

Committee Report

Item No: 2

Reference: DC/17/03982

Case Officer: Martin Brown

Ward: Brook.

Ward Member/s: Cllr Barry Gasper. Cllr Nick Ridley.

Description of Development

Outline Planning Application (Access to be considered) - Erection of up to 11 Dwellings including 3 Affordable Houses.

Location

Land To The East Of Duke Street, And North Of Red House Cottages, Hintlesham,

Parish: Hintlesham

Site Area: 9000 m²

Conservation Area: N/A

Listed Building: N/A

Received: 01/08/2017

Expiry Date: 01/11/2017

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Environmental Impact Assessment:

Applicant: J Bostock

Agent: Wincer Kievenaar Architects Ltd

DOCUMENTS SUBMITTED FOR CONSIDERATION

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

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

- At the request of the Ward Member – Cllr. Gasper.
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PART TWO – APPLICATION BACKGROUND

THE SITE

1. The site is located on Redhouse Farm to the south east boundary of Duke Street. It sits outside, but adjacent to, Hintlesham Built Up Area Boundary (BUAB). The site boundaries are formed by Duke Street to the west, similar agricultural land to the north boundary (granted planning permission for residential development, planning ref. B/01490/OUT and DC/17/03335), the south boundary adjoins the residential curtilage of Red House Cottages and to the east is arable land (grade 3) associated with Redhouse Farm.
2. Hintlesham is listed as a Hinterland Village in policy CS2 of the development plan. The site is approximately 400m from the B1071 and is opposite residential dwellings which front onto the west side of Duke Street.

THE PROPOSAL

3. Outline planning permission is sought for the erection of up to 11 no. dwellings, with means of access for consideration. The details of appearance, landscaping, layout and scale are reserved matters and, while the applicant has submitted an indicative layout as to how the site could accommodate 11 no. dwellings with associated landscaping details, such matters are not for detailed consideration in determining this application for outline permission. The site occupies 0.9ha and 11 dwellings on this site would equate to a density of 12.2 units per hectare, which is broadly reflective of the character and pattern of development within the vicinity.

RELEVANT HISTORY - Other developments recently approved in the vicinity under CS11

- DC/17/03335 – Submission of details (Reserved Matters) under outline planning permission B/15/01490/OUT- relating to Appearance, Layout & Scale for erection of 8 dwellings. Delegated Approval
- B/15/01490/OUT - Outline - Erection of 8 no. dwellings (means of access and landscaping for consideration). Approved by committee
- B/15/01109/FUL – Barn House, Duke Street. CS11 - Residential development. Erection of 2 no. two storey semi-detached dwellings. Approved by committee
- B/15/0755/FUL – The Old Builders Yard, Duke Street - Proposed single storey dwelling and two bay cartlodge. Delegated Approval
- B/15/0083/FUL – Chapel Cottage, Duke Street - Erection of 2 no. dwellings. Delegated Approval

All Policies Identified As Relevant

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Highlighted local and national policies are listed below. Detailed assessment of policies in relation to the recommendation and issues highlighted in this case will be carried out within the assessment:

Summary of 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 – Presumption in favour of sustainable development
- 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
- CS19 – Affordable Homes
- CS21 – Infrastructure Provision

Babergh Local Plan (Alteration No.2) 2006

- HS32 – Public Open Space
- CR04 – Special Landscape Area
- CN01 – Design

Supplementary Planning Documents

- Rural Development and Core Strategy policy CS11 (August 2014)
- Affordable Housing SPD (February 2014)

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

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

SCC Archaeological Service – Date Received 15.08.2017

The site lies in an area of archaeological potential recorded on the County Historic Environment records, close to a Bronze Age metal works, and as such there is high potential for the discovery of below-ground heritage assets of archaeological importance within the area. There are **no grounds for refusal of permission**, subject to appropriate planning conditions in accordance with National Planning Policy Framework (paragraph 141)

Arboricultural Officer – No Response Received

SCC Fire and Rescue – Date Received 05.09.2017

Access to the buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 – Part B5, Section 11 dwelling houses. It is recommended that fire hydrants be installed within this development, the number of which has not been determined in assessing this proposal. This will be determined at the water planning stage when site plans have been submitted by the water companies. Furthermore, consideration should be given to the provision of an automatic fire sprinkler system.

Natural England – Date Received 24.08.2017

The site falls within the 13km 'zone of influence' for the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). It is anticipated that new housing development in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated site(s), when considered in combination, through increased recreational pressure. As such, we advise that a suitable contribution to the emerging Suffolk RAMS should be sought from this residential development to enable you to reach a conclusion of "no likely significant effect" whilst ensuring that the delivery of the RAMS remains viable. If this does not occur in the interim period then the per house tariff in the adopted RAMS will need to be increased to ensure the RAMS is adequately funded. We therefore advise that you should not grant permission until such time as this mitigation measure has been secured.

Providing appropriate mitigation is secured to avoid impacts upon the European site occurring there should be no additional impacts upon the SSSI interest features of the Stour and Orwell Estuaries. Natural England's Standing Advice should be applied in determining any future applications as a material consideration.

Strategic Housing – No Response Received

MSDC Waste Management – No Response Received

SCC - Corporate S106 and Education – Date Received 15.08.2017

Consultation response sets out the infrastructure requirements that would arise as a result of the proposal and the basis of a future bid to Babergh District Council for CIL funds if planning permission is granted and implemented. Local infrastructure that is identified as having the potential to be impacted upon by the proposal includes;

- Education
- Pre-school provision
- Play space provision
- Transport
- Libraries
- Waste
- Supported Housing
- Sustainable Drainage Systems
- Fire Service
- Superfast Broadband

Hintlesham Parish Council – Date Received 30.08.2017

The Parish Council objects to the proposed development mainly due to the detrimental cumulative effect on the village's infrastructure and lack of housing need for larger dwellings.

Housing Need

The application makes no reference to Hintlesham's Housing needs, with the demand for social housing being more than met with recent developments. The Parish Council believes that the needs case for further development in Hintlesham has diminished with every granted planning application for housing.

Cumulative Effect

The cumulative impact of development has highlighted two aspects of the village infrastructure which are already at full capacity; these being traffic volume and the village primary school. CS11 states that services and facilities must have capacity to accommodate further development, which cannot be accommodated by further development

Site and BUAB

Only one of the proposed dwelling adjoins the village BUAB, with the whole site outside the existing and proposed new BUAB. SC11 states that development should be 'well designed and appropriate in size/scale.....to its setting and to the village'. The size of some of the proposed dwellings is not in character with the surrounding existing properties, in particular the size of one of the proposed dwellings totally compromises the integrity of the adjoining Red House Farm Cottage. The proposed development would result in a continuous line of settlement on Duke Street. Areas of undeveloped land are important visual and environmental features in any village including those classified as Hinterland. This is even more important in this context as the proposed development is within a Special Landscape Area.

Design Detail

The topography of the proposed site emphasises the dwelling's height, making the site more imposing than it appears on the submitted indicative Street Elevation. The proposed houses would restrict the views of the residents on the opposite side of the road, and would look above them as the ground is higher on the east side of Duke Street. Local residents also fear that parked vehicles outside the proposed properties would present a hazard because of reduced visibility on the rising ground.

Environmental Health (Land Contamination) – Date Received 23.08.2017

No objection to the proposal. The Phase 1 report submitted concludes that the site is of low risk. It would not be justified to ask that any further report is required by planning condition especially as the same requirement was not required for a similar proposal for new housing immediately adjacent to the application site (planning ref. B/15/01490).

Environmental Health (Sustainability Issues) – Date Received 21.08.2017

No objection to the proposal, however require that the development can secure the required energy efficiency and sustainability standards (CS12, CS13 and CS15) of the Local Planning Authority and NPPF sustainable transport requirement shall be submitted to, and approved in writing by, the Local Planning Authority.

SCC – Highways – Date Received 14.08.2017

No objection to the proposal, subject to the imposition of appropriate planning conditions.

Heritage Team – Date Received 11.09.2017

The Heritage Team considers that the proposal would not necessarily cause harm to the setting of the non-designated assets known as Victoria Cottages.

SCC - Flood & Water Management – Date Received 08.11.2017

No objection to the proposal, subject to appropriate planning conditions

B: Representations

One representation was received raising **objection** to this application, making the following comments;

- These 11 houses are an extension to the development of 8 houses (DC/17/03335) yet to be started in Duke Street, and constitute ribbon development
- The site is located within a Special Landscape Area
- The site is located out with the recently redefined Built Up Area
- The proposal would see the loss of the last piece of open vista on Duke Street
- The development cannot be considered sustainable
- Potential for access to facilitate future development of additional properties behind the current proposal

- The proposal would result in construction vehicles obstructing the highway and public footpaths
- Based on recent application for Reserved Matters (DC/17/03335), the entire planning consent process is open to abuse, i.e. outline consent is granted and then fundamentally changed in terms of the appearance and scale of development

PART THREE – ASSESSMENT OF APPLICATION

Principle of Development

4. The village of Hintlesham is classed as a Hinterland Village in policy CS2 of the development plan and although not located inside the built up area boundary of the village, the site is considered to lie within the existing linear pattern of development in this part of the village and will reflect the development on the opposite side of Duke Street. Further within the village to the north, development is set along both sides of Duke Street. As such, the proposed development site is considered to demonstrate a close functional relationship with the existing settlement and to be well related to the existing pattern of development along Duke Street.
5. The indicative layout and the applicant's design and access statement has demonstrated that the site can accommodate up to 11 no. dwellings, which would provide 3 no. affordable terraced houses (35%), 4 no. semi-detached houses and 4 no. detached dwellings. The terraced and semi-detached dwellings would add to the stock of smaller properties in the village and is considered to meet an identified need for targeted market housing. This mix of units provides an acceptable range of property types and sizes.
6. In addition the Council's 2014 Suffolk Wide Housing Needs Survey has demonstrated that there is a need for smaller homes, across all tenures, which this development would meet in part with those wishing to down size.
7. Furthermore, the proposal is considered to be within walking distance of the centre of the village, linked by a paved footpath. It is therefore considered that the proposal would support local services and facilities and has the potential to benefit from public transport links to Ipswich.
8. As Babergh District Council policies for the supply of housing cannot be considered up-to-date, the NPPF (paragraph 14) cites the presumption in favour of sustainable development and states that planning permission should be granted unless *i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or ii) specific policies in the NPPF indicate development should be restricted.* Paragraph 7 of the NPPF describes how sustainable development has three dimensions: economic, social and environmental.

Sustainability Assessment of Proposal

9. It is considered that policies CS2, CS3, CS11 and CS15 provide a relevant framework to consider the sustainability of this site, having regard to the three strands of sustainable development set out in the NPPF. The adopted 'Rural Development & Core Strategy Policy CS11 Supplementary Planning Document' ("the SPD") is also a material consideration.
10. Policy CS2 (Settlement Pattern Policy) identifies Hintlesham as a Hinterland Village. Policy suggests that most Hinterland Villages should accommodate some development to help meet the needs within their functional cluster. Although not located inside the built up area boundary of the village, the site is considered to lie within the existing linear pattern of development in this part of the village and will reflect the development on the opposite side of Duke Street. Further within the village, development is set along both sides of Duke Street. As such, the proposal site is considered to demonstrate a close functional relationship with the existing settlement and to be well related to the existing pattern of development along Duke Street.

11. Paragraph 55 of the NPPF sets out that local planning authorities should avoid isolated homes in the countryside. The site is not considered to be 'isolated' within the meaning of this term, and therefore would not lie isolated from services. Paragraph 55 of the NPPF also states that:
12. *"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby."*
13. The application site is considered to be within walking distance of the centre of the village, linked by a paved footpath. It is therefore considered that the proposal would support local services and facilities and has the potential to benefit from public transport links to Ipswich. As such Hintlesham is a settlement which may be capable of taking a degree of growth and this growth would help safeguard the provision of existing facilities within the settlement and the surrounding area.
14. Policy CS11 seeks to provide greater flexibility in the location of appropriate housing development beyond the existing Built Up Area Boundaries (BUABs). Policy CS3 (Strategy for Development and Growth) is a consideration and sets out that the Council must provide a minimum of 1,050 dwellings in Core and Hinterland Villages for the period between 2011 and 2031. Considering these policies in combination (and the relative weight that can be attributed to them in the absence of a 5 year supply), it is arguable that this proposal is in accordance with the wider settlement principles shared by the NPPF and the Core Strategy. These policies, having regard for the absence of a 5 year supply, and the requirement under paragraph 47 of the NPPF for the Council to "boost significantly the supply of housing", represent material considerations to depart from Policy CS2.
15. As Policy CS11 is the key Core Strategy policy relevant to guiding growth in Hinterland villages and offers useful criteria to assess the sustainability of this proposal:

CS11 Criteria for Core and Hinterland Villages:

The landscape, environmental and heritage characteristics of the village

16. The site lies to the east side of the adjacent road and is currently an agricultural field. There is existing hedgerow along part of the road, residential properties to the south and west, and similar land to the application site to the north which was approved outline planning permission for 8 no. dwellings, with further residential dwellings to the north on the same side as the application site. The site has an open character which would change if development were to occur, but this may not necessarily be to the detriment of the street scene or the surrounding environment.
17. At present the boundaries of existing residential dwellings on the west side of the road are not particularly sensitively screened in the existing landscape setting. Having regard for the existing characteristics of its surroundings, it is not considered that the principle for development of this site would be out of character with its surroundings or create an adverse environmental impact. Landscaping details are reserved and therefore would be considered under the submission of a Reserved Matters application. However, this issue has been assessed to a degree below in this report, as a result of the content of the objection received by the Parish Council.

Impact on Heritage

18. 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. 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.

Impact on Listed Buildings

19. 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*'.
20. The proposed development site lies on the east side of Duke Street, an existing built-up areas of Hintlesham, on land that has most recently been in agricultural use. There are no listed buildings within any close proximity of the application site, the setting of which could potentially be affected as a result of the proposal. A pair of non-designated cottages (Victoria Cottages) are located to the north of the application site, however it is considered that, subject to the sensitive arrangement of development along this side of the street, there would be no significant demonstrable or detrimental impact on the existing built environment.

Conclusion (Impact on Heritage)

21. 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. As there are no designated assets within proximity of the application site, the proposal would not have any impact on any designated heritage assets.

The locational context of the village and the proposed development

22. 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.
23. 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 exiting 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
24. Although not located inside the BUAB of the village, the site is considered to lie within the existing linear pattern of development in this part of the village and will reflect the development on the opposite side of Duke Street. Furthermore development further along Duke Street is set along both sides. As such, the proposed development site is considered to demonstrate a close functional relationship with the existing settlement, and would relate well to the existing pattern of development that can be seen along Duke Street. In this regard, the site is considered to be well related to the village. Therefore, the proposal also complies with this part of policy CS11.

Site location and sequential approach to site selection

25. 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 close to the BUAB. However, the site is considered to be reasonably well related to and accessible by walking to the services and facilities of Hintlesham.

26. There are no sequentially preferable allocated sites within Hintlesham, nor are there any sites within the built up area boundary which would enable a development of commensurate scale. The outcome of R (on the application of East Bergholt PC) v Babergh District Council CO/2375/2016 before Mr Justice Mitting has clarified that in relation to sequential assessment, there is no requirement to look at alternative sites adjoining the built up area boundary, as sequentially they are within the same tier.

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

27. The 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.
28. Accordingly, "*locally identified need*" or "*local need*" should be construed as the development to meet the needs of the Hinterland Village identified in the application, namely Hintlesham and the functional cluster which it sits within.
29. 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 not submitted a housing needs assessment.
30. 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.
31. Policy CS18 does require a mix of dwelling types and the applicant has given an indicative mix as part of the outline submission, however it is not for consideration as part of the application. It is anticipated that the site can accommodate a range of smaller dwellings to meet identified need within its overall mix.

Locally Identified Community Needs

32. 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.
33. In the absence of such a statement, the application submission has not adequately demonstrated how the proposal would meet this element of policy CS11. However, Officers would advise that the proposed development may generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities. In this regard, despite the absence of the needs assessment, the proposal has the potential to benefits through CIL that would be considered to satisfy this element of policy CS11.

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

34. Policy CS11 requires the cumulative impact of development, both within the Village and its the functional cluster, to be a material consideration. This consideration was raised by the Parish Council in their objection to this application.

35. On previously considering this point, it has been outlined that in considering cumulative impact this would normally be looking at the capacity of water treatment works and the limits of the secondary school, which would put a direct limit on future developments, due to the level of infrastructure required to enable additional capacity.
36. In this instance, whilst the secondary school at Hadleigh is at capacity, there is likely to be significant growth within the Hadleigh area over the plan period which will enable further expansion of the school, as a result of CIL contributions. In addition the county are looking at catchment areas in order to address some capacity issues. It is not considered that, despite previously approved applications for further small scale development within the locale, this development of up to 11No. dwellings is sufficient to tip the balance in terms of cumulative impact and that the level of development is proportionate to the size and scale of the site and the scale of the village as a whole.
37. Given the responses from statutory consultees and the relatively small scale of development proposed, there is no reason to believe there would be significant adverse cumulative impacts as a result of the development in combination with others completed/committed to in the cluster. CIL provides a mechanism for GP surgeries and schools to adequately mitigate development and this development would contribute to providing CIL funding on a district wide and parish level. There is also no evidence to suggest that utilities infrastructure cannot serve or would be significantly adversely impacted by the development. It is therefore considered that the evidence suggests this 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. The proposal therefore complies with this element of policy CS11.

Additional CS11 Criteria for Hinterland Villages

Is adjacent or well related to the existing pattern of development for that settlement

38. As outlined above, it is considered that the proposal has a close functional relationship and is well related to the existing pattern of development for the settlement. It is also considered that the layout, size and scale of development is in keeping with the surrounding street scene and, crucially, (in line with the presumption in favour of development) demonstrable evidence does not exist that there is an adverse impact resulting from the scale and size of development proposed. This element of CS11 is therefore satisfied.

Meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan

39. Hintlesham does not have a neighbourhood plan. Consideration of the extent to which the development meets local needs, both in terms of housing and community facilities, is considered in detail earlier in this report. In conclusion there is some evidence to suggest there is a proven local need but not at the level provided for by this application and therefore the proposal is contrary to this element of CS11.

Supports local services and/or creates or expands employment opportunities

40. The proposal would provide new dwellings and would make a contribution to supporting the existing facilities in the wider area. As such, the proposal satisfies this element of policy CS11 and the wider objectives of the NPPF.

Does not compromise the delivery of permitted or identified schemes in adopted community/village local plans within the same functional cluster

41. The proposal would not compromise delivery of permitted or identified schemes. As such, the proposal accords with this element of policy CS11.

Summary of Assessment Against Policy CS11

42. For the reasons set out above, the proposal cannot be said to fully comply with policy CS11 in terms of whether it satisfies a local need. However, it satisfies the spatial and sustainability objectives of this policy and therefore, on balance, would be in keeping with the general aims and spirit of Policy CS11.

Consideration against other development plan policies.

43. The Council cannot now demonstrate a supply of specific deliverable sites sufficient to provide five years' worth of housing against the housing requirements, as required by paragraph 47 of the NPPF. In light of this, the weight that can be given to policy CS2 needs to be considered in the light of paragraph 49 of the NPPF, which provides 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". Policy CS2 forms part of a suite of policies to control the distribution of new housing, and can be afforded weight, since it contributes to ensuring that development is sustainably located and unsustainable locations are avoided. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting development in less sustainable locations with a limited range of services to meet the needs of new residents in a sustainable manner. However, in the absence of a five-year supply and with significant weight afforded to the provision of housing as to address the housing shortfall, Officers are of the view that this policy should be afforded limited weight.
44. Development in core and hinterland 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. The above appraisal provides, therefore, only part of the consideration of the sustainability of the site and only part of the consideration of the development plan as a whole. As such, this report will now consider other relevant development plan policies, and also consider, in light of the entirety of this assessment, the three strands of sustainable development set out in the NPPF.
45. Policy CS15 is a long, wide-ranging, criteria based policy, setting out how the Council will seek to implement sustainable development. It contains a total of 19 criteria, covering matters such as landscape impact, job creation, minimising energy and waste and promoting healthy living and accessibility. Some of the criterion within policy CS15 are covered within the individual sections of this report and it is not, therefore, necessary to run through each and every one of those criteria in this section of the report. What follows is, therefore, an overarching summary of the key points.
46. Policy CS15 seeks to minimise the need to travel by car using alternative means and improving air quality. Hintlesham is well connected with the surrounding settlements via the local highway and public rights of way network. It benefits from a bus service which stops at the Hall, on both sides of the road that offers services to nearby towns such as Ipswich. This also provides access to railway station with onward connections to destinations throughout the Country. Therefore, while it is acknowledged that there will be a high proportion of car travel from Hintlesham, as people travel out of the village to work, residents do have access to public transport connections which provide them with a choice of using public transport, and to combine short car based journeys with public transport, in order to access opportunities for employment, recreation and leisure.
47. The socio-economic profile of Hintlesham highlights the villages important role as an economic asset for the Babergh District. It is an attractive place to a variety of people. It is considered that the development proposed will enhance the vitality of the community and new housing development will deliver a range of benefits including attracting new residents to enhance the economic contribution of Hintlesham, underpinning social capacity, providing affordable housing and widening the housing mix overall.

48. This report has already considered the landscape setting of the site and surroundings and heritage assets (criterion i of CS15), and the following issues are also noted in respect of criteria within policy CS15;
- The proposal would provide work for local contractors during the construction period, thereby providing economic gain through local spend within the community. (criterion iii of CS15).
 - The proposed development would support local services and facilities, and enhance and protect the vitality of this rural community (criterion v of CS15).
 - The application site is situated where a residential use is appropriate due to the extremely low risk of flooding. It is therefore considered that the application site is sequentially appropriate for this development (criterion xi of CS15).
 - During construction, methods would be employed to minimise waste. (criterion xiv of CS15).
 - Any proposed dwellings would be constructed as a minimum to meet the requirements of Part L of the Building Regulations, which requires a high level of energy efficiency (criterion xv of CS15)
49. Furthermore, environmental aspects related to sustainable drainage (criteria x and xii of CS15), the associated highway issues (criterion xix of CS15) and the biodiversity aspects (criterion vii of CS15) will be considered within the specific sections of this report which follow.

Site Access, Parking And Highway Safety Considerations

50. The access to the site is to be considered as part of the application. The indicative site layout shows the construction of two no. separate vehicular access points taken directly from Duke Street, both capable of servicing the proposed dwellings. However, the main access for the site would be via the access proposed in the southern half of the site, with the access point to the north of the site providing farm access beyond the site to the east.
51. The principle of the proposed access arrangements have been assessed by engineers at the local highway authority and it is considered that the development is acceptable and in accordance with current standards, subject to appropriate planning conditions, and would not result in any adverse impact on highway safety.
52. The application proposal, while indicative, shows parking spaces in accordance with the adopted standards, with parking provided in driveways and garages. It is likely that the proposed parking provision would accord with current Suffolk advisory parking standards (2014).
53. It is therefore considered that the scheme would be acceptable in highway safety terms and the proposal complies with saved policy TP15 of the Local Plan, and with criteria xviii and xix of policy CS15.

Environmental Impacts – Land Contamination

54. The application is accompanied by a Phase 1 land contamination assessment and this has been considered by the Senior Environmental Management Officer, who concludes they have no objection to the proposed development from the perspective of land contamination. They request that they are contacted in the event that of unexpected land contamination. As such, the proposal is considered to comply with criterion vii of policy CS15 insofar as it relates to land contamination.

Landscape Impact and Trees

55. While matters relating to landscaping considerations would not form part of the assessment in determining this application for outline planning permission, the Parish Council raised landscaping issues as part of their objection to this application, and as a result the applicant submitted a Landscaping Statement looking to address the issues raised.

56. The site is located on the edge of a Special Landscape Area, where Policy CR04 states that development proposals in Special Landscape Areas will only be permitted where they:
- Maintain or enhance the special landscape qualities of the area, identified in the relevant landscape appraisal; and
 - Are designed and sited so as to harmonise with the landscape setting
57. The Babergh Local Plan notes that (para 6.22) ‘The boundaries of the Special Landscape Areas in the Babergh District tend to relate to river valleys and have been drawn to follow physical features on the ground, e.g. roads, hedgerows, etc’. This Special Landscape Area tends to centre on the Belstead Brook and its tributaries from Elmsett and Flowton in the north-west as far as the edge of Ipswich in the east from Sproughton to Copdock.
58. Joint Babergh and Mid Suffolk District Council Landscape Guidance, August 2015 states that CS11 proposals on the outskirts of villages should have regard to whether the proposals would constitute harmful ribbon development on the edge of the village and whether the proposal is visually well related to the settlement it abuts and has a logical, natural boundary and does not encroach into open countryside.
59. It is worth noting that Babergh and Mid Suffolk’s Local Plan Designations Review, published in early 2015, states:
- ‘The (SLA) designation is no longer necessary, as the Districts are now covered by an up to date landscape character appraisal, which incorporates specific guidance as to what constitutes local character.’
60. This set the tone for the Council’s preferred option in the current Joint Local Plan Consultation Document. It suggests using Landscape Character Assessment as the means to afford protection to landscapes in the emerging new Local Plan, and to do away with the SLA designation. The site lies within the Suffolk Landscape Character Assessment character type identified as ‘(3) – Ancient Plateau Claylands’. The key characteristics are described as:
- Flat or gently rolling arable landscape of clay soils dissected by small river valleys
 - Field pattern of ancient enclosure –random patterns in the south. Small patches of straight-edged fields associated with the late enclosure of woods and greens
 - Dispersed settlement pattern of loosely clustered villages, hamlets and isolated farmsteads of medieval origin
 - Farmstead buildings are predominantly timber-framed, the houses colour-washed and the barns blackened with tar.
 - Roofs are frequently tiled, though thatched houses can be locally significant
 - Scattered ancient woodland parcels containing a mix of oak, lime, cherry, hazel, hornbeam, ash and holly
 - Hedges of hawthorn and elm with oak, ash and field maple as hedgerow trees.
 - Network of winding lanes and paths often associated with hedges create visual intimacy

Landscape Management Guidelines for this type are:

- Reinforce the historic pattern of sinuous field boundaries
- Recognise localised areas of late enclosure hedges when restoring and planting hedgerows
- Maintain and restore greens and commons
- Maintain and increase the stock of hedgerow trees
- Maintain the extent, and improve the condition, of woodland cover with effective management, especially if this can be economically viable
- Maintain and restore the stock of moats and ponds in this landscape

61. The Parish Council objected to the proposed application, partly in relation to the visual impact as a result of the proposal. However, it must be noted that matter such as the scale and size of dwellings would be agreed in any Reserved Matters application, and it is therefore the principle of the proposal that is to be determined at this stage. The inclusion of a landscaping statement at this stage had demonstrated that the applicant understands the fundamental role that landscaping plays in the integration of the new build residential dwellings into the local area and the surrounding pastoral landscape.
62. It is considered that the ribbon-shaped layout is intended to reflect the character of built form along Duke Street, and would read as a continuation of the consented ribbon development to the north. The development is not considered to represent harmful ribbon development as it reflects an existing pattern of development in the locality. While a section of hedge is required to be removed to make way for the visual splay (which will be replanted behind the splay line) there is no further impact on any additional physical vegetative features. A substantial amount of new native planting is proposed (native hedgerow planting with trees), along the edge of the adjacent arable land to the east. This will provide a suitable rural edge treatment, within this context, and once matured provide screening and enclosure to the rear elevations, which will also help to mitigate the minor visual impact on long range views toward the site from distant points on Chattisham Lane to the east. Increasing the stock of hedgerow trees is a management objective for Ancient Plateau Claylands.
63. The existing dwellings on the west side of Duke are visible from parts of the Special Landscape Area (SLA) to the east. However, it can be considered that as they are sited within a wooded skyline, these buildings do not have a significant demonstrable adverse impact on the visual amenity. As such, it is considered that the addition of a single row of new dwellings, softened with appropriate boundary planting, will not be out of context and have any further significant or demonstrable visual impact. Any boundary treatment would be managed in accordance with an approved maintenance schedule.
64. On balance, it is considered that the proposed development would relate satisfactorily to the wider landscape and will not be detrimental to the characteristics of the wider Special Landscape Area to any significant degree, subject to appropriate mitigation to be considered and conditioned with any subsequent Reserved Matters application. The development will include good levels of landscaping and the inclusion of small areas of open space which will act as a buffer and soften the landscape setting from the adjacent road.

Biodiversity And Protected Species

65. 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.
66. The site falls within the 13km 'zone of influence' for the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). New development within the location may be 'likely to have a significant effect' upon the interest features of the aforementioned designation(s), when considered in combination, through increased recreation. Development would therefore require a suitable contribution to the emerging RAMS in order to conclude there would be 'no likely significant effect' as a result of development. This can be secured via a Section 106 contribution.

Surface Water Drainage

67. 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. The application is likely to be able to satisfy such requirements as would be required in assessing any Reserved Matters application. Therefore, and in broad terms, it is considered that the development would be able to demonstrate compliance with the requirements of both policy CS15 and the NPPF.

Summary of Assessment Against Policy CS15

68. Policy CS15 is a detailed policy setting 19 individual criteria as to how sustainable development will be implemented in Babergh. The proposal has been assessed against these criteria and, whilst a number of the criteria are met, it is not possible to conclude that the development accords with policy CS15 as there are a number of criteria within policy CS15 that the proposal is either silent on or which the development does not strictly comply with. In this regard, the proposal can only be treated as being partly in compliance with policy CS15, however on balance would be broadly in keeping with the aims and spirit of the policy.

PART FOUR – CONCLUSION

69. At the heart of the balancing exercise to be undertaken by decision makers is Section 38(6) of the Planning and Compulsory Purchase Act 2004; which requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise, notwithstanding that the Council cannot presently demonstrate that it has a 5-year land supply.
70. In layman's terms it is clear that the Supreme Court have identified the objective of the NPPF paragraph 47 and 49 to boost significantly the supply of housing as being the more significant matter than questions as to what is or is not a relevant policy for the supply of housing. The message to local planning authorities is unmistakable. This is a material consideration which is of weight to the decision in this case. If policies for the supply of housing are not to be considered as being up to date they retain their statutory force but the focus shifts to other material considerations and, in particular, paragraph 47,49 and 14 of the NPPF. It is, therefore, considered that paragraph 14 of the NPPF is engaged with regards to this proposal.
71. Whilst it is acknowledged that the proposal is contrary to policy CS2 and in part CS11 and CS15, these policies should be afforded limited weight insofar as they seek to restrict the supply of housing.
72. When taken as a whole and as a matter of planning judgement on balance, the proposal is considered to adhere to the development plan and NPPF, and that any adverse impacts from the proposed development do not significantly and demonstrably outweigh the benefits of the development explained in this report, including the sustainability of the proposal. The application is therefore recommended for approval.

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

73. 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. In this instance the applicant has worked to address issues such as landscape considerations. However, it is noted that further work is required in terms of justifying identified local housing needs relating the the size of dwellings.

Identification of any Legal Implications of the decision

74. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following have been considered in respect of the proposed development.

- Human Rights Act 1998
- The Equalities Act 2010
- 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

That authority be delegated to the Corporate Manager - Growth and Sustainable Planning to grant planning permission, subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- Affordable Housing
- Recreational Amenities Contribution (Stour and Orwell SPA)

and that such permission be subject to the conditions including as set out below:

- Time Limit Condition
- Approved plans
- Submission of reserved matters
- Details of materials
- Site levels
- As required by highways
- As required by SCC Floods
- Details of fire hydrants
- Ecological mitigation and enhancement measures
- Detailed landscaping plan including all boundary treatment
- Archaeological work and monitoring
- Sustainability/Energy Reduction