i>No proposals for the reduction of the heat island effect, pollution sequestration or the absorption of greenhouse gases are included in the application. These issues are not addressed in the application. This scheme is in no wise 'green'. See next item for SUDS.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • minimise the exposure of people and property to the risks of all sources of flooding by taking a sequential risk-based approach to development, and where appropriate, reduce overall flood risk and incorporate measures to manage and mitigate flood risk; | <p>A Flood Risk Assessment & Drainage Strategy has been undertaken and accompanies this planning application. The application site is located in Flood Zone 1 and is considered to be at low risk from all sources of flooding. The surface water can be attenuated on site where necessary and discharged from the site, via connection to the Anglian Water surface water sewers, at no increased off-site flood risk. Planning Statement, para 8.8. In the applicant's Flood Risk Assessment it is stated that, based on geological tests, the site is unsuitable for infiltration; RSA Geotechnics Ltd recommend that a positive drainage solution is adopted linking into existing sewers (applicant's Flood Risk Assessment & Drainage Strategy paras 3.18 and 4.2). In the Planning Statement it is said (para 8.8) that surface water can be attenuated on the site.</p> <p><i>Anglian Water Services Ltd, in their response to the application, have set out the hierarchy of preferred drainage solutions, according to the Building Regulations, SUDS being the preferred option and connection to a sewer the least preferred. Anglian Water concluded that the proposed</i></p> |

development is unacceptable; the applicant is proposing to use the least preferred method. The stance of Anglian Water Services is endorsed. The geological character of the site is further evidence that the site is unsuitable for sustainable development and should not be developed.

The applicant's reference to Flood Zone 1 is a correct reading of the Environment Agency's classification of flood risk. However the EA is only responsible for main rivers, sea and reservoirs. Lead local flood authorities have the lead operational role in managing the risk of flooding from surface water and groundwater. And District councils manage flood risk from ordinary watercourses (other than main rivers).

SCC is the Lead Local Flood Authority (LLFA) responsible for commenting on all major developments across Suffolk in respect of surface water management. The LLFA have asked the developer to provide more detailed information about surface water drainage as what has so far been presented is inadequate for the Authority to make a recommendation to accept or reject the proposal. LLFA considers not only the impact on the site itself, but also the impact of the site on flood risk to existing properties/roads and also water quality issues where the water discharges to a stream/river.

We have a number of concerns relating to surface water drainage:

- 1. There is a ditch on the southern boundary of the existing properties on Bull Lane (Nos 20-24 and Pheasant Cottage), which used to drain to the east before running north between Pheasant Cottage and the hardstanding in the field. The ditch is poorly maintained and at least partly filled by a bund which has been formed around the hardstanding. The site slopes down to these properties but runoff is limited now by the porous soil surface of the field. If the site is developed as proposed, the run-off will be much greater; it is unclear how these existing properties will be protected from surface water entering the gardens and houses.*
- 2. The applicant appears to be unaware of the flooding that occurs frequently in Bull Lane when there is a sharp downpour. The photographs in Appendix 3 (Figures 1-3) show vehicles in Bull Lane running through a typical flood. The photos were taken (by John Wilson of Bull Lane) on 23rd June this year outside Pheasant Cottage and Nos 20-24 Bull Lane after about an hour of rain; the flood water reached a maximum depth of about 4 inches and extended three-quarters of the way across the road. The main source of the water was the field around the*

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| | <p><i>houses and the adjacent hardstanding. This is a common occurrence.</i></p> <p><i>The planning authority also has to be satisfied that there is in place a long term agreement for the maintenance of any surface water management assets. This is a real risk relating to new development: the balancing pond installed to alleviate flooding that may result from the adjacent Sampson Drive development has not been maintained and the planning authority is taking enforcement action. This is why flood alleviation and drainage measures should be as natural and low-maintenance as possible, hence the interest of sustainable urban drainage systems (SUDS).</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • minimise surface water run-off and incorporate sustainable drainage systems (SUDs) where appropriate; | <p>See previous item where the applicant has shown that the site is incapable of supporting SUDs; surface water, after an unspecified amount of attenuation on site, will flow to existing sewers.</p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • minimise the demand for potable water in line with, or improving on government targets, and ensure there is no deterioration of the status of the water environment in terms of water quality, water quantity and physical characteristics; | <p><i>No measures are proposed to minimise the demand for potable water. There are no proposals in the application for the conservation of potable water supplies, or of its physical characteristics. There is no provision in the proposals for on-site surface water collection, storage or treatment for reuse, but solely for disposal into the Chad Brook.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • minimise waste (including waste water) during construction, and promote and provide for the reduction, re-use and recycling of all types of waste from the completed development; | <p>The Sustainability Statement (Chapter 7) describes the provision to be made for residents to re-cycle their waste.</p> <p><i>The no proposals in the application for the conservation of resources, either water or other materials during construction of the development are considered under the next heading. The proposed provision for residents' waste is normal practice.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • minimise the energy demand of the site through appropriate layout and orientation (passive design) and the use of building methods, materials and construction techniques that optimise energy efficiency and are resilient to climate change (eg. | <p>The applicant's Sustainability Statement (Chapter 6) refers to the use of A rated materials and to local procurement of materials. At Chapter 9 it describes a proposed construction management plan that will address re-cycling of materials, and conservation of water and energy</p> <p><i>These proposals are not commitments; they are hedged with caveats or presented as aims.</i></p> <p><i>The site is inherently an exposed one, and the orientation of the proposed houses has little effect</i></p> |

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| <p>resilience to high winds and driving rain);</p> | <p><i>upon their energy demand. The building methods proposed are not specified in the application, and the proposed external facing materials - various facebricks and render - do not give any indication of their thermal performance, or that of the external construction of which they form a part. The plans and sectional drawings do not give any indication of thermal performance that would suggest passive thermal design.</i></p> <p><i>The house designs proposed and shown on the 60-odd drawings forming part of the application do not follow passivhaus principles of energy conservation as understood, and are not zero-energy designs.</i></p> <p><i>There is no mention in the application of the use of natural materials, materials derived from recycled waste products, or eco-friendly natural products, all of which are widely available but which have apparently not been considered in the preparation of the application.</i></p> <p><i>While the intention to introduce variety in the design of the houses and their materials is a sensible principle, it is disappointing that this does not extend as far as selecting bricks and tiles made locally. The closest approach to this seems to be the selection from mass-produced machine-made and machine-distressed brick ranges supplied by nation-wide builders merchants with branches in East Anglia, rather than from brickmakers still working in the area. Old Long Melford was made from the geological deposits of clay and sand on which it stands, the very materials needed to produce the bricks and tiles the applicant seeks to emulate.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • promote healthy living and be accessible to people of all abilities including those with mobility impairments; | <p>The Sustainability Statement (Chapter 8) refers to general features of the houses that will promote healthy living.</p> <p><i>NHS England have noted the lack of a health impact assessment in the application; the issue of healthy living has not been addressed in a considered way.</i></p> <p><i>The distance between the proposed development and local amenities offered in Long Melford (and the hazards encountered along the route) will present difficulty for many people resident in the new houses, particularly in bad weather, and especially for those with impaired mobility.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • protect air quality and ensure the implementation of the Cross Street | <p><i>The application contains no proposals for the protection of air quality.</i></p> <p><i>Cross Street is considered to be too remote from the proposed development for an impact</i></p> |

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| <p>(Sudbury) Air Quality Action Plan is not compromised;</p> | <p><i>assessment to be made.</i> Not score positively.</p> |
| <ul style="list-style-type: none"> • seek to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles and cars) thus improving air quality; and | <p>Connectivity to the village is discussed in more detail in the Transport Assessment. The conclusions are that the proposal is well connected to existing facilities within walking distance of most everyday village facilities. Planning Statement, para 7.19</p> <p>The Transport Assessment has concluded that traffic generated from the Proposed Development is not considered to create congestion. The Transport Assessment has also confirmed that the local road network has capacity to accommodate the traffic generated by the proposal. Planning Statement, para 7.32.</p> <p>The site is located in a sustainable location, as there are local bus routes to neighbouring settlements. Planning Statement, para 8.15.</p> <p><i>The likelihood of car travel being minimised is very low:</i></p> <ul style="list-style-type: none"> • <i>the walk distance to many village facilities is well over one kilometre, a significant deterrent to walking for many people, especially in poor weather; the walking route via the Bull Lane/Hall Street junction is unattractive and potentially unsafe, especially for unaccompanied children and people with disabilities.</i> • <i>The bus services are infrequent and slow: between 19 and 25 minutes to reach Sudbury, two to three times longer than it takes in the car, which allows departures at any time. Bus services stop at 8pm and there are none on Sundays.</i> <p><i>The policy implies that the developer should take additional measures (“Seek to”) to minimise car use, whereas the applicant is simply describing what he expects to happen, with no additional measures.</i></p> <p><i>The Transport Assessment submitted by the applicant has a number of flaws which undermine the evidence and conclusions it produces in support of the proposed development:</i></p> <ul style="list-style-type: none"> • <i>The traffic impact of the development is assessed in relation to only one junction, that of the access road into the site on Bull Lane. No assessment is made at all of the junctions at either end of Bull Lane, at the Bull Hotel with Hall Street and at the by-pass with the A134. All traffic leaving the site will use one of these junctions, both of which are inadequate and have been the scene of many accidents (see below)(see photos in Appendix 3 Figures 4-10).</i> • <i>As with the traffic assessment the record of accidents has been checked only in relation to Bull Lane itself, not the two junctions at either end. The Traffic Assessment does not quote the</i> |

source of the accident data, it does not justify the limited geographical scope of the search and it does not state the severity of the accidents being recorded (e.g. only serious accidents or.....) Police accident records show that, at the A134 junction, there have been 14 accidents since the end of 2005, of which five were serious; in the last three years, 2013-2015 there have been four accidents. At the Hall Street junction there have been seven accidents since 2006, all slight; in the last three years, 2013-2015 there have been three accidents. The accident recorded by the applicant was in 2013 and was serious.

- So two junctions, one 0.4 kms from the site and one 0.8 kms from the site, which will be used by all traffic entering or leaving the site, have been the scene of 22 recent accidents (six of them serious and eight within the last three years), but they have not been assessed for capacity or safety by the applicant.
- The normal response to an inadequate junction such as that at Hall Street is to propose traffic controls, which in this case would probably be traffic lights. Without doing a feasibility study SCC Highways have given initial views on the possibility of traffic lights. These are quotes from their correspondence with one of the Long Melford district councillors:
“I noted the comment about traffic lights. Even giving this a brief thought I would wonder how practical these would be at this location. At the least I suspect these would need to be three way and affect through traffic on Hall Road (Street). There is also the question of who would pay for them and do you want such lights within a conservation area? If you requested it I could instruct Kiers to undertake a formal feasibility study but before doing so I would suggest you gauge local public opinion to avoid the risk of spending money on such a study to find strong opposition that would stop any such scheme.”
“To safely and effectively control traffic at this junction we may end up with 5 sets (Hall Street N & S / entrance to Village Hall / Cordell Road / Bull Lane). Such a system would significantly delay traffic through the village particularly if a red phase is needed to allow pedestrians to walk through the narrow gap adjacent to the Bull Inn.”
The strong message is that the cure, if it could be justified, might be worse than the disease: an unsightly array of traffic lights causing aggravation to all road users. This is a good example of the capacity and character of the village not being able to support this scale of development at this location. The additional traffic through two accident-prone junctions is unacceptable and the means of managing such additional traffic are unacceptable as well. But the applicant has failed to analyse either of these junctions; this cannot possibly be counted as scoring positively.

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| | <ul style="list-style-type: none"> • <i>The Transport Assessment at para 3.3 quotes the NPPF requirement that cumulative impacts should be considered; none are taken into account in the assessment. Two significant examples (and there are more, depending on the base date of the assessment and on other schemes that will be committed by the Assessment’s projection date of 2020) are the Chilton extension of Sudbury, which is an allocation in the Babergh DC Core Strategy and which will comprise 15 hectares of employment land and 1050 homes; it is estimated that 40% of the traffic from this development will travel along the A134/LM by-pass and therefore through the Bull Lane junction and the Fleetwood Caravans site in the middle of Long Melford where 44 homes are under construction.</i> • <i>The Transport Assessment makes no reference to air quality improvement. The applicant has done nothing to “minimise the need to travel by car”. Rather they have undertaken an inadequate “predict and provide” transport assessment.</i> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • where appropriate to the scale of the proposal, provide a transport assessment /Travel Plan showing how car based travel to and from the site can be minimised, and proposals for the provision of infrastructure and opportunities for electric, plug-in hybrid vehicles, and car sharing schemes. | <p>The Planning Statement makes no reference to a Travel Plan. The submitted Transport Assessment does not address the issues conventionally covered by a Travel Plan and listed in this part of the policy.</p> <p><i>This is a missed opportunity given the well-known dependency of rural communities on car travel. As stated above under the previous item, the Transport Assessment puts forward no measures to minimise car-based travel to and from the site.</i></p> <p><i>The proposed parking provision (186 spaces or 2.62 spaces per dwelling) is a recognition that the site is poorly located for alternative, more sustainable forms of transport.</i></p> <p>Not score positively.</p> |
| <ul style="list-style-type: none"> • <i>In addition</i> Proposals for development must ensure adequate protection, enhancement, compensation and / or mitigation, as appropriate are given to distinctive local features which characterise the landscape and heritage assets of Babergh’s built and natural | <p><i>The proposed development and the traffic it will generate will have a deleterious effect on a key entry to Long Melford, which is characterised by a number of important features:</i></p> <ul style="list-style-type: none"> • <i>A winding and undulating lane with mainly soft verges and often bordered by dense vegetation, a lane which is unsuited in character to a large housing development.</i> • <i>Three Listed Buildings in close proximity to the application site, including Bull Lane Farmhouse, Melford Barn and Outbuildings and 24 Bull Lane, which must be considered in their wider context.</i> • <i>The boundary of the area covered by the Dedham Vale (AONB) and Stour Valley Management</i> |

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| <p>environment within designated sites covered by statutory legislation, such as AONBs, Conservation Areas, etc. and local designations such as Special Landscape Areas and County Wildlife Sites, and also local features and habitats that fall outside these identified areas. In particular proposals should protect and where possible enhance the landscape and heritage areas including habitats and features of landscape, historic, architectural, archaeological, biological, hydrological and geological interest.</p> | <p><i>Plan 2010-2015</i></p> <ul style="list-style-type: none"> • <i>Following the line of the Chad Brook, which, with its wooded banks, frames the entrance to the village along Bull Lane, are two important boundaries: historic parks and gardens (protected by Core Strategy policies CN14 and CN 15) and the Long Melford conservation area (protected by policies CN08, CN09 and CN11).</i> <p><i>A full response to this issue is contained in the paragraphs above relating to Policy CS15.</i></p> <p>Not score positively.</p> |
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Notes re BDC Core Strategy Policies

Scope of CS Policies

CS2 identifies Core and Hinterland Villages and sets out **broad criteria for assessment of all development**, urban, village or countryside.

CS3 is a strategy for growth and development: numbers and broad locations for development.

CS4-10: major allocations.

CS11: Proposals for development in Core Villages need to score positively against CS15 tests; CS11 lists six other criteria to be satisfied by development proposals in Core Villages.

CS15 Implementing sustainable development in Babergh; 21 sustainability criteria.

Given that “**Proposals for development for Core Villages will be approved where proposals score positively when assessed against Policy CS15**”, it is noteworthy that the proposals for Bull Lane fail to score positively on 18 of the 21 measures of sustainability set out in Policy CS15. On one measure, the capacity of social infrastructure, the proposals score positively and on the last one, provision of open space, the proposals potentially score positively.

Appendix 1

| Table 1, Housing Requirements and Proposed Developments, Long Melford | | Notes |
|--|-------|--------------|
| Total housing need 2011-31, of which | 5975 | |
| Windfalls across district | 1640 | |
| Assumed share of clusters in windfalls (%) | 57 | Note 1 |
| Assumed share of clusters in windfalls (nos.) | 935 | |
| Assumed share of LM cluster in windfalls (%) | 17.25 | Note 2 |
| Assumed share of LM cluster in windfalls (nos.) | 161 | |
| New allocations in Core & Hinterland Villages | 1050 | |
| Option 1: LM share = 1/10 (10 core villages) | 105 | |
| Option 2: LM share is pro rata completions 2011-2016 (%) | 27 | Note 3 |
| Option 2: LM share is pro rata completions 2011-2016 (nos) | 284 | |
| Completions 2011-2012 and commitments LM | 92 | |
| Total allocations, commitments and windfalls in LM, Option 1 | 358 | |
| Total allocations, commitments and windfalls in LM, Option 2 | 537 | |
| Against which committed developments: | | |
| Long Melford cluster, completed units, 2011/12 - 2015/16 | 144 | |
| Long Melford cluster pp's not started or under construction | 162 | Note 4 |
| Other commitments since 31/3/16 | 77 | Note 5 |
| Total commitments | 383 | |
| Equates to x% of total requirement Option 1 | 107 | |
| Equates to x% of total requirement Option 2 | 71 | |
| In 6.5 years out of 20-year plan period | | |
| Proposed Bull Lane development | 71 | |
| New total commitments if Bull Lane permitted | 454 | |
| Equates to x% of total requirement Option 1 | 127 | |
| Equates to x% of total requirement Option 2 | 85 | |

Notes

1. CS: Pro rata population outside urban areas
2. Annual Monitoring Report (AMR) 2015-2016 Table 6
3. AMR 2015-2016 Tables 5 & 6
4. Includes Fleetwood site
5. Site in Ropers Lane, Rodborough; other developments committed e.g. in hinterland villages which are in the Long Melford cluster.

Appendix 2

Commentary on Applicant's Housing Needs Study, September 2015

The Study has produced an extraordinary result: a requirement for affordable and market housing in Long Melford and the hinterland villages:

| | Affordable housing required per year | Market housing required per year | Total dwellings required per year | Total over remaining 13.5 years of Core Strategy (our figures) |
|---------------------|--------------------------------------|----------------------------------|-----------------------------------|--|
| Long Melford | 24 | 98 | 122 | 1647 |
| Hinterland villages | 35 | 171 | 206 | 2781 |
| Total | 59 | 269 | 328 | 4428 |

These figures are plainly unhelpful and unconvincing as evidence to support the proposed development in Bull Lane: the total of 4428 dwellings represents 74% or three-quarters of the total requirement for the whole of Babergh District (5974) in the 20-year period covered by the Core Strategy; the total for Long Melford (1647) would double the size of the village; that for the hinterland villages (2781) would increase their size by 87%.

The Housing Needs Study has been carried out following the guidance produced by the Government and by the Countryside Agency (paras 1.4 and 1.5). However in one very important respect the Study departs from Government guidance, which advises that the assessment is most suitably performed with secondary data (i.e. published statistics) (para 6.4). Such statistics are not available at a local level such as the Study Area for this Study. The Study is consequently based on primary data, namely a survey of households in Long Melford and the hinterland villages. A large questionnaire was mailed to every household in the Study Area and completed and returned by those who wanted to. There are many question marks over the validity of a survey conducted in this manner:

1. There will inevitably be some bias in the group of the survey households which chose to respond to the questionnaire; they are likely to be those who are more concerned about housing and, specifically, their own housing needs; they may see the survey, wrongly, as a vehicle for promoting their own housing needs with the hope of a solution; conversely the 87.4% of households who did not respond will probably be less concerned about housing issues especially housing needs. The results were weighted to take into account a number of objective factors, but not subjective issues such as those that may have influenced the (self-)selection of the households who responded. The effect of any bias cannot be divined from the Study but it is likely to have led to an over-estimation of housing need.
2. The response rate (overall about 12.6%) is not necessarily the best guide to the statistical validity of the survey. The absolute number of respondents does however limit the detail to which the data can be analysed. If there are small numbers in the cells in a table, there is a risk of high margins of error. For example Table 6.12 identified 24 households (in the total population, as the survey figures have been grossed up to the total populations i.e. the responses of 12.6% of the population have been grossed up to 100%) as needing affordable housing in Long Melford; this figure is carried forward for

further analysis in Tables 6.13 and 6.15, where the numbers in the columns Need and Total (i.e. net need) are very small. It should be recalled that these are total population figures, so the survey results behind these small numbers will be very small indeed. The risk of large errors is very significant.

3. The credibility of the Study is further undermined by the lack of transparency. The results of the survey are not presented, even in aggregate form, and the Study acknowledges at para 6.3 that not all the steps in the estimation are presented. It is therefore not possible to understand how each table has been derived and, more generally has been used.
4. Not only is the response rate likely to have been selective (point 1 above), but the responses, given that this was a self-completion questionnaire with no interviewer present, will be subject to error as a result of misunderstanding by the respondent or bias on the part of the respondent. For the same reasons as those in point 1 above, there is likely to be a tendency to overstate one's housing need. For example Government guidance indicates that unsuitable housing is a sign of housing need and Q A.13 in the questionnaire explores this issue, listing amongst other items "difficulty of maintaining your home" and "your accommodation is too expensive"; these questions are extremely vague and should certainly not provide the basis for a programme to build affordable homes. Such issues need to be assessed objectively and against clear benchmarks.
5. The assessment has been undertaken for Long Melford and for all the hinterland villages together; this aggregation of the villages is necessary to make the data handling manageable. But it introduces distortions into the analysis of the supply of properties. It is well known that property markets differ over quite short distances (hence expressions like "the other side of the tracks") and this is how a variety of housing needs are met within a local area. Any local agent will be able to list the hinterland villages in order of price. For example Zoopla (often based on a small sample) shows the average value of a terraced property in Boxted as £402,487, in Stanstead as £265,535, in Long Melford as £255,359 and in Glemsford as £180,083. By adding the data for all the hinterland villages together, the Study has lost these local differences in the housing market. This distortion will tend to have raised property prices across the Study Area and artificially increased the need for affordable housing.
6. Following Government guidance, the Study adopts the lower quartile (of house prices) as the benchmark for affordability. Whilst this may be Government guidance, it invites the conclusion that the analysis ignores the 25% of the supply of housing that is available at lower prices. This will again tend to inflate the need for affordable housing.

Appendix 3 Photographs

Figures 1-3 Flooding in Bull Lane, June 2016

Figures 4-7 Traffic and pedestrians negotiating Bull Lane/Hall Street junction at The Bull

Figures 8-10 Traffic and cyclist negotiating Bull Lane/A134-Long Melford bypass



Figure 1 Flooding in Bull Lane



Figure 2 Flooding in Bull Lane



Figure 3 Flooding in Bull Lane



Figure 4 Bull Lane/Hall Street junction



Figure 5 Bull Lane/Hall Street junction



Figure 6 Bull Lane/Hall Street junction



Figure 7 Bull Lane/Hall Street/Cordell Road junction



Figure 8 Bull Lane/A134-by-pass junction



Figure 9 Bull Lane/A134-by-pass junction



Figure 10 Bull Lane/A134-by-pass junction